

1. Rami Reiner, “Rabbi Aharon Lichtenstein and Academic Talmud Study,” *Lehrhaus*, February 1, 2018, accessible at <https://www.thelehrhaus.com/scholarship/rabbi-aharon-lichtenstein-and-academic-talmud-study/>

The love of Torah and the quest for truth that my peers and I had acquired in yeshiva compelled us to seek out a new and different path for approaching and understanding the Torah, the Talmud, and the works of halakhists of every generation. Some of us experienced this rift as a form of bereavement, of becoming orphaned from a father even as he still lived. We knew that in Rabbi Lichtenstein’s eyes, the humanities were acceptable, even encouraged, but not so for academic Jewish studies, and especially the fields of Talmud and Jewish law, which were so close and so relevant to what we had studied in yeshiva...

What was Rabbi Lichtenstein’s view? Is there a full articulation of his attitudes to academic Jewish studies, their contents, their contributions, their advantages and disadvantages, and even the risks they may entail?...

The importance of these quotes lies not in their content but in what they communicate incidentally: that the image of a student of Torah, of one who desires closeness to the Almighty, is not determined solely by the presence of Nahmanides and Rashba, Rabbi Hayyim Soloveitchik of Brisk and *Ketzot ha-Hoshen* on his or her bookshelf. It can also be shaped by deep familiarity with names like Carlyle and *Sartor Resartus* that are largely inaccessible to the common Talmudic acolyte, and names like Paul, Augustine, and Luther, which are hard to digest for those who have filled their bellies with the Talmud and its commentaries....

Rabbi Lichtenstein delivered thousands of lectures and wrote thousands of pages of novellae on Tanakh and Talmud, and yet he does not relate at all to the academic study of Talmud; he seems to have avoided it entirely... Moreover, underlying Rabbi Lichtenstein’s Torah and wisdom were his integrity and truthfulness. But how could they endure without any attempt to understand that which as most precious to him—the Talmud and its world, the *halakhah* and its concepts, the medieval commentators and their formulations—without the academic tools that were developed using the same methods, and in almost the same settings, as the humanities that are so important in other facets of his religious and intellectual life?

The solution to this puzzle can perhaps be found in another element of Rabbi Lichtenstein’s disposition: his phenomenal powers of concentration, which students saw with their own eyes and many have described, and his focus of those powers on serving the Almighty. Once he arrived at the conclusion that something is spiritually correct and important, it became a priority for him, and he worked to advance it, at the expense of other matters. Rabbi Lichtenstein viewed abstract, conceptual, “Brisker” Talmud study, which he had learned from his mentors, as the predominant mode of Talmud study. His belief in the power of this interpretive methodology, its substantive and aesthetic advantages, and its religious meaning led him, we can suggest, not to engage in anything that required the investment of time or other resources in this field. As mentioned, he likewise barely mentioned modern Hebrew thought and literature.

He also completely ignored the world of *Kabbalah*... There were other fields of knowledge in which he chose not to engage, based on his view that they could not advance his major life-goal: serving God by studying and teaching Talmud according to the traditional Brisker method. Nevertheless, this explanation does not seem exhaustive. It was not only that Rabbi Lichtenstein did not engage in this form of study; he fundamentally opposed it. To bolster this claim, let us return to Yeshivat Har Etzion in the early 1980s.

In 1978, Prof. Shamma Yehuda Friedman’s article, “Perek Ha-ishah Rabbah ba-Bavli,” appeared. Its title indicates its contents, and I deem it to be the best and most comprehensive article on the proper method for academic study of a Talmudic *sugya*. In the winter of 1979-80, several yeshiva students formed a group to study “*Ha-ishah Rabbah*,” the tenth chapter of *Yevamot* in the Bavli, while hewing closely to Friedman’s article. It was a revelation; the experience was one of discovering a primal truth for the first time...

an article by Aharon Mishnayot, a member of this study group, appeared... Aharon Mishnayot wrote to me about this episode:

Rabbi Lichtenstein spoke with me in his inimitable style—without anger, and even with a bit of bashfulness. I was surprised that his main criticism was against my claim that the Yerushalmi tends toward straightforward explanations more than the Bavli does. Rabbi Lichtenstein explained that the halakhic

tradition accords with the Bavli, whereas the implication of my words is that the Yerushalmi is to be preferred, in opposition to the said tradition. I was doubly astonished: by the severity that Rabbi Lichtenstein attributed to it and primarily by the fact that Rabbi Lichtenstein never addressed the content of the claim. His disregard for the truth-claims in my article did not comport, to my mind, with his uncompromising intellectual integrity. I was simply amazed...

The complete neglect of academic Talmud was therefore not simply a neglect rooted in the desire to uphold, develop, and refine a Talmudic methodology, as I suggested earlier. This neglect was in fact opposition, which alerted some students to the tension between the quest for the truth that we absorbed in spades from the yeshiva heads and the attempt to understand the “true,” “correct” Talmud, which we thought we could accomplish using modern scientific tools. And it was from Rabbi Lichtenstein himself that we learned to appreciate such tools. The early 1980s were thus a time of ferment with respect to Rabbi Lichtenstein’s attitudes toward academic Talmud study. What happened subsequently? It seems that the history of Herzog College, which is adjacent to, affiliated with, and influenced by Yeshivat Har Etzion, and for which Rabbi Lichtenstein served as rector, shows that sometimes lines that may never intersect can nevertheless grow closer. Thus, in 1980, a year that has already been mentioned in this article, the lecturer for a required course called “An Introduction to Oral Law” was none other than Rabbi Lichtenstein.

This was no coincidence. His desire to prevent the teaching of a historicist course led him to teach the course himself. In the early 1990s, as the college steadily grew and developed, prospective teachers of Talmud and *halakhah* were disqualified one after another as it became clear to Rabbi Lichtenstein, in his capacity as rector, that these teachers had been trained in academic Talmud departments.

From that point forward, however, and in contrast to everything we have thus far described, the Faculty of Oral Law at Herzog College developed in a different direction, to the point that eventually, every one of its members was the product of research institutions where they had studied Talmud and related disciplines. These facts speak for themselves, but they require us to consider what happened in the interim to enable Rabbi Lichtenstein’s backtracking from his staunch prior opposition...

Addressing the question of textual variants and ascertaining correct texts, Rabbi Lichtenstein wrote [in “The Conceptual Approach to Talmud Study”]:

Indeed, the Torah world should pay more attention to this component.... [A]ccess to its findings can and should be more widespread than it is today. We need not exaggerate ... Many of the points that have been raised with respect to textual accuracy apply equally to knowledge of realia. This, too, is the province of experts but accessible to a wider audience. This, too, can obviously be of critical halakhic import in some cases ... This is not to denigrate the importance of factual information or of those who labor to provide it. Anyone who engages in serious learning is indebted to them at some point, and the debt should be acknowledged.

There can be no doubting that the tone and content of this article differ significantly from the rejectionist atmosphere that prevailed in the early 1980s; it reflects a certain softening, an understanding, and perhaps even a limited acceptance of the accomplishments of academic Talmud studies. This sort of framework is what allowed the Oral Law faculty at Herzog College to mature and to develop methods for the study and teaching of Talmud within a world that stands alongside the world of the yeshiva, of Yeshivat Har Etzion...

In his response to the aforementioned panel at the World Congress of Jewish Studies, he said:

When my wife and I planned to make *aliyah* to Israel, I explained to the yeshiva leadership that we want to live in Jerusalem. I was asked about this choice, and I answered that my sense was that I would be able to grow, to profit, and to become more productive, whether through my influence or through others’ influence on me, from Jerusalem’s academic community. I had hoped for cooperation between these worlds, that such a link would be strengthened. In retrospect, this goal was not achieved.

I knew that there was a long history of lack of cooperation between the *beit midrash* and the academy. This is linked, in part, to the approach of Reb Hayyim [Soloveitchik of Brisk], and in part to the influence of Rabbi [Joseph B.] Soloveitchik himself on me. Thus, when my father-in-law [Rabbi Joseph B. Soloveitchik] went to study in Berlin, his mother half-ran to his train just as it was departing and said: “Just don’t study *Wissenschaft des Judentums*.” These harsh words were uttered then, attesting to the rift that had already opened between the world of the academy and the world of the yeshiva....

My hope at the time was that the encounter between academy and yeshiva would realize the potential of both, by broadening and deepening the subjects of study. I do not live, God forbid, in a state of constant struggle against the academic Torah world. There are things I oppose, but I do not feel that there is a state of discord or hostility between this world and me, and I have no interest in ever having such feelings. Personally, I felt that there was a need to strengthen this aspect of my world, and to a certain extent, it did not work out. I understand why the rift emerged. The panel discussion we just heard represents the mending of certain rifts in this area. I would hope to see that even when we disagree, we cooperate and share a common purpose. I sincerely hope that, to the extent that the Almighty grants me the strength, I will be able to continue engaging these topics.

2. Lawrence Kaplan, “Rabbi Aharon Lichtenstein and Academic Talmud Study: An Alternate View,” Lehrhaus, forthcoming

In his recent essay in *Lehrhaus*, “Rabbi Aharon Lichtenstein and Academic Talmud Study,” Professor Avraham (Rami) Reiner proves himself to be a genuine disciple of his great master, as he manages to balance genuine admiration—indeed reverence—for his teacher with an objective and critical stance regarding some of his basic teachings and attitudes in a blend that is both personally moving and intellectually illuminating. I find myself, however, unable to agree with Reiner’s thesis that Rav Lichtenstein’s attitude to academic Talmud study changed over the course of time from an earlier completely negative and rejectionist one to a later one that “reflects a certain softening, an understanding, and perhaps even a limited acceptance of the accomplishments of academic Talmud study.” In my view Rav Lichtenstein’s opposition to academic Talmud study was a constant throughout his life. Moreover, I would contend, Reiner’s failure to understand this stems from his failure to appreciate the roots of Rav Lichtenstein’s opposition, to understand the genuine threat that academic Talmud study poses, in Rav Lichtenstein’s view, to both traditional Jewish faith, in general, and the authority of the Halakhah, in particular... The two pieces of evidence—one historical, the other textual—that Reiner offers for a softening of that opposition are much less convincing...

While they may indicate that Rav Lichtenstein *on a practical level* may have backed down from what he may have come to see as an increasingly quixotic attempt to keep academic Talmudic study out the College, they do not show that he ever abandoned or even softened his fundamental theoretical opposition to such study...

Brofsky suggests that in addition to age being a factor, such “softening” may have been caused by “decades of watching frustrated students turn to institutions such as Hartman, Beit Morashah, and Siach (all of which he did not approve) and becoming more open to and aware of their religious needs.”... This situation of allowing academic Talmudic studies to take root in Herzog College was no doubt in R. Lichtenstein’s mind far from ideal, but he may have viewed it as a necessary concession, in the sense of *mutav sheyochlu basar temutot shehutot, ve-al yochlu basar temutot neveilot*, that is, to paraphrase, better that people engage in an activity that is disapproved of before the fact but acceptable afterward than they engage in forbidden activity.

Second, and this is the other side of the coin, by allowing academic Talmudic study to take root in Herzog College, despite his disapproval, Rav Lichtenstein neatly forestalled the possibility of any effective pressure on the part of students who desired such study to incorporate any academic Talmud in Yeshivat Har Etzion proper...

The historical fact, then, that Rav Lichtenstein on a practical level backed down from his attempt to keep academic Talmudic study out of Herzog College and allowed it to take root there, does not show, *contra* Reiner’s assertion, that he ever abandoned or even softened his fundamental theoretical opposition to academic Talmudic study...

Given Rav Lichtenstein’s overriding commitment to the conceptual approach to the study of Talmud, his saying “most of the specialized knowledge is of little conceptual significance” is equivalent to saying it “is of little significance.”...

For Rav Lichtenstein, as he states in this passage, the study of textual variants and realia does not in any way challenge or undermine traditional Talmudic study, there is no indication that he ever felt differently...

What R. Lichtenstein objected to was academic Talmud study’s historical, diachronic approach to rabbinic literature. What seems to have been particularly objectionable to him was that the diachronic approach in its attempt (to again cite Flatto) “to sort the material temporally in order to map out the trajectory of development of rabbinic concepts,” ...

From his various scattered remarks it appears that in his view there are two main dangers raised by, perhaps implicit in, the diachronic approach: the first is taking a judgmental attitude to Hazal, demonstrating a lack of respect, of *yir'at ha-kavod*, for their stature; the second is a historicism leading to relativism. Interestingly, the first danger appears to occupy a greater place in R. Lichtenstein's consciousness than the second. In any event, the authority of the Talmud in both cases is undermined...

3. RAL, "Why Learn Gemara?" *Leaves of Faith*, volume 1, 2003, p. 11

To open a gemara is to enter into the overwhelming presence [of Hazal], to feel their force and their collective personality... so as to be irradiated and ennobled by them." And then, almost parenthetically, he adds "and not as in a historico-critical mode in order to pass judgment on them.

4. Rabbi Aharon Lichtenstein and Rabbi Yehuda Brandes, "Talmud Study in Yeshiva High Schools" (*Jerusalem: ATID Press, 2007*), rejoinder by RAL

Regarding [some of these approaches] I am ready to declare that even if, as argued by R. Brandes, they reap success, it is sometimes better to close the gemara than distort it. Some approaches undermine Hazal's enterprise, their motivations, and their authority; some dim the holy trembling that must accompany Torah study and characterize it.

5. RAL, "The Conceptual Approach to Torah Learning: The Method and Its Prospects," *Leaves of Faith*, volume 1, 2003, p. 50

Considerations of *emunot ve-de'ot* effectively bar the acceptance of certain modes on interpretation, specifically those that denigrate Hazal and challenge their preeminence.... A Talmudic critic might sit in superior judgment upon the gemara because he can conjugate the aorist, while Ravina and Rav Ashi probably couldn't. Brisker scions harbor no such inclinations.

6. RAL, "Torat Hesed and Torat Emet: Methodological Reflections," *Leaves of Faith*, volume 1, 2003, p. 83

The world of *wissenschaft* ... focuses on facts, is committed to the hegemony of authorial intent, and is marked by a measure of austerity—critics would say, of aridity. It bears, in sum, a monistic cast. It, of course stresses, often contentiously, the element of change and development within halakhah. Given a historicist orientation, however, this is frequently ascribed to external factors, and is thus perceived as a corrosive process, reflecting presumed relativism.

7. Lawrence Kaplan, "Rabbi Aharon Lichtenstein and Academic Talmud Study: An Alternate View"

And to the extent that the diachronic approach's adherents attribute the shift in meaning to the later layer's deliberately and tendentiously changing the meaning of the earlier layer against the background of changing historical conditions, they, for Rav Lichtenstein, are, in addition to being guilty of undermining respect for Hazal, also guilty of engaging in a corrosive historicism, leading to relativism...

This deeper challenge, perhaps paradoxically, arises precisely from the approach to the study of the Talmud as practiced in various religious Zionist Yeshivot, such as Siach, Othniel, and Ma'ale Gilboa, an approach which seeks to combine, to join together, traditional modes of study of rabbinic literature, with *both* the diachronic approach to *and* the search for the religious significance, the underlying values, of that literature. For precisely such a combination might seem to imply that the development of rabbinic law, the shifts in meaning between its layers, were fueled by shifts or even revolutions in values among rabbinic Sages...

The claim that there have been fundamental changes in the ethos of the Torah, "virtually by definition, is, to the committed Jew, unconscionable."

8. RAL, "Criticism and *Kitvei Ha-Kodesh*," *Rav Shalom Banayikh: Essays Presented to Rabbi Shalom Carmy, Hayyim Angel and Yitzchak Blau*, editors, 2012, p. 24

Application of criticism to *kitvei ha-kodesh* must, however, be tempered by an indispensable qualification. In popular parlance, "criticism" is primarily envisioned as a semi-judicial enterprise, focusing upon judgment and evaluation. Drama critics grad playwrights, music critics weigh the merit of sonatas, and book reviewers assess the

worth of current novels. In our case, criticism in this sense is clearly inadmissible. Grading the “success” or “failure” of a psalm in *Tehillim* or a chapter in *Amos* is the interface of presumptuous folly and dangerous heresy. Admittedly, even within the Torah world, the attempt has occasionally be made. You may recall, for instance, that Rav Yitzhak Abravanel found fault with the roughness and abruptness of much of *Sefer Yirmiyahu*, and accounted for it by the twin facts that the prophet had grown up in provincial surroundings and, as he himself demurred... he was young and relatively unschooled when called to prophecy... His position is clearly untenable, and we assuredly affirm the strictures justly passed upon it by the Malbim.

9. RAL, “Higher Jewish Learning in America,” lecture (Feb. 22, 1968) accessible at

<http://www.yutorah.org/lectures/lecture.cfm/756776/rabbi-dr-aharon-lichtenstein/higher-jewish-learning-in-america/>, unpublished translation by Shaul Seidler-Feller

I will speak about the first two, “traditional” and “higher,” and it will be understood that my words refer to “Jewish learning.” I especially wish to focus on the first term, “traditional.” What does it mean? When we speak here of “traditional” learning – or when we speak in general about a given occurrence or phenomenon and wish to depict it as “traditional” – I believe we could be referring to three different points:

First, learning can be “traditional” in the sense that it involves studying traditional texts: *khumesh* or *gemore*... Second, we can speak of “traditional” learning and mean thereby learning that operates, methodologically, using concepts, tools, and methods that are old... Third, though, and perhaps this is the main point, when one portrays learning as “traditional,” we refer to a methodology that is not only old but that is rooted and, to a certain extent, implants within a student a particular relationship to the past, or to certain facets thereof; in other words, an approach to learning through which the student absorbs a certain relationship to the Jewish past. Among these three points, the first – studying traditional texts – is the least important in establishing and defining what I mean, at least, when I say that I will speak about “traditional” Jewish learning. At the end of the day, one can take a *gemore* or a *khumesh* and study a page of it in the spirit of old and thereby strengthen one’s commitment to Judaism; or one can, Heaven forefend, do the opposite, studying a page in such a way that it undermines that commitment... The second sense – in which one follows a path one knows others have encountered in the past – is much more directly relevant. First off, it gives a person a sense of continuity, that he is not the first, that he is not blazing a trail, so to speak, and that before him came a long chain, generation after generation of Torah giants – or, in the case of another discipline, of professors, thinkers, or philosophers – who established a certain intellectual tradition to which a person can feel a certain connection and that he is not entirely alone... Second, aside from not feeling isolated and alone, the benefit is also intellectual: in general, working in a traditional manner, he has at his disposal certain tools that other specialists developed before him. He also has a common language with others who are studying...

However, I am especially interested in discussing and, in a certain sense, defining the third sense: a “traditional” methodology which is not only inherited from our forebears, a kind of remembrance from the house of our grandfathers and great-grandfathers, but which implants within us, on the one hand, and is rooted in, on the other, a certain relationship to our great-grandfathers. And here I wish – and I hope you do not misunderstand me – to distinguish and define, in a certain sense, the wall – and it is a wall – separating what I conceive of as a *yeshive* style of learning and what is considered a more or less academic approach. That same *Wissenschaft des Judentums* that Professor Rudavsky mentioned earlier, which was identified, to a certain degree, with pioneers in the previous century – [Leopold] Zunz, [Abraham] Geiger, a whole group – and which, of course, has many exponents to this very day.

Where, then, is the point of distinction differentiating between a *yeshive* approach, so to speak, and a more academic one? I believe that there are two points in particular upon which it would be worthwhile to focus briefly. First, the academic approach is more historically-oriented. It is more interested in collecting facts from the past, taking a particular author or text – it makes no difference – it could be a popular painter, poet, *rishoynim*, *Khazal*, even the Bible itself – placing it within the framework of a particular epoch, seeing to it to study, as much as possible, all the minutiae of that period, and thereby reaching an understanding of the nature, the essence, of the text or work of the artist or author. On the other hand, the *yeshive* or traditional approach, so to speak – “traditional” at least in *yeshives*, and not only in *yeshives* but in the study of *halokhe* in general – is more analytically-oriented... Whatever was happening outside the *gemore*, so to speak, has a certain relevance, but the

main emphasis is not there. The main focus is on understanding what the *gemore* itself says, what kind of ideas are expressed therein, what sort of concepts are defined therein, what type of notions can be extracted therefrom... one is concerned more with the text than with the context.

And that which concerns this point – the difference between a *yeshive* or traditional approach on the one hand and a more academically-oriented one on the other – is, in a certain sense, not limited to the walls of the *besmedresh* and is not our concern alone... For example, in 1950, during the proceedings of a conference of the Modern Language Association, two of the most esteemed critics in the world of English literature spoke before a group dealing specifically with [John] Milton... On the one hand, Woodhouse argued consistently that in order to understand Milton, one must delve into the history of the seventeenth century and of its various streams... And Brooks, who came from an entirely different school of thought... claimed that certainly there is a degree of worth to that as well, but the main thing, at the end of the day, is to understand the poem itself, and to do so one needs to address a different set of problems, problems of form... of course, this difference in approach, in the goal one wishes to accomplish, manifests as well at the simple level of one's work. According to one line of thinking, one must busy oneself with many small minutiae; according to the other, one can limit oneself, to a certain degree, and concentrate on the poem itself.

The same question presents itself in regards to learning and understanding Torah as well. And it is possible that, to a certain degree, it presents itself in a sharper form with respect to learning Torah than with respect to other fields of study... In a different form, they say about Hirsch Berliner that someone was once speaking with him about Jewish scholarship, etc. Berlin said to him, "If you want to know what Rashi looked like, what clothing he wore, and so on, go consult Zunz. But if you want to know who Rashi was, what he said, better to study with me." And I wish to emphasize: certainly when we speak here of a historical, academic approach, we refer not only to research and investigation. Certainly those who take an academic approach go much further, undertaking not only historical research but also historical criticism. In other words, after one has studied all the minutiae through various investigations, he can assess what can be done with them, what light they can shine, to a certain degree, on some obscure corner of Jewish history. But despite this, this form of criticism, which is mainly rooted in a more historical approach, is different from the *yeshive* approach. The question turns mainly on what direction one is looking: from outside in, so to speak, or vice versa; does one stand with both feet in the *gemore*, so to speak, or, to a certain degree, does one stand outside and look inward?

This question is particularly important with regard to learning Torah. For, at the end of the day, when we speak of "traditional" learning, *yeshive* learning, we are dealing not only with an intellectual activity but a religious one as well. That means that learning is not only a scholarly occupation dedicated to informing oneself what once existed, what *Khazal* thought, what they transmitted to us, what the *rishoynim* held, but is bound up in a personal encounter wherein the person, the student, is wholly attached and connected to what he learns and feels that he is standing before the Divine Presence as he learns. If one takes to learning in this way, one's entire approach of emphasizing that which is contained within the *gemore* has a special importance unto itself...

A second difference between the *yeshive* and academic approaches is their respective approaches to the text. I just mentioned it: a *yeshive* student approaches a *gemore* and other traditional texts feeling that he is handling something holy, sensing a certain reverence, each time with a greater sense of "Remove your sandals from your feet" [Ex. 3:5], feeling that he is standing before a great, deep, sacred text. And this goes hand-in-hand with an approach not only to a specific text, but to the entire Jewish past – a past which a *yeshive* student not only respects; after all, an academic also respects it. Rather, here we have more than just respect; there is a certain measure of submissiveness and deference. He stands before it like a servant before his master [Shabes 10a], like a student before his teacher.

If we seek a parallel to this point in the world at large, we should not look to modern literary critique – I do not know whether such an approach exists among today's literary disciplines – but should rather go back perhaps to the seventeenth century – Professor Rudavsky mentioned this as well – and the whole question, the great debate that raged among various circles in Europe, regarding what sort of approach one should take to the classical world: the so-called "battle of the books." Jonathan Swift, an English author, once wrote a small work – not his best but his best-known – about a library whose various books began fighting with one another, this one saying, "I am better," and the other saying, "I am better." What was the whole argument about? The debate turned on the issue of which literature is greater: the ancient, classical literature, or the new, modern literature?...

For an academic today, in his approach to traditional Jewish texts, the ancients, the classics, *Khazal, rishoynim*, are, in the words of Ben Johnson, the English poet, “Guides, not Commanders.” A student of Torah, by contrast, recognizes to a much sharper and greater degree the authority of *Khazal, rishoynim*, Torah, and *halokhe*. For him, texts are not only important or valuable but holy. And this is a basic attitude which perhaps distinguishes the two approaches and leaves a chasm between them...

10. RAL, “Torat Hesed and Torat Emet”

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[As regards the concept of *elu va-elu divrei Elokim Hayyim*,] every possibility with which a term is pregnant and which one of the *hakhmei hamesorah*, conscientiously and responsibly laboring with his best tools, adopts, is ipso facto a rendering of Torah.

This proposition is open to two distinct formulations. The narrower – insofar as the role assigned to *hakhmei hamesorah* is concerned, although broader, in other respects – would determine that any position which an acknowledged sage, working on the basis of the database of the raw material of Torah, written and oral, and, in accordance with philosophical, hermeneutic, and logical principles, could have plausibly adopted, even if none actually did, is part of the corpus of Torah, actual or inchoate. The more radical – again, as regards the place of *hakhamim* in defining the substance of Torah – would contend that one that which had been actually posited by a Torah sage qualifies as a component of Torah, over whose study the requisite *berakhot* may be recited, and which enjoys the deferential awe accorded to that lofty status. Torah sages are its custodians – but not only that. They do not just preserve or even discover, but, in a meaningful sense, create. Their imprimatur, variously perceived as restrictive or expansive, is critical as a sine qua non of entry into the canon.

Either formulation, but especially the latter, begs the obvious question of who is defined as a “sage of tradition,” as well as of who effectively defines; and it may be justifiably argued that, to some extent, judgment is circular... Our reverence for Hazal, particularly, is such that even when one concedes that a given interpretation is consonant with a possible understanding of a primary element and could therefore, potentially, have qualified as a *hefza* of Torah, where it directly contravenes their consensual judgment, it does not assume its place within the tradition. Be that as it may, however, the conundrum of definition does not emasculate the centrality of the pluralistic aspect, albeit limited, of *Torah shebe'al peh*.

pp. 73-76

[Analyzing the story of the *tannur shel akhnai*,] Torah bears, then, both a monistic and a pluralistic aspect. In the case of doubtful priority, “pure” Torah, that which is stored in the divine treasure trove, unequivocally affirms, *tahor*; and yet, revealed historical Torah, entertaining many voices, leaves the decision to Rabbah b. Nahmani... [Citing from the *Hut ha-Shani*:] “The Holy One, Blessed be He, has handed the matter over to the sages of the age. Even if one states of that which, in trust is impure, that it is pure, or the reverse, “You have but the judge who is in your generation,” and the will of the Holy One, concurs with this, to determine in each generation in accordance with the decision of the sages...”

I must confess that if find these formulations radical, if not strident. Torah devoid of *emet*? Torah divested of the divine imprimatur? Their very sweep, however, is consonant with the position I have suggested...

I would prefer to speak in terms... of a double truth. Torah is, preeminently, an expression of the divine will. That will has, however... assumed two forms. It exists, first, from eternity, incorporated as a facet of absolute wisdom... Ultimately, it is revealed as the culmination of immanent *vayered*, to a particular community in the form of a command, as a normative missive... However, insofar as communication entails two participants the maintenance of that identity cannot be guaranteed. It is not just that דברה תורה בלשון בני אדם, “Torah has spoken in human language,” but that, primarily, it registers in human ears. Hence, the normative message has a built-in limitation, on the one hand, and enormous capacity for growth and development, on the other.

pp. 81-84

The question of whether a work should be primarily defined, studied, and appreciated with reference to intent and content is of course not peculiar to Halakhah. Readers of *The Personal Heresy*, a series of debates – a model of urbane, civilized, and incisive discourse – between E.M.W. Tillyard and C.S. Lewis, will recall that, at mid-century, the issue served as a focus of controversy within the world of esthetic, and especially literary, criticism; and it reverberated then through much of the dispute, often acrimonious, between historical and so-called “New”

critics. The controversy centered, however, upon defining and striking an optimal balance between artist and reader. It dealt with the reliability of criticism torn loose from historical moorings; with the dangers of arbitrariness and the implication of constant shifts in the presumed meaning of a poem or painting; with the extent to which an author can be assumed to have been fully aware of the impact of his work and its concomitant associations; with the prerogative of a reader to explicate with reference to his own ambient culture rather than the artist's. These factors are relevant with respect to Torah as well – although the analogy of Halakhah and art is open to question. Does one assess the “intentional fallacy” with regard to physics? Beyond them, however, we must consider a countervailing element: the process of renewed *matan Torah*. Its import is clear and relevant. A *talmid hakham* who, in interpreting a *rishon*, possibly goes beyond the latter's presumed intention is not just engaged in subjective learning. He is rather exercising the right and duty with which that *rishon* has invested him: to examine objective content of his *Torah hesed*.

The readiest comparison [to *lo bashamayim hi*] relates to critical and intellectual trends which have obtained currency and prominence during the last two decades: deconstruction and postmodernism. And indeed, attention has periodically been called to possible links between these movements and Jewish, and even Talmudic, modes of thought and language. These attempts are not without foundation; but, if I understand their arcane formulation roughly, my own views, developed independently of these theories, are far from coinciding with much of their content. The primary difference, and it is crucial, relates, again, to scope. On both moral and literary grounds, I neither espouse nor cherish a general subjectivism in relation to texts, with the denudation and chaos this sometimes invites. The course I have charted is preeminently the prerogative of acknowledged masters – specifically, of *talmidei hakhamim*, and of students who ride their coattails. And it is theirs because of the unique character of Torah as multifaceted revelation.

Given this general approach, several caveats are nonetheless in order... What has been suggested pertains primarily to interpretation and exposition. The situation may alter somewhat with reference to *psak*...

We must ascertain... that the data being interpreted has, indeed, been, literally, given. To this end, philosophy and the determination of accurate textual *girsat 'ot* is significant, in helping us determine what, the primary level – in which language and with which lexicographic meaning – has been said...

Parameters of legitimate interpretation need to be determined to assure that *Torat hesed* be consonant with canons of reason, on the one hand, and with norms of tradition on the other. In this respect, the guidance of *mesorah* is critical – the practice of *gedolei Yisrael* no less than their precept...

In conclusion, I believe it may be fairly stated that the facet of Torah study which has been our focus is particularly characteristic of the yeshiva world. Quite apart from spiritual and ideological differences between the halls of academic and the *bet midrash*, they generally differ, methodologically, as well. The world of *Wissenschaft* envisions itself as primarily devoted to *Torat emet*. It focuses upon facts, is committed to the hegemony of authorial intent, and is marked by a measure of austerity – critics would say, of aridity. It bears, in sum, a monistic cast. It of course stresses, often contentiously, the element of change and development within Halakhah. Given a historicist orientation, however, this is frequently ascribed to external factors, and is thus perceived as a corrosive process, reflecting presumed relativism.

The yeshiva community, by contrast, is largely engaged in *Torat hesed* – although, admittedly, not all of its members would accept the account herein suggested. It is primarily – at times, excessively – oriented to ideas rather than facts. It luxuriates in efflorescence, its universe of discourse teeming with burgeoning thought; and it thrives upon examining possibility and conjecture. It, too, acknowledges development, but regards it as a preeminently internal dynamic, the realization of *אפילו מה שתלמיד ותיק עתיד להודות נאמר למשה בסיני*, of that innovation by seasoned disciples which, in a sense, had already been transmitted to Mosheh at Sinai, which in no way undermines the inherent integrity of Halakhah. Ultimately, the *ben Torah* strives for the interrelated apprehension of both facets of *devar Hashem* – “As my two eyes,” in Robert Frost's phrase, “are one in sight.” He seeks the seminal kernel of *emet*, even as he traces its diverse course within the ambient world of *Torat hesed*. Full coincidence is possibly reserved, if at all, for meta-history – when, as some Kabbalists would have it, the provenance of the views of Bet Hillel will be superseded by *psak* in accordance with those of Bet Shammai. Meanwhile, we glory in the enterprise, both prerogative and responsibility, of creative understanding. Perhaps both aspects are suggested by a single *pasuk* *בהכמה* *פתחה* *באמרה*, “She opened her mouth with wisdom,” possibly that of *Torat emet*, *ותורת חסד על לשונה*, “And *Torat hesed* is on her tongue.”