

PART TWO

HALAKHIC MAN

His Creative Capacity

HALAKHIC man is a man who longs to create, to bring into being something new, something original. The study of Torah, by definition, means gleaming new, creative insights from the Torah (*hid'ushai Torah*). "The Holy One, blessed be He, rejoices in the dialectics of Torah" [a popular folk saying]. Read not here 'dialectics' (*pi'pul*) but 'creative interpretation' (*hid'ush*). This notion of *hid'ush*, of creative interpretation, is not limited solely to the theoretical domain but extends as well into the practical domain, into the real world. The most fervent desire of halakhic man is to behold the replenishment of the deficiency in creation, when the real world will conform to the ideal world and the most exalted and glorious of creations, the ideal Halakhah, will be actualized in its midst. The dream of creation is the central idea in the halakhic consciousness—the idea of the importance of man as a partner of the Almighty in the act of creation, man as creator of worlds. This longing for creation and the renewal of the cosmos is embodied in all of Judaism's goals. And if at times we raise the question of the ultimate aim of Judaism, of the telos of the Halakhah in all its multifold aspects and manifestations, we must not disregard the fact that this wondrous spectacle of the creation of worlds is the Jewish people's eschatological vision, the realization of all its hopes.

The Halakhah sees the entire Torah as consisting of basic laws and halakhic principles. Even the Scriptural narratives serve the purpose of determining everlasting law. "The mere

conversations of the servants of the fathers are more important than the laws [Torah] of the sons. The chapter dealing with Eliezer covers two or three columns, and [his conversation] is not only recorded but repeated. Whereas [the uncleanness of] a reptile is a basic principle of Torah law [*grisei Torah*], yet it is only from an extending particle in the Scriptures that we know that its blood defiles as flesh" (Gen. Rabbah 60:11). Our Torah does not contain even one superfluous word or phrase. Each letter alludes to basic principles of Torah law, each word to "well-fastened," authoritative, everlasting halakhot. From beginning to end it is replete with statutes and judgments, commandments and laws. The mystics discern in our Torah divine mysteries, esoteric teachings, the secrets of creation, and the *Merhabah* [the chariot of Ezekiel's prophecy];¹⁰² the halakhic sages discern in it basic halakhot, practical principles, laws, directives, and statutes. "The deeds of the fathers are a sign for the sons" [cf. Nahmanides, *Commentary on the Torah*, Gen. 12:6]. And this sign—i.e., the vision of the future—constitutes a clear-cut halakhah. Halakhic man discerns in every divine pledge man's obligation to bring about its fulfillment, in every promise a specific norm, in every eschatological vision an everlasting commandment (the commandment to participate in the realization of the prophecy). The conversations of the servants, the trials of the fathers, the fate of the tribes, all teach the sons Torah and commandments. The conversations of the servants of the fathers are, in truth, the Torah of the sons. The only difference between the conversation of Eliezer and the Scriptural portion concerning the reptile is that the former extends over two or three columns while the latter is but a brief passage.

Therefore, if the Torah spoke at length about the creation of the world and related to us the story of the making of heaven and earth and all their host, it did so not in order to reveal cosmogonic secrets and metaphysical mysteries but rather in order to teach *practical* Halakhah. The Scriptural

portion of the creation narrative is a legal portion, in which are to be found basic, everlasting halakhic principles, just like the portion of *Kedoshim* (Lev. 19) or *Mishpatim* (Exod. 21). If the Torah then chose to relate to man the tale of creation, we may clearly derive one law from this manner of procedure—viz., that man is obliged to engage in creation and the renewal of the cosmos.¹⁰³

Not for naught is Judaism acquainted with a Book of Creation, the mastery of which enables one both to create and destroy worlds. "Raba said: If the righteous desired it, they could be creators of worlds, as it is written, 'But your iniquities have separated between you and your God' (Isa. 59:2). (Rashi explains: We may infer from this that if they would not have any iniquities, there would be no distinction [between man and God, in the matter of creation]). Raba created a man. . . . R. Hanina and R. Oshia spent every Sabbath eve in studying the Book of Creation and created a third-grown calf" (Sanhedrin 65b).

The peak of religious ethical perfection to which Judaism aspires is man as creator.

When God created the world, He provided an opportunity for the work of His hands—man—to participate in His creation. The Creator, as it were, impaired reality in order that mortal man could repair its flaws and perfect it. God gave the Book of Creation—that repository of the mysteries of creation—to man, not simply for the sake of theoretical study but in order that man might continue the act of creation. "As soon as Abraham had understood, fashioned, engraved, attached and created, inquired and clearly grasped [the secret of creation], the Lord of the universe revealed Himself to him, called him His friend, and made a covenant with him between the ten fingers of his hand. . . ." ¹⁰⁴ Man's task is to "fashion, engrave, attach, and create," and transform the emptiness in being into a perfect and holy existence, bearing the imprint of the divine name.

"The earth was chaos and void, and darkness was upon the

face of the deep. . . . And God said: 'Let there be light'; and there was light. . . . God divided the light from the darkness. God called the light Day and the darkness He called Night. . . . Let there be a firmament in the midst of the waters, and let it divide the waters from the waters. . . . Let the waters under the heavens be gathered together unto one place, and let the dry land appear. . . . God called the dry land Earth, and the gathering of the waters He called Seas, etc." (Gen. 1:2-10).

When God engraved and carved out the world, he did not entirely eradicate the chaos and the void, the deep, the darkness, from the domain of His creation. Rather, he separated the complete, perfect existence from the forces of negation, confusion, and turmoil and set up cosmic boundaries, eternal laws to keep them apart. Now Judaism affirms the principle of creation out of absolute nothingness. Therefore, the chaos and the void, the deep, the darkness, and relative nothingness must all have been fashioned by the Almighty before the creation of the orderly, majestic, beautiful world. "A philosopher once said to Rabban Gamliel: Your God is a great artist, but He found good materials which helped Him: chaos and the void, the deep, the wind [*ruah*], water and darkness. He replied: Let the bones of that person [who so averred] be blasted! For the Scripture affirms that all these things were created. With regard to chaos and the void it is written: 'I [God] make peace, and create evil' (Isa. 45:7); with regard to darkness it is written: 'I form the light and create darkness' (Isa. 45:7); with regard to the wind [*ruah*] it is written: 'He formeth the mountains, and createth the wind [*ruah*]' (Amos 4:13); with regard to the deep it is written: 'Out of nothing I carved out the deep' (Prov. 8:24)" [Gen. Rabbah 1:12]. All of these "primordial" materials were created in order that they subsist and be located in the world itself. Not for naught did He create them. He created them in order that they may dwell within the cosmos!

However, the forces of relative nothingness at times exceed their bounds. They wish to burst forth out of the chains of

obedience that the Almighty imposed upon them and seek to plunge the earth back into chaos and the void. It is only the law that holds them back and bars the path before them. Now the Hebrew term for law, *hok*, comes from the root *h-k-k* (which means "to carve, engrave"). Thus the law carves out a boundary, sets up markers, establishes special domains, all for the purpose of separating existence from "nothingness," the ordered cosmos from the void, and creation from the naught. "When He carved [*hok*] a circle [*hug*] upon the face of the deep" (Prov. 8:27)—*hok*, the carving, the engraving, the law=*hug*, the circle—an all-encompassing boundary.¹⁰⁵ The perfect and complete ontic being extends until this divinely carved-out boundary; beyond that border is the deep, chaos and the void, darkness, and the "nothingness," devoid of image and form.

However, this relative "nothingness" is plotting evil, the deep is devising iniquity, and the chaos and void lie in wait in the dark alleyways of reality and seek to undermine the absolute being, to profane the lustrous image of creation. "Thou didst cover it with the deep as with a vesture; the waters stood above the mountains. At Thy rebuke they fled, at the sound of Thy thunder they hastened away. . . . Thou didst set a bound which they should not pass over, that they might return to cover the earth" (Ps. 104:6-9). "When He assigned to the seas its limit, so that the waters might not transgress His command, when He carved out the foundations of the earth" (Prov. 8:29). The deep wishes to cast off the yoke of the law (*hok*), to pass beyond the boundary (*hug*) and limit that the Creator set up and carved out and inundate the world and the fullness thereof. However, at the rebuke of the Almighty, it flees in retreat. From the sound of His thunder it is driven back and hastens to its "lair"—the lair of nothingness. The sight of a tempestuous sea, of whirling, raging waves that beat upon the shore there to break, symbolizes to the Judaic consciousness the struggle of the chaos and void with creation, the quarrel of the deep with the principles of order and the battle of confusion with the law.

The mysterious power of the delineated law and the limiting boundary which the Almighty implanted in existence presented itself in all its awesomeness and majesty to King David, the sweet singer of Israel, as reflected in the natural phenomenon of the orderly ebb and flow of the sea (caused by the gravitational force of the sun and the moon and the rotation of the earth). The sea at high tide and the sea at low tide appeared in their whirl of colors as a symbolic elemental process, as a bewitching spectacle of an eternal clash of forces. It is as though the sea at high tide, rushing to meet the shore, desires to destroy the boundary and the law, as though the disorder of the primordial forces, of chaos and confusion, desires to cleave asunder the perfect and exquisitely chiseled creation and lay it waste. Only the mighty strength of the law of the Almighty bars the path before them [the waves] and shatters them. "Thou rulest the proud swelling of the sea; when the waves thereof arise, Thou dost shatter them" (Ps. 89:10).

"R. Johanan said: When David dug the pits, the deep arose and threatened to submerge the world. . . . David thereupon inscribed the ineffable name upon a sherd, cast it into the deep, and it subsided."¹⁰⁶ "When David began to dig the foundations of the Temple, he dug 15 cubits and did not reach the deep. Finally he found one potsherd and sought to lift it up. Said [the potsherd] unto him: You may not. Said [David] unto it: And why not? Said [the potsherd] unto David: Because it is I who am restraining the deep. Said [David] unto it: And for how long have you been here? Said [the potsherd] unto him: Since the Almighty proclaimed on Mount Sinai 'I am the Lord thy God' (Exod. 20:2). At that moment the earth trembled and began to sink and I was placed here to restrain the deep. David, nevertheless, did not listen to it. As soon as he lifted it, the waters of the deep arose and sought to inundate the world."¹⁰⁷ Thus the deep desires to burst out of the enclosures of the law and shatter the realms of orderly creation, the cosmic process, the regular course of the world, and plunge them all back into

"nothingness," into desolation and ontic emptiness. However, it is held firm in the grip of the mighty law and its principles.¹⁰⁸

All of kabbalistic literature is imbued with this idea. The "other side," the "husks," the "mighty deep," the "angels of destruction," the "offspring of chaos," etc., all symbolize the realm of emptiness and the void, the domain of "nothingness," devoid of any image or stature,¹⁰⁹ that does battle with the glorious existence enveloped by the luster of the image of the Divine Presence.

However, this view, which threads its way through the entire course of Jewish thought, is not just a mysterious theoretical notion but a practical principle, a fundamental ethical-halakhic postulate.

II

WHEN man, the crowning glory of the cosmos, approaches the world, he finds his task at hand—the task of creation. He must stand on guard over the pure, clear existence, repair the defects in the cosmos, and replenish the "privation" in being. Man, the creature, is commanded to become a partner with the Creator in the renewal of the cosmos; complete and ultimate creation—this is the deepest desire of the Jewish people.

The Scriptural text "And the heaven and the earth were finished, and all the host of them" (Gen. 2:1)—the Targum, the Aramaic translation of the Pentateuch, translates *va-yekhhulu*, "were finished," as *ve-ishatkhelu*, "were perfected"—is both a profound expression of the soul of the people and the most fervent desire of the man of God. This lofty, ontological idea illumines the path of the eternal people. When a Jew on the Sabbath eve recites [this passage as part of] the *kiddush*, the sanctification over the wine, he testifies not only to the existence of a Creator but also to man's obligation to become a partner

with the Almighty in the continuation and perfection of His creation. Just as the Almighty constantly refined and improved the realm of existence during the six days of creation, so must man complete that creation and transform the domain of chaos and void into a perfect and beautiful reality.

When a Jew goes outside and beholds the pale moon casting its delicate strands of light into the empty reaches of the world, he recites a blessing. The natural, orderly, cosmic phenomenon precipitates in his religious consciousness both melancholy thoughts and bright hopes. He contemplates this spectacle of the lawful cycle of the waxing and waning of the moon and sees in it a symbol of defectiveness and renewal. Just as the moon is "defective" and then "renewed," so creation is "defective" and will be "renewed," "replenished." To be sure, God "with His word created the heavens. [He] gave them a fixed time so that they should not alter their appointed charges" [from the blessing over the new moon]. We are not speaking here about any mythological notions, heaven forbid, but about the cognition of the natural law governing the courses of the heavenly hosts based upon clear, precise astronomical knowledge. However, the law itself, the orderly movement itself, symbolizes a wondrous mystery. The very court which would make its astronomical calculations "in the same manner as the astronomers, who discern positions and motions of stars, engage in calculations,"¹¹⁰ would go outside and recite a blessing over the new moon. The Jewish people see in the orderly and lawful motion of the moon in its orbit a process of defectiveness and renewal, the defectiveness of the creation and its renewal, its replenishment. They, therefore, whisper a strange silent prayer: "May it be Thy will . . . to replenish the defect of the moon so that there be in it no diminution. And let the light of the moon be like the light of the sun, like the light of creation, like it was before it was diminished. As it is said: 'And God made the two great lights' (Gen. 1:16)" [from the prayer following the blessing over the new moon]. The Jewish people,

by means of this prayer, give allegorical expression to their hope for the perfection of creation and the repairing of the defects in the cosmos, to their hope for the realization of that great and awesome symbolic eschatological vision: "The light of the moon shall be as the light of the sun" (Isa. 30:26)¹¹¹

Examining matters from this esoteric vantage point, the Jewish people see their own fate as bound up with the fate of existence as a whole, that existence which is impaired and cleft asunder by the forces of negation and "nothingness." Physical reality and spiritual-historical existence—both have suffered greatly on account of the dominion of the abyss, of chaos and the void, and their fates parallel one another. When the historical process of the Jewish people reaches its consummation and attains the heights of perfection, then (in an allegorical sense) the flaws of creation as a whole will also be repaired. "He bade the moon renew itself for those who were burdened from birth, who like her will be renewed and will extol their Creator on account of the name of His glorious kingdom" [from the blessing over the new moon].

Man is obliged to perfect what his Creator "impaired." "Resh Lakish said: Why is the new-moon goat offering different, in that [the phrase] 'a sin offering unto the Lord' (Num. 28:15) is used in connection with it [whereas ordinarily the phrase 'a sin offering' is used without the additional 'unto the Lord']? Because the Holy One, blessed be He, said: This goat shall be an atonement for My diminishing the moon [i.e., it is as if the sin offering is not 'unto the Lord' but 'on behalf of the Lord']."¹¹² The Jewish people bring a sacrifice to atone, as it were, for the Holy One, blessed be He, for not having completed the work of creation.¹¹³ The Creator of the world diminished the image and stature of creation in order to leave something for man, the work of His hands, to do, in order to adorn man with the crown of creator and maker.¹¹⁴

The perfection of creation, according to the view of halakhic man, is expressed in the actualization of the ideal Halakhah in

the real world. And once again we see revealed before us the divergent approaches of the Halakah and mysticism. While mysticism repairs the flaws of creation by "raising it on high," by returning it back to the source of pure, clear existence, the Halakah fills the "deficiency" by drawing the *Shekhinah*, the Divine Presence, downward into the lowly world, by "contracting" transcendence within our flawed world.

A new aspect of the idea of holiness arises here. We have already emphasized, that while the universal *homo religiosus* understands the concept of holiness as a rebellion against this world, as a daring attempt to scale the very heights of transcendence, Judaism explains the concept of holiness from the perspective of the secret of "contraction." Holiness is the descent of divinity into the midst of our concrete world—"For the Lord thy God walketh in the midst of thy camp . . . therefore shall thy camp be holy" (Deut. 23:15)—it is the "contraction" of infinity within a finitude bound by laws, measures, and standards, the appearance of transcendence within empirical reality, and the act of objectification and quantification of that religious subjectivity that flows from hidden sources. Now, however, in the light of the idea of creation stored up in the treasure-house of Halakah, this outlook on holiness takes on additional dimensions. The dream of creation finds its resolution in the actualization of the principle of holiness. Creation means the realization of the ideal of holiness. The nothingness and naught, the privation and the void are rooted in the realm of the profane; the harmonious existence, the perfected being are grounded in the realm of the holy. If a man wishes to attain the rank of holiness, he must become a creator of worlds. If a man never creates, never brings into being anything new, anything original, then he cannot be holy unto his God. That passive type who is derelict in fulfilling his task of creation cannot become holy. Creation is the lowering of transcendence into the midst of our turbid, coarse, material world; and this lowering can take place only through the implementation of

the ideal Halakah in the core of reality (the realization of the Halakah = contraction = holiness = creation).

But man himself symbolizes, on the one hand, the most perfect and complete type of existence, the image of God, and, on the other hand, the most terrible chaos and void to reign over creation. The contradiction that one finds in the macrocosm between ontic beauty and perfection and monstrous "nothingness" also appears in the microcosm—in man—for the latter incorporates within himself the most perfect creation and the most unimaginable chaos and void, light and darkness, the abyss and the law, a coarse, turbid being and a clear, lucid existence, the beast and the image of God.¹¹⁵ All human thought has grappled with this strange dualism that is so pronounced in man and has sought to overcome it. From Plato and Aristotle, who distinguished between the nutritive soul, the sensitive soul, and the rational soul, to the psychoanalytic school of Freud and his followers, who sought to probe the depths of man's subconscious, this problem of dualism keeps reappearing and demanding its resolution.

Judaism declares that man stands at the crossroads and wonders about the path he shall take. Before him there is an awesome alternative—the image of God or the beast of prey, the crown of creation or the bogey of existence, the noblest of creatures or a degenerate creature, the image of the man of God or the profile of Nietzsche's "superman"—and it is up to man to decide and choose.¹¹⁶ "Thou didst fashion me after and before" (Ps. 139:5)—R. Ishmael b. Tanhum said: After all the actions and before all the punishments. If he proves worthy, we say to him you preceded creation, as it is written: 'And the spirit of God [i.e., man] hovered over the face of the waters' (Gen. 1:2); but, if not, a gnat preceded you, a snail preceded you."¹¹⁷ Herein is embodied the entire task of creation and the obligation to participate in the renewal of the cosmos. The most fundamental principle of all is that man must create himself. It is this idea that Judaism introduced into the world.

III

THE Halakhah introduced the concept of creation, in all its force and splendor, into both the commandment of repentance and the fundamental principles of providence, prophecy, and choice.

Repentance, according to the halakhic view, is an act of creation—self-creation. The severing of one's psychic identity with one's previous "I," and the creation of a new "I," possessor of a new consciousness, a new heart and spirit, different desires, longings, goals—this is the meaning of that repentance compounded of regret over the past and resolve for the future.

"If a person transgressed any of the commandments of the Torah . . . then when he repents and turns away from his sin, he is obliged to confess before God, blessed be He. . . . So, too, those who have to bring sin offerings or guilt offerings, when they bring their offerings for sins committed in error or willfully, do not obtain atonement through those offerings until they have repented and made a verbal confession, as it is written: 'He must confess the sin he has committed' (Lev. 5:5). So, too, those sentenced to death by the court and those sentenced to lashes do not obtain atonement through death or lashes until they have repented and confessed. So, too, one who injures his fellow man or damages his property, even though he pays what he owes him, does not obtain atonement until he confesses and turns aside from ever again acting in such a manner."¹¹⁸ On the one hand, Maimonides is of the opinion that *viddui*, verbal confession, is an indispensable part of the act of repentance. "He does not obtain atonement until he confesses and repents." On the other hand, we find the following statement in the Baraita: "If a man says to a woman: 'Be thou betrothed unto me] on condition that I am righteous,' even if he is absolutely wicked she is betrothed, for he may have had

thoughts of repentance in his heart." Moreover, Maimonides codifies this law in *Hilkhot Ishut* [Laws of Marriage].¹¹⁹ We see from here that verbal confession is not an indispensable part of repentance, and that the mere thought of repentance suffices. This contradiction requires examination. But in truth the Halakhah has posited two separate laws, two distinct principles,¹²⁰ with reference to repentance and its function. (1) Repentance may serve to divest the sinner of his status as a *rasha*, a wicked man. (2) Repentance may serve as a means of atonement like other means of atonement—sacrifices, the Day of Atonement, afflictions, death, and such like. The lack of verbal confession prevents repentance only from serving as a means of atonement, but it does not prevent it from divesting a sinner of his status as a *rasha*. Thus if one transgresses a negative commandment, for which the penalty is lashes, excision, or the judicial sentence of death, and thereby becomes ineligible as a witness, he need not make a verbal confession in order to regain his status of eligibility, but it suffices if he simply repents inwardly through regretting his past action and resolving never to sin again. This is the law as stated in the Baraita and in Maimonides's *Hilkhot Eduh* [Laws of Evidence]: "Those who are disqualified by reason of extortion or robbery, even if they subsequently make restitution, are not reinstated [as eligible witnesses] until they have repented, and remain ineligible until it is ascertained that they have reformed from their evil ways. When may usurers be considered to have reformed? When they tear up their notes of their own accord. . . . When may dice players be considered to have reformed? When they voluntarily break their blocks of wood. . . . When may traffickers in the produce of the Sabbatical year be considered to have repented? When another Sabbatical year comes round and they are put to the test."¹²¹ The sinner's regaining his status of eligibility as a witness is not at all dependent upon verbal confession, for his being divested of his status as a *rasha* has nothing to do with his obtaining atonement, but is dependent

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only upon the act of repentance itself consisting of regret and resolve. Repentance *per se* does not require verbal confession. Only the second aspect of repentance, which has as its aim the obtaining of atonement, requires verbal confession, for, as the Talmud states, "And he shall make atonement for himself, and for his house" (Lev. 16:6); the Torah speaks of atonement through words" [Yoma 36b]. The whole function of verbal confession is limited to the realm of that repentance which serves as a means of atonement and does not penetrate into the domain of that repentance which serves to divest the sinner of his status as a *rasha*.¹²²

The first principle of repentance is that the sinner be divested of his status as a *rasha*. This can only be attained if the sinner terminates his past identity and assumes a new identity for the future. It is a creative gesture which is responsible for the emergence of a new personality, a new self. This creative gesture is precipitated by an absolute decision of the will and intellect together. "What is repentance? It consists in this: that the sinner abandon his sin, remove it from his thoughts, and resolve in his heart never to repeat it . . . that he regret the past . . . and that he call the One who knows all secrets as a witness to his resolve never to return to this sin again. . . . It is also necessary that he make verbal confession and utter these matters which he had decided in his heart."¹²³ The abandonment of sin (i.e., the resolve for the future) and the regret over the past divest the sinner of his status as a *rasha*. They "sever" his spiritual continuity and transform his identity (and He who knows all secrets will bear witness to this act of creation). Verbal confession is directed toward precipitating the bestowal of atonement. Atonement, however, is only a peripheral aspect of repentance. Its central aspect is the termination of a negative personality, the sinner's divesting himself of his status as a *rasha*—indeed, the total obliteration of that status. "Some of the modes of manifesting repentance are that the penitent . . . change his name, as much as to say: 'I am another person and

am not the same man who committed these deeds."¹²⁴ The desire to be another person, to be different than I am now, is the central motif of repentance. Man cancels the law of identity and continuity which prevails in the "I" awareness by engaging in the wondrous, creative act of repentance. A person is creative; he was endowed with the power to create at his very inception. When he finds himself in a situation of sin, he takes advantage of his creative capacity, returns to God, and becomes a creator and self-fashioner. Man, through repentance, creates himself, his own "I."¹²⁵

Here there comes to the fore the primary difference between the concept of repentance in Halakhah and the concept of repentance held by *homo religiosus*. The latter views repentance only from the perspective of atonement, only as a guard against punishment, as an empty regret which does not create anything, does not bring into being anything new. A deep melancholy afflicts his spirit. He mourns for the yesterdays that are irretrievably past, the times that have long since sunk into the abyss of oblivion, the deeds that have vanished like shadows, facts that he will never be able to change. Therefore, for *homo religiosus*, repentance is a wholly miraculous phenomenon made possible by the endless grace of the Almighty.

But such is not the case with halakhic man! Halakhic man does not indulge in weeping and despair, does not lacerate his flesh or flail away at himself. He does not afflict himself with penitential rites and forgoes all mortification of body and soul. Halakhic man is engaged in self-creation, in creating a new "I." He does not regret an irretrievably lost past but a past still in existence, one that stretches into and interpenetrates with the present and the future. He does not fight the shadows of a dead past, nor does he grapple with deeds that have faded away into the distance. Similarly, his resolve is not some vacuous decision made with regard to an obscure, distant future that has not as yet arrived. Halakhic man is concerned with the image of the past that is alive and active in the center of his

present tempestuous and clamorous life and with a pulsating, throbbing future that has already been "created." There is a living past and there is a dead past. There is a future which has not as yet been "created," and there is a future already in existence. There is a past and there is a future that are connected with one another and with the present only through the law of causality—the cause found at moment *a* links up with the effect taking place at moment *b*, and so on. However, time itself as past appears only as "no more" and as future appears as "not yet." From this perspective repentance is an empty and hollow concept. It is impossible to regret a past that is already dead, lost in the abyss of oblivion. Similarly, one cannot make a decision concerning a future that is as yet "unborn." Therefore, Spinoza [*Ethics* IV, 54] and Nietzsche [in *Genealogy of Morals*—from this perspective—did well to deride the idea of repentance. However, there is a past that persists in its existence, that does not vanish and disappear but remains firm in its place. Such a past enters into the domain of the present and links up with the future. Similarly, there is a future that is not hidden behind a thick cloud but reveals itself now in all its beauty and majesty. Such a future, drawing upon its own hidden roots, infuses the past with strength and might, vigor and vitality. Both—past and future—are alive; both act and create in the heart of the present and shape the very image of reality. From this perspective we neither perceive the past as "no more" nor the future as "not yet" nor the present as "a fleeting moment." Rather past, present, future merge and blend together, and this new threefold time structure arises before us adorned with a splendid unity. The past is joined to the future, and both are reflected in the present. The principle of temporal asymmetry, of *b* following *a*, does not always serve as the distinguishing characteristic of time. Rather, a person may, not infrequently, abide in the shadow of a simultaneous past, present, and future. The law of causality, from this perspective, also assumes a new form. We do not have here the determinate order of a scientific, causal

process, nor does the relationship of active cause and predetermined passive effect prevail in such circumstances. Both "cause" and "effect" appear in an active-passive "garb"; both act and are acted upon; each influences and is influenced by the other. The future imprints its stamp on the past and determines its image. We have here a true symbiotic, synergistic relationship. The cause is interpreted by the effect, moment *a* by moment *b*. The past by itself is indeterminate, a closed book. It is only the present and the future that can pry it open and read its meaning. There are many different paths, according to this perspective, along which the cause can travel. It is the future that determines its direction and points the way. There can be a certain sequence of events that starts out with sin and iniquity but ends up with *mizvot* and good deeds, and vice versa. The future transforms the thrust of the past. This is the nature of that causality operating in the realm of the spirit if man, as a spiritual being, opts for this outlook on time, time as grounded in the realm of eternity. However, the person who prefers the simple experience of unidimensional time—time, to use the image of Kant, as a straight line—becomes subject to the law of causality operating in the physical realm. This principle imposes the rule of the cause on the effect, the domination of an earlier point in time upon a later one.

The Halakhah declares that the person who returns to his Maker creates himself in the context of a living, enduring past while facing a bright and welcoming future. Repentance, by definition, means (1) a retrospective reflection upon the past, separating out that which is living in it from that which is dead; (2) a vision of the future in which one distinguishes between a future that is already present and one that has not as yet been "created"; (3) an examination of the cause located in the past in light of the future, determining its direction and destination. The main principle of repentance is that the future dominates the past and there reign over it in unbounded fashion. Sin, as a cause and as the beginning of a lengthy causal chain of destruc-

tive acts, can be transformed, underneath the guiding hand of the future, into a source of merit and good deeds, into love and fear of God. The cause is located in the past, but the direction of its development is determined by the future. "Great is repentance, for deliberate sins are accounted to him as meritorious deeds" [Yoma 86b]. The sin gives birth to *mizvat*, the transgression to good deeds. In this outlook we find contained the basic principle of choice and free will. Choice forms the base of creation. Now causality and creation are two irreconcilable antagonists. If a causal lawfulness molds man's spiritual personality and points the way wherein he must go, then self-creation can have no meaning. But the above applies only if the general law of natural causality which prevails in the physical realm also operates in the world of the spirit—the cause decrees and the effect fulfills, event *a* tyrannizes over event *b*, the past is all powerful and the future must perforce follow in its wake. And it makes absolutely no difference whether the physical causality in question is mechanical in nature, as the mathematical, natural sciences founded by Galileo and Newton would have it, or teleological in nature, the view maintained by Aristotle. The only difference between Aristotle, on the one hand, and Galileo and Newton, on the other, regarding the principle of causality, is a directional one. While the mechanical view sees the cause as the beginning of a process and looks for it outside the effect, the teleological view locates the cause at the end of the process, existing within its effect. However, both outlooks admit that the effect is predetermined by the cause and that there can be no change in the direction of influence. Therefore, the creative gesture, of which man is capable, cannot be reconciled with the scientific concept of causality, whether it be prospective or retrospective. But it can be reconciled with the principle of causality that is rooted in the type of time consciousness we described earlier. When the future participates in the clarification and elucidation of the past—points out the way it is to take, defines its goals, and

indicates the direction of its development—then man becomes a creator of worlds. Man molds the image of the past by infusing it with the future, by subjecting the "was" to the "will be." To be sure, each cause gives rise to a new causal sequence. But this sequence can oftentimes head in various directions. It stands at the crossroads and ponders: Whither? If man so desires, it will travel in the direction of eternity; the past will heed his word and attach itself to him. The causes will submit to his directives. The idea of the reign of the future over the past is, no doubt, highly paradoxical, but it is the no less true for all that. The life of the individual and the community confirms this fact. A great man can utilize his past sins and transgressions for the sake of achieving great and exalted goals. "In the place where repentant sinners stand, even the wholly righteous cannot stand" [Berakhot 34b; Maimonides, *Laws of Repentance* 7:4]. Historical crimes, past aberrations, can, at times, descend upon dry bones like the life-giving dew of resurrection, to which world history so amply testifies.

IV

THE experience of halakhic man is not circumscribed by his own individual past but transcends this limited realm and enters the domain of eternity. The Jewish people's all-embracing collective consciousness of time—the sages of the tradition, the Second Temple era, the age of classical prophecy, the revelation on Mount Sinai, the Exodus from Egypt, the lives of the patriarchs, the creation itself—is an integral part of the "I" awareness of halakhic man. His time is measured by the standard of our Torah, which begins with the creation of heaven and earth. Similarly, halakhic man's future does not terminate with the end of his own individual future at the moment of death but extends into the future of the people as a whole, the people who yearn for the coming of the Messiah

and the kingdom of God. The splendor of antiquity and the brilliance of the eschaton envelop halakhic man's time consciousness. We have here a blurring of the boundaries dividing time from eternity, temporal life from everlasting life. Spinoza, in order to introduce the idea of eternity (*sub quadam aeternitatis specie*) into the highest conception of the world afforded by knowledge, divested being of the attribute of time and ascribed to it only the attribute of space, extension. Judaism declares: There can be no eternity without time. On the contrary, everlasting life only reveals itself through the medium of the experience of time—the hour is transformed into infinity, the moment into eternity. Man can glimpse eternity only through the consciousness of time. The whole thrust of the various commandments of remembrance set forth in the Torah—for example, the remembrance of the Exodus, the remembrance (according to Nahmanides) of the revelation at Mount Sinai [see Nachmanides's critical glosses on Maimonides, *Book of Commandments*, "Negative commandments not included by Maimonides: No. 2"], the remembrance of the Sabbath day (through the recitation of the *kiddush*), the remembrance of Amalek—is directed toward the integration of these ancient events into man's time consciousness. The Exodus from Egypt, the divine revelation on Mount Sinai, the creation of the world, all are transformed into an integral part of the content of man's present consciousness, into a powerful, direct experience. The commandment to relate the story of the Exodus carries with it a unique halakhah: "In every generation a man must regard himself as if he came forth out of Egypt" [Pesahim 10:5; cf. Maimonides, *Law of Hametz and Matzah* 7:6]. But how can a person regard himself as one of those who left Egypt, as a companion of Moses and Aaron in the remote dawn of our history, if not by including himself in this ancient past and in the process of redemption that occurred then? But these remembrances are not just tied up with the past; they also point the way to the infinite future. The redemption from Egypt is

linked to the future redemption. This connection is drawn in the blessings of *emet ve-yatziv* and *emet ve-emunah* immediately following the morning and evening *Shema*, respectively. Similarly, we conclude the *seder* on Passover night by reciting *Hallel*, the great *Hallel*, and *Nishmat*, all of which speak of the Scriptural vision of the eschaton. The revelation on Mount Sinai foreshadows the perfection of the world under the kingdom of the Almighty, when His glory will be revealed unto all. The text of the blessing *Shofarot* [Rams' horns] in the Musaf prayer of Rosh Ha-Shanah bears witness to this connection. The blessing begins with verses describing the revelation of the Torah on Mount Sinai and concludes with verses depicting the sounding of the *shofar* of the Messiah and the future redemption of Israel. The remembrance of Amalek symbolizes Israel's battle against the hosts of wickedness and the arrogant kingdom until the coming of the Messiah. "This day, on which was the beginning of Thy work, is a memorial for the first day." This is the prayer of the Jewish people on Rosh Ha-Shanah [from the blessing *Zikhronot* (Remembrances) in the Musaf prayer of Rosh Ha-Shanah]. They celebrate the anniversary of the creation of the world. This metaphysical act is still embedded in the nation's consciousness, as they pray on that very day for the renewal of the cosmos. The infinite past enters into the present moment. The fleeting, evanescent moment is transformed into eternity. But the covenantal community, daughter Zion, continues thus her supplications before the King sitting in judgment: "Our God and God of our fathers, reign over the whole universe in Thy glory, be exalted over all the earth in Thy grandeur" [from the blessing *Malkuyot* (Kingships) in the Musaf prayer of Rosh Ha-Shanah]. Not only the infinite past but also the infinite future, that future in which there gleams the reflection of the image of eternity, also the splendor of the eschatological vision, arise out of the present moment, fleeting as a dream. Temporal life is adorned with the crown of everlasting life.

"Moses received the Torah from Sinai, and transmitted it to Joshua," etc. [Avot 1:1]. This is the motto of the Halakhah. The *masorah*, the process of transmission, symbolizes the Jewish people's outlook regarding the beautiful and resplendent phenomenon of time. The chain of tradition, begun millennia ago, will continue until the end of all time. Time, in this conception, is not destructive, all-consuming, and it does not simply consist of fleeting, imperceptible moments. This wondrous chain, which originated on that bright morning of the day of revelation and which stretches forward into the eschaton, represents the manner in which the Jewish people experience their own history, a history that floats upon the stormy waters of time. The consciousness of halakhic man, that master of the received tradition, embraces the entire company of the sages of the *masorah*. He lives in their midst, discusses and argues questions of Halakhah with them, delves into and analyzes fundamental halakhic principles in their company. All of them merge into one time experience. He walks alongside Maimonides, listens to R. Akiva, senses the presence of Abaye and Raba. He rejoices with them and shares in their sorrow. "David, king of Israel, yet lives and endures" [Rosh Ha-Shanah 25a]; "Our father Jacob did not die" [Ta'anit 5b; cf. Gen. Rabbah 96:4]; "Moses, our teacher, did not die" [Zohar I, 37b]. There can be no death and expiration among the company of the sages of tradition. Eternity and immortality reign here in unbounded fashion. Both past and future become, in such circumstances, ever-present realities.

In truth, the dualism bound up with the concept of time has been well known since Bergson. The distinction between the concept of mathematical time, frozen in geometrical space and entirely quantifiable, and the perception of time as pure, qualitative duration, forming the very essence and content of consciousness and streaming ever onward (and only the act of memory can enable one somehow to grasp hold of this rushing stream), was largely responsible for the rebellion of the human

sciences (*geisteswissenschaften*) against the methodology of the mathematical, natural sciences. Nowadays, philosophy operates with a dual conception of time: (1) mathematical-physical time; (2) historical time. The former is being quantified in ever-increasing measure (its quantitative nature has been emphasized most strikingly by the union of space and time in the theories of Minkowski and Einstein), while the latter, from day to day, is apprehended more and more as pure quality. All of the investigations of the phenomenological school into the nature of time have as their aim elucidating its qualitative character. Similarly, the special nature of causality in the realm of the spirit (psychic-historical causality) occupies an important place in modern philosophy.

The Halakhah, however, is not particularly concerned with the metaphysics of time. Moreover, it is not inclined to transform time into pure, flowing, evanescent quality. Judaism disapproves of too much subjectivity, of an undue emphasis on quality. Therefore, it does not view time from the perspective of the *geisteswissenschaften*. The fact that the concept of time in the Halakhah is bound up with measurable time periods—days, weeks, months, years, sabbatical and jubilee cycles—demonstrates that Judaism does not desire a flowing stream of time but rather wishes to establish a time that is fixed and determined.¹²⁶

The fundamental principle of the halakhic outlook on time is practical and ethical in nature.

We have already emphasized earlier that man is given the choice of deciding between two perceptions of time—evanescence and eternity—and ordering his life accordingly.

There is a kind of person who seeks refuge in the shadow of a fragmented, shattered time. He frequents a present that has cut itself off from the past and the future and finds itself in the narrow four cubits of the fleeting moment. The antinomy contained in the idea of time—"The past already gone by, the future not yet nigh, the present, the blink of an eye" [a popular

medieval adage]—appears here in all its terror. Yesterday has already passed, tomorrow is yet to come, and today rapidly descends into the abyss of oblivion. Such a man is subject to the general scientific law of causality—the cause rooted in the past determines the image of the future. His existence does not enjoy the blessings of liberty and free will. The yesterday creates both the now and the tomorrow, and all three deride and mock him. Actions long since gone precipitate deeds yet to come. Life is out of his control. He can create neither himself nor his future. There is no psychic continuity here, only an existence completely out of joint. Continuity, by definition, means the future imprinting its stamp upon the past. However, when today and tomorrow are dominated and controlled by yesterday, that spiritual constancy whose content is a never-ending process of self-creation simply disappears. Such a life the sages called *hayyei sh'ah*, temporal life.

But there is a kind of man who abides under the shadow of a complete and resplendent time. His soul, grounded "in days past" (Deut. 4:32), in the early history of his people, is devoted to the eschatological ideal. He looks behind him and sees a hylic matter that awaits the reception of its form from the creative future. He looks ahead of him and confronts a creative, shaping force that can delineate the content of the past and mold the image of the "before." He participates in the unfolding of the causal sequence and the ongoing act of creation. He views existence from the perspective of eternity and enjoys the splendor of creation. His consciousness embraces the entire historical existence of the Jewish people. Such a time consciousness, whose beginning and end is everlasting life, is the aim of Halakhah and is termed creation—the realization of the eternal Halakhah in the very midst of the temporal, fleeting world, the "contraction" of the glory of the infinite God in the very core of concrete reality, the descent of an everlasting existence into a reality circumscribed by the moment. Not for naught does Judaism speak of (1) the world as a finite entity;

(2) the world under the aspect of eternity and infinity. A coincidence of opposites? Nevertheless! In the midst of finitude there appear traces of infinity; in the midst of the fleeting moment an ever-enduring eternity. The symbol of this outlook is the idea of repentance, which is identical with true creation.¹²⁷

V

THE old problem of the status of the individual, which had its roots in the philosophy of Aristotle and which, for a long time, engaged the attention of the Christian and Arab scholastics, found both its clearest expression and its most profound and original solution in the philosophy of Maimonides. Obviously, the view of Averroës, that only the universal active intellect is immortal and not the individual passive intellect, contradicts the very foundations of Judaism. Maimonides disagreed with this view, as did Albertus Magnus and Thomas Aquinas after him.¹²⁸ Nevertheless, the whole question of the immortality of the soul, particularly as it relates to the individual passive intellect (the hylic or potential intellect), is a very difficult and important one, and here Maimonides appears in his full intellectual and ethical splendor as he resolves this problem in a brilliant and striking fashion.

On the one hand, Maimonides subscribed to the view of Aristotle (and Plato)¹²⁹ that true, authentic existence is to be found only in the realm of the forms—the universal ideas—while the realm of particularity, rooted in matter (as an individuating principle) does not attain the level of complete being but exists only as an image of the universal. On the other hand, the Halakhah has always insisted upon the principle of individual immortality. How can these two apparently contradictory positions be maintained?

This same problem reappears in the discussion surrounding the issue of providence. For certainly the belief in indi-

vidual providence is a cornerstone of Judaism, both from the perspective of the Halakhah and from the perspective of philosophical inquiry. It is the tenth of Maimonides's thirteen fundamentals of faith.¹³⁰ The protagonist of the religious drama, according to Judaism, is the individual, responsible for his actions and deeds, and there can be no responsibility or accountability without providence. Therefore, Maimonides placed man in a special category by himself, distinct from that of all other creatures, and proclaimed that man's own particular existence as an individual is of significance, both with reference to the principle of immortality and the principle of individual providence. "As for my own belief with regard to this fundamental principle, the meaning of divine providence, it is as I shall set it forth to you. In the belief that I shall set forth, I am . . . relying upon what has clearly appeared as the intention of the book of God and of the books of our prophets. . . . For I believe that in this lowly world—I mean that which is beneath the sphere of the moon—divine providence watches only over the individuals belonging to the human species and that in this species all the circumstances of the individuals and the good and evil that befall them are consequent upon their deserts, just as it says: 'For all His ways are justice' (Deut. 32:4). But regarding all the other animals and, all the more, the plants and other things, my opinion is that of Aristotle. . . . For all these texts [asserting that there is providence over animals] refer to providence watching over the species and not to individual providence. . . . It does not follow for me that by virtue of this opinion one may pose to me the following question—namely: Why does He watch over the human individuals and not watch in the same way over the individuals belonging to the other species of animals? For he who propounds this question ought to ask himself: Why did He give intellect to man and not to the other species of animals? The answer to this last question is: He willed it so."¹³¹

The gist of Maimonides's view is that man occupies a unique

position in the kingdom of existence and differs in his ontological nature from all other creatures. With reference to all other creatures, only the universal, not the particular, has a true, continuous existence; with respect to man, however, it is an everlasting principle that his individual existence also attains the heights of true, eternal being. Indeed, the primary mode of man's existence is the particular existence of the individual, who is both liable and responsible for his acts. Therefore, it is the individual who is worthy of divine providence and eternal life. Man, in one respect, is a mere random example of the biological species—species man—an image of the universal, a shadow of true existence. In another respect he is a man of God, possessor of an individual existence. The difference between a man who is a mere random example of the biological species and a man of God is that the former is characterized by passivity, the latter by activity and creation. The man who belongs solely to the realm of the universal is passive to an extreme—he creates nothing. The man who has a particular existence of his own is not merely a passive, receptive creature but acts and creates. Action and creation are the true distinguishing marks of authentic existence.

However, this ontological privilege, which is the peculiar possession of the man who has a particular existence of his own, a privilege that distinguishes him from all other creatures and endows him with individual immortality, is dependent upon man himself. The choice is his. He may, like the individual of all the other species, exist in the realm of the images and shadows, or he may exist as an individual who is not a part of the universal and who proves worthy of a fixed, established existence in the world of the "forms" and "intellects separate from matter" [Maimonides, *Laws of the Foundations of the Torah* 4:9]. Species man or man of God, this is the alternative which the Almighty placed before man. If he proves worthy, then he becomes a man of God in all the splendor of his individual existence that cleaves to absolute infinity and the glorious

"divine overflow." If he proves unworthy, then he ends up as one more random example of the biological species, a turbid and blurred image of universal existence.¹³² "According to me, as I consider the matter, divine providence is consequent upon the divine overflow and the species with which this intellectual overflow is united. . . . But I believe that providence is consequent upon the intellect and attached to it. For providence can only come from an intelligent being, from one who is an intellect perfect with a supreme perfection. . . . Accordingly, everyone with whom something of this overflow is united will be reached by providence to the extent to which he is reached by the intellect. . . . When any individual has obtained, because of the disposition of his matter and his training, a greater portion of this overflow than others, providence will of necessity watch more carefully over him than over others—if, that is to say, providence is, as I have mentioned, consequent upon the intellect. Accordingly, divine providence does not watch in an equal manner over all the individuals of the human species, but providence is graded as their human perfection is graded. . . . It follows necessarily that His providence, may He be exalted, that watches over the prophets is very great and proportionate to their degree in prophecy and that His providence that watches over excellent and righteous men is proportionate to their excellence and righteousness. For it is this measure of the overflow of the divine intellect that makes the prophets speak, guides the actions of the righteous men, and perfects the knowledge of the excellent men with regard to what they know. As for the ignorant and disobedient, their state is deplorable proportionately according to their lack of this overflow, and they have been relegated to the ranks of the individuals of all the other species of animals: 'He is like the beasts that speak not' (Ps. 49:13, 21)."¹³³

Man, at times, exists solely by virtue of the species, by virtue of the fact that he was born a member of that species, and its general form is engraved upon him. He exists solely on ac-

count of his participation in the idea of the universal. He is just a member of the species "man," an image of the universal. He is just one more example of the species image in its ongoing morphological process (in the Aristotelian sense of the term). He himself, however, has never done anything that could serve to legitimate his existence as an individual. His soul, his spirit, his entire being, all are grounded in the realm of the universal. His roots lie deep in the soil of faceless mediocrity; his growth takes place solely within the public domain. He has no stature of his own, no original, individual, personal profile. He has never created anything, never brought into being anything new, never accomplished anything. He is receptive, passive, a spiritual parasite. He is wholly under the influence of other people and their views. Never has he sought to render an accounting, either of himself or of the world; never has he examined himself, his relationship to God and his fellow man. He lives unnoticed and dies unremembered. Like a fleeting cloud, a shadow, he passes through life and is gone. He bequeaths nothing to future generations, but dies without leaving a trace of his having lived. Empty-handed he goes to the grave, bereft of *mitzvah* performances, good deeds, and meritorious acts, for while living he lacked any sense of historical responsibility and was totally wanting in any ethical passion. He was born involuntarily, and it is for this reason and this reason alone that he, involuntarily, lives out his life (a life which, paradoxically, he has "chosen"!) until he dies involuntarily. This is man as the random example of the biological species.

But there is another man, one who does not require the assistance of others, who does not need the support of the species to legitimate his existence. Such a man is no longer a prisoner of time but is his own master. He exists not by virtue of the species, but solely on account of his own individual worth. His life is replete with creation and renewal, cognition and profound understanding. He lives not on account of his having been born but for the sake of life itself and so that he

may merit thereby the life in the world to come. He recognizes the destiny that is his, his obligation and task in life. He understands full well the dualism running through his being and that choice which has been entrusted to him. He knows that there are two paths before him and that whichever he shall choose, there must he go. He is not passive but active. His personality is not characterized by receptivity but by spontaneity. He does not simply abandon himself to the rule of the species but blazes his own individual trail. Moreover, he, as an individual, influences the many. His whole existence, like some enchanted stream, rushes ever onward to distant magical regions. He is dynamic, not static, does not remain at rest but moves forward in an ever-ascending climb. For, indeed, it is the living God for whom he pines and longs. This is the man of God.

The fundamental of providence is here transformed into a concrete commandment, an obligation incumbent upon man. Man is obliged to broaden the scope and strengthen the intensity of the individual providence that watches over him. Everything is dependent on him; it is all in his hands. When a person creates himself, ceases to be a mere species man, and becomes a man of God, then he has fulfilled that commandment which is implicit in the principle of providence.

VI

THE most exalted creation of all is the personality of the prophet. Each man is obligated to give new life to his own being by modeling his personality upon the image of the prophet; he must carry through his own self-creation until he actualizes the idea of prophecy—until he is worthy and fit to receive the divine overflow. The principle of prophecy, as an article of faith, like the fundamental of providence, has a twofold aspect: the belief in (1) prophecy as a reality—i.e., that God causes men to prophesy; (2) prophecy as a norm—i.e.,

that each person is obliged to aspire to this rank, that every man should make a supreme effort to scale the mountain of the Lord, until he reaches the pinnacle of the revelation of the Divine Presence. Thus, the belief in prophecy has an ethical and practical dimension; it incorporates within its scope binding and authoritative law. Prophecy is man's ultimate goal, the end point of all his desires. "It is one of the foundations of religion to know that God causes men to prophesy. Prophecy rests only on an exceedingly wise man, who is strong with respect to his moral habits so that his inclination [yetzer] does not overcome him in anything whatsoever but he, through the use of his mind, always overcomes his inclination, and who also possesses an exceedingly broad and ready mind. A person who is endowed with all these moral habits and who is physically sound, when he enters the *pardes* [the "garden" of the divine science] and pursues those great and distant matters, and he possesses a mind that is ready for understanding and comprehending, and he sanctifies himself and withdraws from the path of the generality of the people who walk in the darkness of the times, for he prods himself and teaches his soul not to take any thought at all of any empty matters nor of the vanities of the age and its contrivances, his mind always facing upward, bound beneath the [celestial] throne, to understand the holy, pure forms, and to behold the wisdom of the Holy One, blessed be He, in its entirety, from the first form until the center of the earth, and to know from them His greatness—at once, the Holy Spirit rests upon him."¹³⁴ Maimonides incorporated in this halakhah, which deals with the fundamental of prophecy—i.e., "that God causes men to prophesy"—a description of the personality and spiritual stature of the prophet. And with good reason. For the image of the prophet and the structure of his consciousness are also parts of the principle of prophecy; they serve both as man's "telos" and as the ideal of ethical perfection, as posited by Halakhah. "The sixth fundamental is that of prophecy—i.e., that a man should know that among the

species of man there are to be found men whose nature is such that they possess exalted and refined moral habits and great perfection, and their souls are ready until they finally receive the form of the intellect. Afterward the human [acquired] intellect will cleave to the active intellect, and there will overflow from the active intellect onto the human intellect a mighty overflow. These are the prophets and this is prophecy.¹³⁵ Maimonides, in the above passage, explicitly states that the fundamental of prophecy includes two elements: (1) the personality of the prophet; (2) the phenomenon of prophecy. To be sure, the outpouring of the spirit, the divine overflow, is dependent upon heavenly grace; nevertheless, the preparation for prophecy and the task of self-creation have been entrusted to man.¹³⁶

When a person reaches the ultimate peak—prophecy—he has fulfilled his task as a creator. "At once the Holy Spirit rests upon him. And when the Spirit descends upon him, his soul commingles with the rank of the angels called *ishim* [viz., the active intellect] and he is turned into another person. And he will understand that he is not the same as he had been, but that he has been elevated above the rank of the other wise men, even as it is said of Saul: 'And thou shalt prophesy with them, and shalt be turned into another man' (1 Sam. 10:6)."¹³⁷ The prophet creates his own personality, fashions within himself a new "I" awareness and a different mode of spiritual existence, snaps the chains of self-identity that had linked him to the "I" of old—to man who was just a random example of the species, who "walk[ed] in the darkness of the times"—and turns into a man of God, his mind "bound beneath the [celestial] throne." In sum, the task of creation with which man is charged is, according to the Halakhah, a triple performance; it finds its expression in the capacity to perform *teshuvah*, to repent, continues to unfold in *hashgafah*, the unique providence which is bestowed upon the unique individual, and achieves its final and ultimate realization in the reality of prophecy and the

personality of the prophet. Man starts with repentance, with a fleeting awareness of sin, with the feeling of regret for the past and determination for the future; he continues to exercise his creative powers by searching for individual providence to single him out as an independent personality; and he finally closes and consummates the cycle of creation with attaining the level of prophecy. This is the path that the Halakhah has charted for man to travel.

The mystery of creation, according to Maimonides, is latent in the adhesion of the initially passive intellect—which functions with reference to the active intellect as does matter in its potentiality with reference to the form that acts upon it—to the active intellect. Man initially is receptive, is pure potentiality. But creation, by definition, means spontaneity, actuality, action, renewal, aspiration, and daring. Therefore, man must become a creature that both acts and causes others to act. The potentiality must transform itself into actuality, the receptivity into spontaneity. The hyle in this process of creation must ultimately be able to act, drawing upon its own resources. The creature must become a creator, the object who is acted upon a subject who acts. The concept of the individual action is of major importance in Judaism, and this idea molds the shape of the concept of creation as it appears in Maimonides's philosophy. Moreover, Maimonides's view on this matter is consistent with his overall philosophical system. Cognition, for Maimonides, is the identity of the intellect, the intellectually cognizing subject and the intellectually cognized object. Moreover, for Maimonides, this principle of identity not only applies to the infinite, divine cognition but also to finite, human cognition.¹³⁸ The moment the hyleic intellect (the material intellect, as it is called by the Arab philosophers, or passive intellect, as it is termed by the Aristotelians) passes from potentiality to actuality—i.e., at the moment of actual cognition—it unites and conjoins with the active intellect. However, this identity is constant and eternal only with respect to the infinite divine

intellect but not with respect to the intellects of His creatures, for their cognition is finite and intermittent. The identity is broken when the act of cognition ceases. As long as the act of cognition lasts, the unity remains in force. For this reason the great ideal of man is to multiply acts of intellectual cognition (in frequent succession) in order thereby firmly to establish (to be sure, with many interruptions, for is not the absolute continuity of cognition reserved solely for God?) the constancy of the unifying act of cognition. Man has the choice to devote his hylic intellect either to the apprehension of the senses and the imagination, which is restricted to matter circumscribed by space and time, or to a pure intellectual cognition of the separate, essential forms.¹³⁹ Creation finds its expression in man's fulfilling all of his tasks, causing all of the potentiality implanted in him to emerge into actuality, utilizing all of his manifold possibilities, and fully bringing to fruition his own noble personality. The power stored up within man is exceedingly great, is all-encompassing, but all too often it slumbers within and does not bestir itself from its deep sleep. The command of creation, beating deep within the consciousness of Judaism, proclaims: Awake ye slumberers from your sleep. Realize, actualize yourselves, your own potentialities and possibilities, and go forth to meet your God. The unfolding of man's spirit that soars to the very heavens,¹⁴⁰ that is the meaning of creation.

In truth, Greek philosophy was also familiar with the notion of a process of development from relative nothingness to a perfect existence. What is more, this problem is practically the central issue in Greek ontology. The dispute between Heraclitus and Parmenides concerning the nature of being—whether it is perpetual development and movement or fixed, perfect existence—still made itself felt in the analyses of the Platonic and Aristotelian schools and their successors. Aristotle's idea of the fourfold nature of existence was an attempt to solve this problem. Two out of the four ontic aspects of existence repre-

sent, on the one hand, the ultimate, complete being, pure actuality (as conceived by Parmenides), and, on the other hand, potential reality—the prime hylic matter—which in truth, according to Aristotle, does not have any real existence of its own (but is only an abstraction). Between these two poles there is the realm of movement in which one finds the coming into being of existence and the entire process of development (as pictured by Heraclitus). There is an ever-ascending hierarchy of matter and form, at the top of which is thought thinking itself (*νόησις νοήσεως*). Existence (apart from the first form), by definition, means development, the passing from potentiality into actuality. The process of development from possibility (*δύναμις*) to entelechy (*ἐντελέχεια*) is the fundamental principle of reality.¹⁴¹

However, a vast abyss separates the view of Aristotle from the ontological outlook of Maimonides, the master halakhist, this despite the fact that the latter uses the terms of the former with respect to this question. First, the whole concept of creation never really took hold in Greek philosophy. As a result of this, Greek philosophy had no room for the true creative act. In its stead it posited an ever-unfolding, necessary concatenation of events.¹⁴² Such a process of development cannot be transformed into an ethical principle, a norm and obligation binding upon man. The pure, first form does not create; therefore, man is not obliged to create.

Second, the eudaemonistic ideal (the search for happiness), which serves for Aristotle as the highest ethical good, cannot inspire man to create. Neither the intellectual virtues of Aristotelian ethics nor the aspiration for the contemplative life (*βίος θεωρητικός*) are in any way equivalent with the yearning for creation that has so entirely seized hold of the Jewish imagination. The longing for the theoretical life does not consist so much in the realization within the realm of one's own individuality of the potentiality that is latent in matter, as in the abstracting of form from matter. The desire of the theoretical

type, according to the view of Plato, Aristotle, and the Stoics, is directed toward complete abstraction and absolute union with the perfect, ultimate realm of universality. The dream of the Attic sage is the obliteration of that particularity which is rooted in matter. Individuality simply cannot exist in the world of a Greek philosopher from any of these schools.

Judaism, however, is grounded in its awareness of and esteem for the individual. "He who preserves a single life it is as though he preserved an entire world" [Sanhedrin 4:6]. Judaism seeks to fortify, strengthen, and ground the reality of the individual, to elevate him to exalted ontological heights. The individual is redeemed by the Halakhah precisely because it leaves the philosophical realm far behind and is thereby able to shape man's personality by means of the new idea of creation which it has introduced to the world. The realm of the universal exists from the very beginnings of creation; the realm of the particular is created by man himself.

The concept of creation has its roots in the Halakhah, and from there it was transferred by Maimonides to the domain of philosophy. Therefore, Maimonides, in the *Mishneh Torah*, used the Aristotelian notions of active and passive intellect very sparingly but instead took up at great length the new principle which Judaism brought to light—namely, prophecy as a binding ethical ideal, prophecy as an act of self-creation and self-renewal.

The concept of creation sheds a clear light on the fundamental principle of choice and free will. This principle expresses itself on two levels: (1) man is free to create himself as a man of God; he has the ability to shatter the iron bars of universality and strict causality that imprison him qua man as a random example of the species; (2) this man of God, fashioned and created by man himself, having shattered that structured lawfulness governing the species, is no longer under its dominion and need not heed its dictates. He exists in his own private domain; he lives a free, autonomous, individual, and unique existence. The teleological law of the species no longer

exerts any power over him. Now we know that Maimonides accepted the Aristotelian view that lawfulness is primarily an inner teleological process¹⁴³ whereby the form of the species is actualized in the individual. Therefore, as long as man has not ascended to the rank of existence where he leaves behind him the domain of the universal and enters into his own personal domain—no longer dependent upon the principles operative in the realm of the universal—he is still subject to the rule of the species and the universal form. However, as soon as he liberates himself from the burden of the species, he becomes a free man. Complete freedom belongs only to the prophet, the man of God. The man who is a mere random example of the species, on the other hand, is wholly under the rule of the scientific lawfulness of existence. Between this species man and the man of God, between necessity and freedom, is the middle range in which most people find themselves. Some ascend in the direction of complete freedom; others descend in the direction of complete servitude. Man, initially, must cause all of the potentialities of the species implanted in him to pass into actuality; he must completely realize the form of the species "man."¹⁴⁴ However, once he has actualized this universal form, then, instead of having his own specific image obliterated, he acquires a particular form, an individual mode of existence, a unique personality and an active, creative spirit. He leaves behind the domain of the species and enters his own personal domain. The realization of the universal in man's being negates any claim that the species has on him. This outlook is truly striking in its paradoxical nature. It is a hybrid of two views: the view of Aristotle, with its emphasis on the universal, and the view of the Halakhah, with its emphasis on the individual. The method is Greek, the purpose halakhic. The goal of self-creation is individuality, autonomy, uniqueness, and freedom. However, as was explained earlier, the complete freedom of the man of God is embodied in his percep-

tion of the norm as an existential law of his own individual and spiritually independent being; he discovers his freedom in the halakhic principle, which is deeply rooted in his pure soul. For this norm, this principle is unaccompanied by any sense of compulsion, and a person does not feel "as though he were compelled by some mysterious, hidden power." Rather he rejoices in its fulfillment and realization.

In this light we can understand why Maimonides broadened the principle of choice to encompass man's entire spiritual being (rather than limiting it solely to the question of will). Man's spirit is free and independent. It is not subject to the lawful structure of the universal, to the necessity of the species. The "universal" in the existence of the man of God is free from the chains of scientific lawfulness, for it was created in accordance with the principle of freedom and is wholly grounded in that principle.

"Choice is granted to every human being. If a man wants to follow the good path and be good, the choice is his; if he wants to follow the evil path and be wicked, the choice is his. . . . Let it not occur to your mind that God decrees at the birth of a person that he shall be good or evil, a notion expressed by foolish non-Jews and the multitude of ignorant Jewish individuals. It is not so. Every human being is fit to become as righteous as Moses or as wicked as Jeroboam, wise or foolish, merciful or cruel, niggardly or generous; and so with all other traits."¹⁴⁵ Indeed, man's entire spiritual existence is enhanced by his unique privilege to create himself and make himself into a free man. The voluntaristic motif finds its full expression here, for in the final analysis it is the will which is the source of freedom. Therefore, when the will expands to the far reaches of man's being, it takes the entire spiritual world in its sweep and reigns over it in unbounded fashion. The triumph of freedom in the realm of the spirit testifies to the dominion and influence of the will on all the other manifestations of man's inner experience. More power and strength to the will! Now we have

already emphasized earlier that, for Maimonides, the cosmos is an expression of the will of the Almighty. God created the world for the sake of His will. Therefore, when God appointed some of His glory to mortal man and bestowed upon him the power of creation, He grounded this creative power in man's will. The will outwits the structured lawfulness of the species; it creates a new, free mode of being in man, one which is not enslaved by the rule of the structured lawfulness of the universal but which it ascends to the very heavens and cleaves to the divine overflow. The will is the source of repentance, providence, prophecy, and the freedom of the spirit. However, this whole process of development unfolds in an ethical-halakhic spirit. The intellect, the will, feeling,¹⁴⁶ the whole process of self-creation,¹⁴⁷ all proceed in an ethical direction.

And halakhic man, whose voluntaristic nature we have established earlier, is, indeed, a free man. He creates an ideal world, renews his own being and transforms himself into a man of God, dreams about the complete realization of the Halakhah in the very core of the world, and looks forward to the kingdom of God "contracting" itself and appearing in the midst of concrete and empirical reality.

These are but some of the traits of halakhic man. Much more than I have written here is imprinted in his consciousness. This essay is but a patchwork of scattered reflections, a haphazard collection of fragmentary observations, an incomplete sketch of but a few of halakhic man's features. It is devoid of scientific precision, of substantive and stylistic clarity. Indeed, it is an indifferent piece of work. But it is revealed and known before Him who created the world, that my sole intention was to defend the honor of the Halakhah and halakhic men, for both it and they have oftentimes been attacked by those who have not penetrated into the essence of Halakhah and have failed to understand the halakhic personality. And if I have erred, may God, in His goodness, forgive me.