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Philosophers Read the Talmud: The Reinterpretive Exegesis of Emmanuel Lévinas, R. Joseph Baer Soloveitchik and R. Abraham Isaac Kook – a Comparative Analysis

By *Hanoch Ben Paz**

The aim of this study is to explore three Jewish philosophers of the modern age who engage in the study of the Talmud and its modern interpretation: Emmanuel Lévinas (1906-1995), Rabbi Abraham Isaac Kook (1865-1935) and Rabbi Joseph Baer Soloveitchik (1903-1993).

The interpretation of the Talmud by each of these three thinkers has been guided by his philosophical and intellectual background. One may even argue that a system of thought is what directs each of them in his Talmudic interpretation. All three, as well, see this undertaking as an educational mission.

The settings and communities they came from were different: Israel (or Palestine), the United States, and France. But one can see that they are similar in their sense of responsibility towards their communities, both local and global. Their interests lie in philosophy, education and Jewish sources, and all have written within these domains. All three took part in the reinterpretation of Jewish sources – and in particular, of the Talmud.

By way of introduction and apology, it is important to say that one of them, Lévinas, explicitly rejected being identified as a Talmudic scholar. He saw himself as an amateur who dabbled in Talmudic Aggadah, and one who always came to those texts from his philosophical perspective. In response to a question about the issue of a possible comparison between him and R. Soloveitchik, Lévinas said:

I cannot accept your comparing me to such eminent Talmudic scholars. I read only the Aggadah. I came to all of this through traditional philosophy. For a long time I thought that it was a marginal culture. I had profound contact with Talmudic thought only quite late, through M[onsieur] Chouchani.¹

It is true that Lévinas' intellectual pursuits focused less naturally than others' on the Talmud. In spite of his modest self-description, though, one

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1 EMMANUEL LÉVINAS, *Transcendance et intelligibilité*, Genève 1996, pp. 67-68.

should not underestimate Lévinas' knowledge and erudition regarding the Talmud.² It would be appropriate then, to include Lévinas in a comparison of these thinkers' respective perceptions of the Talmud, their proposed methods of reading the Talmud and the proposed philosophical meaning of this sort of text.

Motivation

It is difficult to identify the motive or motives that led each one of these thinkers to deal with the Talmud and adopt the particular approach that each of them chose in studying and writing on the Talmud. Nevertheless, it is possible to argue that from an internal Jewish perspective, they follow a similar intellectual course: an encounter between Judaism and modern culture, as they understand it.³ They see their Jewish engagement, and forging a correlation between Judaism and modern thought, as a mission. R. Kook and R. Soloveitchik stand on the Jewish side of the river, as it were, looking toward modern Western philosophy and culture. Lévinas is different in this regard, and may be exceptional among modern Jewish thinkers: standing on both banks, he has both his own philosophy and a modern understanding of Judaism.

It is important to emphasize the limits of this study, which focuses on the philosophical dimensions of these thinkers' Talmudic readings. The halakhic implications of their modern interpretation will be expressed only when they have philosophical or interpretative importance.

The Talmud is different from modern Western texts in many ways. It is not a narrative, and it is not presented in any obvious order. One can say, then, that it is neither *belles lettres* nor philosophy. The Talmud is also not a legal collection that has an order like a Latin codex, or a logical, mathematical structure. In this manner the Talmud does not immediately lend itself to being the basis for a modern law code or a systematic philosophy.

This notion was difficult for medieval Jewish thinkers. Saadia Gaon (892-942) was aware of this difficulty, as was, of course, Maimonides. They

2 The methodology underlying this study assumes that one may expand one's understanding of important aspects of Lévinas' philosophy from his Talmudic Readings, and this despite the fact that – or maybe precisely because – these texts are less rigorous and more speculative than his strictly philosophical writings.

3 See Lévinas' comments on the contribution of Rosenzweig's work to modern Judaism, making it possible for a contemporary Jew, rooted in the country where he lives and psychologically healthy, nevertheless to maintain interest and involvement in Jewish life. See also EMMANUEL LÉVINAS, "Entre deux mondes," in: IDEM, *Difficile liberté*, Paris 1963, pp. 253-281 (esp. p. 257).

tried, each in his way, to produce an alternative halakhic book that would be the basic code of Jewish practice.⁴ Apparently, Rabbi Joseph Karo (1488-1575) thought similarly when he began to edit his *Shulhan Arukh*.⁵

R. Kook, R. Soloveitchik and Lévinas did not follow this path, preferring instead the Talmud as it is. In fact, of course, they do not simply leave the Talmud as it is; they understand it differently from their predecessors, especially regarding *how* to read this corpus. But, it is important to emphasize that they do not want to replace it with any other foundational text. Furthermore, it is the Babylonian Talmud that they deal with. Even though one may point out that R. Kook thought it important to replace the Babylonian Talmud with the Palestinian Talmud, he did not actually attempt to do so.⁶

One of R. Kook's projects was to reedit the Talmud – not the Talmudic text itself but the Talmudic page. He did not follow the path of Karo or Maimonides, because he did not want to disengage from this text. R. Kook wanted to rebuild the Talmud before the reader's eyes, in a manner that would preserve the halakhic purpose of Talmudic learning and

4 This attitude is described by Maimonides himself in the introduction to his book *The Commandments*: “I deemed it advisable to compile a compendium which would include all the laws of the Torah and its regulations, nothing missing in it. In this compendium I would try, as I am accustomed to do, to avoid mentioning differences of opinion and rejected teachings, and include in it only the established law. [. . .]” See MOSES MAIMONIDES, *The Commandments*, tr. C. B. Chavel, London 1967, pp. 361-363 [repr. in: ISADORE TWERSKY, *A Maimonides Reader*, New York 1972, pp. 425-426]. – It is important to emphasize that there is another interpretation of Maimonides' understanding of the proper role of the legal code. Hansel argues that there was widespread acceptance of legal codices among medieval scholars who nevertheless sought to preserve the option of debate regarding the practice and application of the law. See GEORGES HANSEL, *Explorations Talmudiques*, Paris 1998, pp. 259-279. The position presented there concerns the innovation of the code, and it is possible to say that Hansel would agree that Talmudic literature has a character different from the codes of Maimonides or Saadia.

5 Karo's issue is different; see R. J. ZWI WERBLOWSKY, *Joseph Karo, Lawyer and Mystic*, London 1962, pp. 100-102.

6 See NERIAH GUTEL, **שיקולים הלכתיים ומטא-הלכתיים בפסיקתו של הרב קוק** (*Halakhic and meta-halakhic considerations in the halakhic decisions of Rav Kook*), Diss. phil., Jerusalem 2001. It seems that Gutel exaggerated by making a correlation between the term “Torah of Eretz Israel” and the actual Palestinian Talmud. Cherlow's interpretation, which understands the term more broadly as a new Torah, seems preferable. See also YUVAL CHERLOW (SHARLO), **תורת ארץ ישראל, לאור משנה הראייה**, Ramat ha-Golan 1998.

present the reader with the long path leading from the Talmudic discussion to the later halakhic literature in the medieval and modern periods. R. Kook called this project *הלכה ברורה* (“Elaborated Halakhah”) – a proposed new commentary to the Talmud:

Over many generations, the influence of halakhic decisors (*poskim*) has grown distant in the eyes of many from the basic sources, the Talmuds themselves. [...] Among the masses of students [of Torah] and among the most prominent among them, Talmud and the literature of the *poskim* have come to be two entities with only the slightest of contact between them.⁷

And R. Kook’s project will be the true answer:

to set that dichotomy aright, to get the world of [Torah] learning used to a straightforward curriculum that places the Talmuds and the *poskim* within one united, coherent framework.⁸

It is possible to see this structure as an attempt to “have one’s cake and eat it too” – to let the Talmud remain as it is, by presenting the developed discussion and the dialectical reasoning that it fosters, as well as giving the student the “bottom-line” orientation of a legal system.

The Aggadah, for R. Kook, is different, and the way that he deals with it is different. R. Kook boldly attempted to change the religious approach to those texts. He offered a very strong reading of the texts, by inserting into his interpretation important elements from his philosophy, derived from Hegelian thought. This approach will be discussed at length below, but it should be noted here that one can identify the effect of R. Kook’s aggadic readings upon his halakhic project.

R. Soloveitchik, especially in his published lessons – *Lessons in Memory of my Father and Teacher* – has constructed a different arrangement for studying Talmud.⁹ He begins with Maimonides’ *Mishneh Torah*, then seeks out Maimonides’ sources and interpretative decisions in the Talmudic texts. Following this, Soloveitchik develops his own ideas and his own interpretation and Talmudic philosophy.

Lévinas is different from both R. Kook and R. Soloveitchik. Originally his target was the Talmudic Aggadah, and he related almost not at all to halakhic issues. Maybe this is the reason why Lévinas has no sustained encounter with Maimonides.

7 ABRAHAM ISAAC KOOK, *אורות התורה*, Jerusalem 1940 (Bet El 32005/6), p. 7.

8 KOOK, (n. 7), p. 8.

9 JOSEPH B. SOLOVEITCHIK, זיל, מרן ר' משה הלווי סולובייצ'יק, *שיעורים לזכר אבאMari*, Jerusalem 1984/5 (2002/3).

Debate (מחלוקת)

One of the most characteristic features of rabbinic literature, especially Talmud, is debate. The presence of disagreement and a multitude of opinions is evident not only in aggadic ideas but also in halakhic notions.¹⁰ For this kind of text, it is important to preserve differences of opinion, even without a resolution. The Talmud repeatedly cites Tannaitic debate, from the Mishnah and from other texts of the same period. Just as the Talmud does not resolve all debates from the Tannaitic period, so it often refrains from resolving the debates of its own day.¹¹

This fact and this notion may be problematic for any thinker and any conceptual system, especially a religious system – indeed, for any reading that seeks to employ debate in order to arrive at the truth or establish normative law.

R. Kook states that in the Second Temple period there was the Sanhedrin that decided legal questions and issues of belief. Unity of practice is the divinely ordained norm for the Jewish people, and human decisions express the divine revelation, along the two dimensions of reality: halakhic and aggadic – laws and correct belief. In contrast, Yeshayahu Leibowitz, following Moses Mendelssohn, sees this distinction as an important characteristic of Judaism – consent and decision on the legal questions and the openness and plurality on the questions of philosophy and belief. An authoritative decision is necessary regarding practice, he argues, but never did Jewish sages excommunicate or reject a thinker because of his thoughts.¹²

R. Soloveitchik sees debate as fundamental to Talmudic thinking. One might expect a straightforward definition of that debate: disagreements regarding practical issues, or conflicting opinions of different sages. But there is another way to regard this topic. One can regard *mahloket* as ideational exploration that is the source of physical actions. From this perspective, debate exposes several aspects of the same notion. Man has to see both notion and act from more than one angle, to see it from the per-

10 On the characters of Talmudic *mahloket* – debate or discussion, see AVI SAGI, *אלו ואלו: משמעותו של השיח ההלכתי*, Tel Aviv 1996 (= *The Open Canon. On the Meaning of Halakhic Discourse*, transl. Batya Stein, London / New York, NY 2007).

11 The rabbinic term *vehilkata*, marking a ruling of law, is part of late editing of the Talmud, that of the Sevoraim. ELIYAHU R. ZINI (ZENI), *רבנן*, Haifa 1991/2; YAAKOV SHMUEL SPIEGEL, *הוספה מאוחרת סבוראי וככללי ההלכה*, Tel Aviv 1976.

12 See YESHAYAHU LEIBOWITZ, *Judaism, Human Values, and the Jewish State*, trans. Eliezer Goldman, Cambridge, Mass. 1992.

spective of different ideas. As will be seen, this is a philosophical theory of R. Soloveitchik revealed in his *Halakhic Man*, based on Hermann Cohen's Neo-Kantianism.

For R. Soloveitchik, behind every practical debate lies a hidden conceptual debate that exposes a basic distinction expressing different aspects of the same idea. Furthermore, the issue can be understood only through its variety and its diverse sides. This sort of analysis derives, according to R. Soloveitchik, from his grandfather, Rabbi Chaim of Brisk (1853-1918), who is regarded as the founder of the Lithuanian yeshivot and as a creator of the *hilluq* – a new system of studying Talmud.¹³

Lévinas suggests another direction, fundamentally different from those of the other two thinkers. Debate is not analysis of a few perspectives on the same concept. Debate is the essential course of Halakhah. Debate deals not with issues of ideals or abstract ideas, but is directed instead at the concrete challenges faced by the Sages.¹⁴ Because Halakhah is not an abstract discussion but tries to direct the reader to the concrete event that is the subject of each issue, there are multiple, conflicting legal decisions. There are differentiations that derive from the actual variation among the events that underlie different halakhic opinions. And there are differentiations that are the consequence of the fact that there is more than one scholar and more than one context for each event.

Lévinas states at the introduction to “Messianic Texts” that the essence of the Talmudic debates on one hand is the aim of enlarging the range of the options before the reader and the scholar on the topic of Messiah and Messianism. The Talmudic idea is to present a wide range of options, so that the reader can understand that each event has its own uniqueness.¹⁵

One can say that R. Soloveitchik is walking the same road when he says: The Halakhah is not at all concerned with a transcendent world. The world to come is a tranquil, quiet world that is wholly good, wholly everlasting, and wholly eternal, wherein a man will receive the reward for the commandments which he performed in this world. However, the receiving of a reward is not a religious act; therefore halakhic man prefers the real world to a transcendent existence because

13 See SHAUL STAMPFER, *הישיבה הליטאית בהתהווותה*, Jerusalem 1995 [forthcoming in English].

14 EMMANUEL LÉVINAS, *Autrement qu'être ou au-delà de l'essence*, Le Haye 1974, pp. 3-5.

15 See HANOCH BEN PAZI, “Messianism as Ethical Mission,” in: *Daat* 54 (2004), pp. 97-123 [Heb.].

here, in this world, man is given the opportunity to create, act, accomplish, while there, in the world to come, he is powerless to change anything at all.¹⁶

But immediately after this phrase there is a revision and R. Soloveitchik writes that his intention is limited to “the adaptation of empirical reality to the ideal patterns of Halakhah. [...] A lowly world is elevated through the Halakhah to the level of a divine world.”¹⁷

Broadly and correctly, R. Soloveitchik compares his concept of Halakhic Man with the mathematician. Both are scholars who build an ideal world based on abstract concepts, ideas and analogies. But Halakhic Man goes further, when he takes an additional step into this world – the physical world.¹⁸

Lévinas, in contrast with R. Soloveitchik, sees halakhic debate as related not to an ideal world but to the actual world of human activity. The halakhic dimension of Jewish thought is revealed in the concrete-ethical dimension. Ethics, for Lévinas, is not an abstract ethics like the Kantian laws, based on transcendental reason. Ethics according to Lévinas is based on the Other's face, the concrete other that is revealed before man and calls him to responsibility:

The motivations of the Halakhah remain [...] under discussion. This is because, through the discussion of the rules of conduct, the whole order of thoughts is present and living. It gives access to the exercise of the intellect from the obedience and the casuistry it entails. This is very significant: the thought that issues from the perspective goes beyond the problem of the material gesture to be accomplished; although, right in the heart of the dialectic, it also enunciates what conduct is to be kept, what the Halakhah is. A decision which is not, therefore, strictly speaking, a conclusion. It is if it were based on a tradition of its own, although it would have been impossible without the discussion which it in no way cancels out.¹⁹

The philosophical meaning of this topic is engaged with the basic elements of hermeneutics, the saying (*dire*) and the said (*dit*). The Talmudic manner of writing preserves the dimension of debate, retaining a sense of discussion as a saying (*dire*) that did not attempt to fix the thought in the said (*dit*), in the written words. To preserve the debates is the guarantee of

16 JOSEPH B. SOLOVEITCHIK, איש ההלכה - גליון נסתר, Jerusalem 1979, p. 32 [English: *Halakhic Man*, transl. L. Kaplan, Philadelphia 1983, p. 32].

17 SOLOVEITCHIK, איש ההלכה [Halakhic Man] (n. 16), pp. 37-38.

18 Soloveitchik used here the metaphor of the legendary Honi the Circlemaker, and the way Honi asked for divine action. See SOLOVEITCHIK, איש ההלכה [Halakhic Man] (n. 16), pp. 40-41.

19 EMMANUEL LÉVINAS, “Revelation in the Jewish Tradition,” in: IDEM, *Beyond the Verse*, transl. G. D. Mole, Bloomington / Indianapolis 1994, pp. 139-140.

keeping the personal saying, the private and unique statements of individuals. This saying did not want to enter into the anonymous realm of the said, and to be made into a generalization or into a legal system that normally speaks in impersonal language.²⁰

R. Kook's approach to debate is unexpected and unique: he sees debate as a way to expose the unity of the universe. In spite of there being multiple sides of the same issue that are revealed in debate, the essential interest of the Talmudic text is to emphasize the unity of the issue and not the aspect of division. More precisely, debate is the outcome of the human characteristics that limit people to perceiving the aspect visible from their side, while from the divine side, the total unity of the reality, all these sides are complete together – one unified vision of the idealistic, divine reality. The consequence is that debate brings before the scholar all the aspects together, and only then he can understand the divine vision of this topic. Sagi describes R. Kook's assumption:

Rav Kook's basic assumption, then, is that reality is an absolute unity, and only an imperfect perspective perceives antinomies.²¹

It is important to emphasize that in R. Kook's view, debate is necessary in this world in order to present the unity and the agreement behind the debate from the divine perspective. The way of the “world of perfecting” – *השתלמות* (*hištalmut*) – is directed toward the “world of perfection” – *שלמות* (*šelmut*). The completeness that is achieved through perfecting is greater than the original perfection that was previous to the divided world. This is the reason why man has to express his specific position, his partial position – because it is one facet of the multi-faceted divine unity that is revealed in physical and human reality as a variety, divided, and open (on all sides). Only while the human viewpoint is correlated with the divine vision can one see that all the parts are comprised in one great unity. From this superior divine perspective, the parts and the debates seem to diminish the world and the soul. R. Kook expresses this feeling in his book *ערפלי תורה* (*Arfiley Tohar*):

When those capable of broad spiritual perspectives force themselves into the constrained orbit of opinions and minor actions, their forces are weakened... while their souls feel enormous pain.²²

20 On the meaning of these terms (*le dire* and *le dit*), see EMMANUEL LÉVINAS, *Otherwise Than Being*, Pittsburgh 1981, pp. 28-59.

21 See SAGI, *אלו ואלו* (n. 10), pp. 134-140.

22 ABRAHAM ISAAC KOOK, *ערפלי תורה*, Jerusalem 1982/3, p. 84.

Relating to the Halakhah

One area in which clear distinctions may be drawn between the three thinkers is in their relation to the Halakhah.

Lévinas declared that he does not deal with Halakhah at all. However, one can discern that Lévinas did not keep his word and in fact does contend with questions of Halakhah and practical issues when interpreting Talmudic passages. It is possible, however, to accept his testimony that he wields no authority in Halakhah, and that he is unqualified to be a halakhic scholar. The following discussion will seek to prove that this position is not just a chance biographical event, but that this reflects Lévinas' position vis-a-vis the Halakhah, as will be seen below.

The situation is different with R. Soloveitchik since he engages extensively in halakhic issues. But there is a surprising similarity between them – a shared reluctance to issue halakhic rulings. R. Soloveitchik sees himself as one who does not act as a halakhic decision maker, even for his students. Furthermore he claims that he himself is not the “Halakhic Man” about whom he has written. This statement is very interesting, especially in light of his background as head of a yeshiva, as a halakhic scholar, and as a teacher who often instructed his students in the fine points of Halakhah.

R. Kook is different from both the others. This is immediately evident from his biography as a chief Rabbi of Eretz Israel, from his engagement in halakha as well as his acceptance of it as his mission to write and promulgate halakhic rulings.

In spite of these very distinct differences between R. Kook and the others, it can be argued that R. Kook set limits for himself even within the Halakhah's domain, marking some realms as off outside of bounds.

R. Kook assumed that the existing Halakhah is suitable to the world of *galut* (“exile”) that it is the Halakhah of the Diaspora. A change is required for the new era, the messianic age and the return to Eretz Israel. But this change is not just a modification that could be brought about by rabbinical authority, but requires the authority of prophecy.²³ The way of Eretz Israel is prophecy, and one has to see the revival of prophecy as part of the redemptive process of our time.²⁴ And if this change in Halakhah will

23 The reason for this is that R. Kook thought that a thinker and rabbi needed to have more courage and more valor than he or anyone at this time possessed in order to make needed innovations, and he was aware of the limitations of his power as a halakhic authority.

24 See ABRAHAM ISAAC KOOK, *אורות הקדש*, Jerusalem 1964, vol. I, p. 24.

not occur by means of prophecy, there is another possible course of development that is not dependent on rabbinic authority:

Sometimes when it is necessary to contravene the Torah's words and there is no one in that generation to show the way, it takes place through an *outburst* [emphasis mine – H.B.], through a blocking-off of the light of prophecy. This correction is accomplished by means of a violation, which in and of itself saddens the heart but gladdens it with respect to the outcome.²⁵

R. Soloveitchik does not seek to restore prophecy, to revive the biblical period with its prophets. R. Soloveitchik sees the halakhic person as a model for Judaism. He knows that for the religious person, according to mystical thought, the goal is to be in close proximity to the divine. But R. Soloveitchik prefers the modest person, who lives and exists in this world – in earthly reality. He described a two-dimensional approach to sanctity: the revealed and the hidden. The *revealed sanctity* is represented by the days of *Shabbat* and *Yom Tov*. The *hidden sanctity* is represented by *Rosh Hodesh*, the new moon observance. The latter, on the surface, is a normal weekday: work is not forbidden and the daily routine is followed. In *Rosh Hodesh* there is sanctity, but sanctity that is quite hidden and concealed. It requires utmost spiritual sensitivity to detect the uniqueness of the day. Lacking the outer trimmings of special days, *Rosh Hodesh* demands introspection of the greatest magnitude. What *Rosh Hodesh* symbolizes is sanctity within a secular existence.²⁶

Here it should be noted that Lévinas can be regarded as having pretended to be naive in his demurral regarding the Halakhah. It seems that Lévinas in fact has a very clear position regarding the Halakhah, one that perceives a clear distinction between the halakhic ruling and the Talmudic Halakhah, each with its own mode of thought. The tradition of the halakhic ruling requires general arguments and seeks to derive laws and general rules from specific events. One might say that this tradition tries to infer the theoretical from the concrete situations. For Lévinas, this is the Greek dimension: to generalize and to create categories and classification. Talmudic Halakhah, by contrast, is constructed according to a different logic. It is a casuistic system and is limited to concrete events. In other words, the meaning of Halakhah and *mišwot* (commandments, precepts) is practical. It is always concrete and never general. This legal direction protects individuals against the great theories, the ideologies and the grand systems that disre-

25 See KOOK, *ערפלי תורה* (n. 22), p. 15.

26 See JOSEPH B. SOLOVEITCHIK, “*גלוּ וּנוֹסַחּ*,” in: IDEM, *דברי הגות והערכה*, Jerusalem 1982, pp. 173-175.

gard human life and the specific person.²⁷ Lévinas describes this idea as a new meaning of law and associates it with the laws that interpret the meaning of the Pentateuchal pact made at Mt. Gerizim and Mt. Ebal (Deut. 27): It is precisely the concrete and particular aspect of the law and the circumstances of its application which command Talmudic dialectics: the oral law is casuistic. It concerns itself with the transition from the general principle incarnated by the Law to its possible execution, its concretization [...]. The great strength of the Talmud's casuistry is to be the special discipline which seeks in the particular the precise moment at which the general principle runs the danger of becoming its own contrary, and watches over the general in the light of the particular. This protects us from ideology.²⁸

The importance of the Halakhah is to point toward life as it is lived – “the struggle against the angel,” as Lévinas called it, to point toward the individual’s choice between the angelic position and position of one who acts. To choose to be like an angel is to live without any risk of real life – to stay pure and clean in the ideal and theoretical world.²⁹ Action is an ethical and concrete response to life. The metaphor of an angel describes a position that seeks to be just and remain pure like a spirit without a body. The struggle against the angelic will draws its meaning and importance from the details and the concrete, beyond general ethics. The special character of Talmudic writing preserves the true, earthly ethics. Lévinas’ attitude toward the Talmudic Halakhah is a direct critique of the Jewish tradition of halakhic rulings, from Saadia Gaon and Maimonides through Karo to all the later minor works of Halakhah.³⁰

The question is not whether Lévinas could or could not engage in halakhic issues, nor whether he has an ethical and philosophical position regarding Halakhah. The question is why he avoids engaging with this kind of thinking, which in his view is a Jewish and ethical position. One response may be to infer from this fact the identity of the audience Lévinas was addressing in his Talmudic Readings: people who have no commitment to the Halakhah, and perhaps even people beyond the boundaries of the Jewish community.

27 A similar argument regarding the Halakhah’s protection of the individual from grand theories is to be found in the writings of Rabbi YITZHAK HUTNER, *פחד יצחק*, Brooklyn 1982.

28 LÉVINAS, “The Pact,” in: IDEM, *Beyond the Verse* (n. 19), pp. 68-85, citation from pp. 78-79.

29 See LÉVINAS, “The Pact” (n. 28), p. 98.

30 The question of codification see SAGI, *אלו ואלו* (n. 10), pp. 189-190; MENACHEM ELON, *המשפט העברי : תולדותיו, מקורותיו, עקרונותיו*, 3 vols., Jerusalem 1973, vol. III, pp. 1005-1018, 1139-1180.

Aggadah and Halakhah

This topic is quite problematic because it divides the Talmudic corpus into two different sorts of texts, and emphasizes the separate relationships to these categories. “Halakhah” refers to all the sayings and texts that establish laws and norms – ethical or religious. “Aggadah” refers to all the other texts not subsumed under the category of Halakhah.³¹

R. Kook strives to create in “the Torah of Eretz Israel” a new harmony – a unification of Aggadah and Halakhah. According to R. Kook, the separation and the wall between these domains are a manifestation of *Galut* and destruction. It is the important task of scholars in this time of Jewish revival to redeem the Torah from its reductive boundaries, the “four cubits” of Halakhah: “Ulla said: ever since the Temple was destroyed, God has in this world nothing but the four cubits of *Halakhah*.”³²

According to R. Kook, the connection between Halakhah and Aggadah is the essence of the Torah and its unity within all the different appearances:

It is not Aggadah alone that is illuminated by the clear light of the idea of “the Torah of Eretz Israel,” but Halakhah as well – the foundations of legal opinion, the analysis of rulings, the sources of competing systems of thought and their general meaning that is rooted in the depth of spiritual and practical life. And not only the Torah as a subject of study, that is situated within the four cubits of *Halakhah* [emphasis mine – HB], but illumination of the whole of life, everything is dependent on the richness of this idea. The depth of spiritual revival is prepared for “the Torah of Eretz Israel,” and from it the barriers and the iron walls that separate realm from realm, discipline from discipline, will gradually recede. The entire spiritual world will be observable at one glance, in the “air of living souls of the Land of the Living.” The glory of life that belongs to a delight in secrets, the flash of dialectic, the spontaneous revival of the Jewish people (*Knesset Yisrael*) in the Holy Land, the specification of laws (*halakhot*) and the spread of vision and song, the desire for outstanding tenacity and the passion for development of the body – all these and more [...] that were taken to be as distant one from another and even contradictory – now are about to become for us bound together and truly united, and each one supports the other, its expansion and deepening, its dissemination and perfection.³³

The Aggadah and the Halakhah are two facets derived from one source, one powerful whole:

31 On the problematic terminology of *Aggadah* and *Halakhah*, see LEOPOLD (YOM YOV LIPPMAN) ZUNZ, *Gottesdienstliche Vorträge der Juden*, Leipzig 1832 (21892; repr. Hildesheim 1966); YONAH FRENKEL, *מדרש וaggadah*, Tel Aviv 1996, pp. 20-26.

32 bBer 8a.

33 KOOK, *אורות התורה* (n. 7), XIII, IV.

Each word of Torah, whether Aggadah or Halakhah, demands as an integral part of its function, to be suffused with the dew of revival from on high, to draw on the treasury of supernal sensations and the more exalted forms of wisdom pouring out from the vast whole, from which this particular word flows.³⁴

And then he writes very clearly:

The foundation of individuals laws (*halakhot*) are also *aggadot*. The one vast Aggadah encompasses secrets of Torah and exalted and sacred inquiry.³⁵

The implications of these ideas for R. Kook's approach to the study of Torah are quite surprising. Studying Halakhah makes it difficult for scholars to see and to understand the conceptual unity in Torah. The Halakhah always relates to all the details of earthly and practical thought. In contrast with the Halakhah, Aggadic texts reveal to the reader the encompassing nature of their ideas and meanings. By reading and studying Aggadah one can approach the “unity of the whole,” from which all the details and practical directions are derived. R. Kook himself confessed to an “internal war” between these two kinds of Talmudic texts, when he wants to return from Aggadic texts to halakhic details:

And lo, there comes a flood of requirements, studies and precise distinctions without end, jumbles of ideas, a casuistry of letters and words that surrounds my pure, free soul, which is as light as an angel, as pure as the sky itself, flowing as a sea of light. But I have not yet reached that level of being able to see from beginning to end (*Me-reshit ve-ad Akharit*) [...] to perceive the light in the world's darkness.³⁶

One can derive from the above that R. Kook indeed has a theory of the unity of Aggadah and Halakhah. It is more difficult to observe this unity in halakhic texts, because they focused on small details and fine distinctions. If one wishes to reveal R. Kook's theory of reading Talmud, it is wise to begin with R. Kook's aggadic interpretations: “Aggadot [...] are directed to the human heart; in them nature's general truths are more evident than the details.”³⁷

Now, it is evident why, when R. Kook began to write a commentary to the Talmud, *'Ein Ayah*, he chose to interpret Aggadah. Chetlow suggests this direction when he recommends *'Ein Ayah* as the basic book for studying R. Kook's thought:³⁸

34 KOOK, אורות התורה (n. 7), III,VI.

35 ABRAHAM ISAAC KOOK, אדר היקר, Jerusalem 1996, p. 143.

36 ABRAHAM ISAAC KOOK, שМОנה קבצם, vol. III, Jerusalem 1998/9, p. 251.

37 ABRAHAM ISAAC KOOK, “Introduction,” in: עין איה, Jerusalem 1994/5, p. 17.

38 YUVAL CHERLOW (SHARLO), “איה עין איה” (Where is ‘*Ein Ayah*”) in: IDEM, וארשיתן ליל עולם : דמותו הדתית של האדם מישראלי בעת התהיה במשנת הרב קוק ha-Golan 1995/6, pp. 243-275.

The introduction to 'Ein Ayah expresses the tremendous importance that R. Kook ascribes to the study of Aggadah, not as supplementary material but as an expression of the essence of the Torah of Eretz Israel and an extension of the light of prophecy. As such, Rav Kook regarded Aggadah as the basis for the study of the hidden possibilities within the Torah's redemption in our times, previous to the revelation of prophecy in its entirety.³⁹

Despite Lévinas' exclusive attention to Aggadah in his Talmudic Readings, it is important to understand the relation of Halakhah and Aggadah in his thought. He distinguishes between Aggadah and Halakhah:

Between the texts and teachings relating to conduct and formulating practical laws, the *Halakhah*... and, on the other hand, the texts and teachings of homiletic origin which, in the form of apolouges, parables and the development of biblical narratives, represents the theologico-philosophical part of tradition and are collected together under the concept of *Aggadah*.⁴⁰

This differentiation is perhaps the classical one between the two domains. Lévinas adds that it is the halakhic statement that gives Jewish revelation its special form. According to Lévinas, "Jewish revelation is based on prescription, the *mitzvah*."⁴¹

But the essential principle of Judaism is to give precedence to learning commandments over their performance.

Finally, it is worth noting that the study of the commandments – the study of the Torah, that is, the resumption of the rabbinical dialectic – is equal in religious value to actually carrying them out. It is as if, in this study, man were in mystical contact with the divine will itself. The highest action of the practice of prescriptions, the prescription of prescriptions which equals them all, is the actual study of the (written or oral) Law.⁴²

The importance of halakhic discourse lies not in its conclusions or its ruling, but in its directing our attention to ethical implications and towards concrete existence. Nonetheless, aside from the halakhic dialectic, which is an ongoing debate about the right and appropriate action, there is Aggadah: "The apolouges and parables called *Aggadah* which constitute the metaphysics and philosophical anthropology of Judaism"⁴³.

In Lévinas' thoughts as well, Aggadah is of central importance in understanding Talmudic thought. The essential Talmudic principle is the priority of action over study, but, paradoxical as it may sound, this princi-

39 CHERLOW, "Where is 'Ein Ayah?'" (n. 38), pp. 260-261.

40 LÉVINAS, "Revelation" (n. 19), p. 136.

41 LÉVINAS, "Revelation" (n. 19), p. 140.

42 LÉVINAS, "Revelation" (n. 19), pp. 140-141.

43 LÉVINAS, "Revelation" (n. 19), p. 141.

ple is itself beyond action. In order to discover the true metaphysical meaning of Halakhah, one has to employ (and therefore study) Aggadah. To put it another way, it is important to study the Talmud's halakhic discussions, but in an aggadic mode.⁴⁴

On the notion of Torah study, one can see that R. Soloveitchik is revealed as continuing the traditions of Polish and Lithuanian Yeshivas more than the other thinkers whose work we are examining.⁴⁵ First, his lessons are addressed to the halakhic materials, and, what is more, to the halakhic verdict tradition. His published lessons are not explicit related to aggadic subjects. Indeed, there are a lot of references to the aggadic texts in his philosophical and contemplative articles, especially on educational and religious topics.

Nevertheless, and as it is emphasized above, R. Soloveitchik was not engaged just in the practical meaning of the halakhic discussion. One can say that R. Soloveitchik is looking for the philosophical metaphysics of Judaism in the abstract principles of the Halakhah. This idea is revealed in the title of one of his important books, *Halakhic Man*. The importance of the Halakhah for Jewish life is revealed in the important space that Jewish tradition allowed it. But according to R. Soloveitchik the halakhic man is torn in his soul – his internal life – between his looking toward and desiring an ideal and abstract world, his search for God and divine life, and on the other hand – earthly life, planted in the ground of this material world: However, even the norm is, at the outset, ideal, not real. Halakhic man is not particularly concerned about the possibility of actualizing the norm in the concrete world. He wishes to mint an ideal, normative coin. [...] The maxim of the sages “Great is study, for study leads to action” has a twofold meaning:

1. action may mean determining the Halakhah or ideal norm;
2. action may refer to implementing the ideal norm in the real world.⁴⁶

This idea establishes a close relationship between R. Soloveitchik and Lévinas: they both see the abstract thinking in Halakhah as a matter of importance, like actually performing the Halakhah. R. Soloveitchik began his article **ובירקשתם משם** (*u-viqqaštem mi-šam*) with a paragraph about “revealed Halakhah and hidden love”⁴⁷ – the Halakhah is revealed to human beings while the Divine glory could not be seen. R. Soloveitchik expresses a relationship

44 GEORGES HANSEL described Shoshani's position in the name of Lévinas in his: *Explorations Talmudiques*, Paris 1998.

45 See STAMPFER, *הישיבה הליטאית* (n. 13).

46 SOLOVEITCHIK, *Halakhic Man* (n. 16), pp. 63-64.

47 SOLOVEITCHIK, “**ובירקשתם משם**” [“*U-viqqaštem mi-šam*”], in: IDEM, **איש ההלכה** (n. 16), p. 117.

toward the Halakhah as though it is Jewish thought itself: the Halakhah recognizes the meaning of **גִּילּוּי שְׁכִינָה** (*Gilluy Shekhina*), revelation of the divine Presence, but there is also the disappearance of divinity.⁴⁸ Man finds himself moveable in two different directions, towards God and in the other direction – escaping from God toward human reality, or, as the Kabbalists call it, **רָצֹן וּשׁוֹב** (*ratzo va-shov*), which refers to the movement of a pendulum.⁴⁹ It seems that this pendulum is bearing R. Soloveitchik himself between the Aggadah and philosophy and the Halakhah and action.

One can say that the three thinkers each express an internal conflict between the Halakhah and Aggadah, and finally give priority to the Aggadah, meaning: to Aggadic thought. Although R. Soloveitchik writes mostly on halakhic texts, he sees the Halakhic Man as the person who live in a world of ideals, and not primarily as a person of deed or practice. R. Kook sees the Halakhah as a providing the details of practice for the Aggadah, which creates the sources and the roots of the Halakhah. Lévinas, who engages mostly in Aggadah as the expression of Jewish thought, make also the inverse move – returning to the Halakhah. For Lévinas, all the Aggadah and the halakhic discussions are directed towards concrete action, the practical ethics that appeal to the person from the other – in the reality and not as an ideal world.

Oral or Written

An interesting differentiation between the three thinkers is in the manner in which each created his writings. R. Soloveitchik and Lévinas both build their Talmudic lessons as an oral presentations, the written form being based on actual lectures and lessons. It is important to note that most of R. Soloveitchik's articles were generated from live lessons presented to an audience. In Lévinas' writings, one can notice the difference between his written philosophical works, which were generated in that form from the outset, and the Talmudic writings which were the product of oral lectures. These Talmudic Readings were given at Jewish intellectual conferences, and after that were published as articles and books.

Even though Lévinas was very exacting about the precise wording of his Talmudic Readings, he based each one on the version as originally presented in lecture form. These Talmudic Readings preserve the vitality of oral discourse, even as printed texts. Each is still a transcript of the lesson, complete with the comments and remarks that Lévinas made to his audience.

48 SOLOVEITCHIK, “*U-viqqaštem mi-šam*” (n. 16), p. 137.

49 SOLOVEITCHIK, “*U-viqqaštem mi-šam*” (n. 16), p. 177.

Compared with Lévinas and R. Soloveitchik, R. Kook wrote and published much more. Most of his writings were written formerly as a spiritual diary and then edited and published in a variety of contexts. Only a small part of R. Kook's writings were products of oral lectures or lessons.

The tension between the oral and the written texts exposes old Jewish tensions between the Oral Torah and the Written Torah. Here I want to emphasize the importance of the oral dimension of the three thinkers.

Soloveitchik writes:

The Halakhah took this wondrous idea of the constant revelation of the Divine Presence and of God's Word and adorned it with the name of Oral Torah transmitted and received [...]. The transmission and reception of Oral Torah express a broader and more profound concept than father telling son and teacher telling student. That transmission and reception are embodied in a trembling and quaking experience of 'pouring' revelatory consciousness, the tradition of envisioning the Living God, from generation to generation. [...] The teaching of Torah by a teacher to a student is a wondrous metaphysical act of an influencing personality upon a personality being influenced. [...] Oral Torah means a Torah into which is mixed personal uniqueness and which becomes an inseparable part of the individual.⁵⁰

He described one of his childhood experiences, when during the lessons he felt Maimonides to be a live person actually situated in the room.⁵¹ The written texts of Maimonides were Oral Torah, and the students, who studied in company, were sitting with Maimonides, arguing with him, and sometimes also overcoming him. The Oral Torah is not the Mishnah or the Midrash or even the Talmud. It is the live Torah that is discussed and spoken between real people, between teacher and pupil, between groups of study.

These words are close in their spirit and literally to Lévinas' words on Oral Torah:

Even written down, however, the oral Torah preserved in its style its reference to oral teaching; the liveliness provided by a master addressing disciples who listen as they question. In written form, it reproduces the diversity of opinions expressed, with extreme care taken to name the person providing them or commenting upon them. It records the multiplicity of opinions and the disagreement between the scholars. The great disagreement running all through the Talmud between the school of Hillel and the school Shammai [...] a discussion or dialectic which remains open to readers, who are worthy of this name only if they enter into it on their own account. Consequently, the Talmudic texts, even in the physiognomical aspects that their typography takes on, are accompanied by commentaries, and by commentaries on and discussions of these commentaries.

50 SOLOVEITCHIK, "U-viqqaštem mi-šam" (n. 16), pp. 227-229.

51 SOLOVEITCHIK, "U-viqqaštem mi-šam" (n. 16), p. 230.

The page is continuously overlaid and prolongs the life of the text which, whether it is weakened or reinforced, remains “oral.”

The expectation from the learned person is to preserve the lived aspect of study. It is not written letters, but a lived dimension of the Torah – this is a real dimension of revelation.

This position is presented by Lévinas, quite intensely, in his lessons. One can read in the introduction to the Talmudic Reading “To the Other,” when Lévinas appeals directly to his audience (in the printed version as well):

The passage to be commented on has been distributed to you. Perhaps you should not take it with you. The texts of the Oral Law that have been set into writing should never be separated from their living commentary. When the voice of the exegete no longer sounds – and who would dare believe it reverberates long in the ears of his listeners – the texts returns to their immobility, becoming once again enigmatic, strange, sometimes even ridiculously archaic.⁵²

Obviously, this is an extremely position that perceives an intense necessity to keep the oral dimension of the Oral Torah. One can find similar thinking in Rashi, who understood his writings on the Talmud as a continuation of the Talmud itself. By this understanding, Rashi makes his readers partners in the Oral Torah’s project.⁵³

It seems that R. Kook is different from the others because he is not afraid of writing. The endeavour of writing and reediting the Torah (understanding that term in the wider sense of “Jewish learning”) is an integral part of R. Kook’s theory and its relation to the Talmud. R. Kook took upon himself the mission of outlining new approaches to studying, which he called the Torah of Eretz Israel. It is important to emphasize that its meaning is not the Torah and the texts that were studied in Eretz Israel, as some scholars interpret.⁵⁴ The true meaning of this Torah is a new system of the Torah that synthesized the Torah of Biblical period and the period of the Diaspora.⁵⁵ This new synthesis is the Torah of Redemption, and it is this Torah that R. Kook wrote. And this Torah is written *a priori*, with intention of being printed and published. R. Kook’s writings did not preserve the oral manner, nor the lesson’s discourse.

52 EMMANUEL LÉVINAS, “Towards the Other”, in: IDEM, *Nine Talmudic Readings*, transl. A. Aronowicz, Bloomington / Indianapolis 1990, pp. 13-14.

53 On the meaning of terms “Mishnah” and “Talmud”, see YONAH FRENKEL, *דרכו של רשי בפירושו לתלמוד הבעל*, Jerusalem 1975, pp. 16-32.

54 See the observation made by N. Gutel, above (n. 6).

55 R. Kook sees the period of the Second Temple as a preparation for the Exile.

R. Kook's Torah of Redemption has two written parts. The first is simply a reediting of the Talmudic page, by adding a column called *Halakhah Berurah* – “Halakhah made clear.” This project tried to produce a digest of all the developing Halakhah of all generations, relating the development of halakhic decisions back to the Talmudic page. The reader is challenged and enabled to learn all the Oral Torah as a Written Torah. The second part is commentary on the Talmud's aggadic texts, following their order in the Babylonian Talmud. To be more precise, it follows the order of those passages as they appear in עין יעקב (*Ein Ya'aqov*). This commentary is an arranged interpretation that obviously was published as a written and printed text. These interpretations lacked the vitality and the manner of dialog that one can find in an oral lesson. This commentary is also different from the other kind of texts that R. Kook has written – his letters. In his letters R. Kook writes in a more personal vein, and it is phrased like spoken language – less figurative and abstract. His commentary *Ein Ayah* is presented as a written text – written Torah.

It seems to me that the profound reason for this difference between R. Kook and the others relates to the concluding aspect of his work. R. Kook saw himself as man who has to take part in the great project of culminating – summing up all the Torah that existed before. This project leads the way to open the gates to a new period – the messianic epoch. The unity and the summing up of all the Torah and its branches is a very considerable and religious work – but it is, actually, reediting a project. So, essentially, it is a written project. R. Soloveitchik and Lévinas do not see themselves as parts of the same project. For them, they are part of the Torah learning tradition that is between a teacher and his pupils, between a Rabbi and his congregation. This is oral Torah that engages in vital reminding, that renews and yet does not summarize.

The Philosophy behind the Learning Analysis

R. Soloveitchik finds his learning path in the middle ground between the neo-Kantian world of Hermann Cohen and the Brisker world of his grandfather.⁵⁶ At the base of the Marburg school of thought is the argument that intelligence is the instrument that establishes and shapes reality. Intelligence creates the categories that a person uses to examine reality and through which he can know the world. The categories are abstracted logic, and the reality is derived from it or through them.

56 See AVINOAM ROSENAK, “Philosophy and Halachic Thinking,” in: AVI SAGI (ed.), **אמונה בזמנים משתנים : על משנתו של הרבי יוסף דב סולובייצ'יק**, Jerusalem 1996, pp. 275-306.

The essence of the Halakhah [...] consists in creating an ideal world and cognizing the relationship between that ideal world and our concrete environment in all its visible manifestations and underlying structures.⁵⁷

Similar to this is the halakhic person who “reads” and understands reality through halakhic categories. He elevates himself to a logical thinking by creating abstract constructions. He does not interpret the concrete datum but establishes an ideal world.⁵⁸ R. Soloveitchik persists in this direction as far as to say:

Halakhic man is a mighty ruler in the kingdom of spirit and intellect. Nothing can lead him astray; everything is subject to him, everything is under his sway and heeds his command. Even the Holy One, blessed be He, has, as it were, handed over His imprimatur.⁵⁹

R. Soloveitchik is not satisfied with idealistic theory such as the Neo-Kantian theory, and he demands that the individual return to the world. The halakhic person is marked, according to R. Soloveitchik, precisely by of the basic rupture in his soul between the mind and religion:

The deep split of the soul prior to its being united may, at times, raise a man to a rank of perfection.⁶⁰

And that means, between the aspiration to think about an ideal world and the ambition to act in the real world. The action place of the Halakhah is ‘this world’, and similarly, the place where the halakhic person acts is the normative world:

His normative doctrine has priority, from a teleological perspective, over his ontological approach. Cognition is for the purpose of doing: ‘Great is study, for study leads to action’ [bQidd 40b].⁶¹

A deep understanding of the Neo-Kantian course may align it with the halakhic course of R. Soloveitchik: the building of abstracted categories, “rules,” and then observation of “concrete beings.” Nothing is regarded as existence, unless it was first thought of as a reasoned category. R. Soloveitchik demands of his halakhic person:

All Halakhic concepts are *a priori*, and it is through them that halakhic man looks at the world [...]. Both the mathematician and the halachist gaze at the concrete world from an a priori, ideal standpoint and use a priori categories and concepts

57 SOLOVEITCHIK, *Halakhic Man* (n. 16), pp. 19-20.

58 See JOSEPH B. SOLOVEITCHIK, “מה דודך מודך,” in: IDEM, *דברי הגות והערכה*, Jerusalem 1981/2, p. 75.

59 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 80.

60 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 4.

61 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 63.

which determine from the outset their relationship to the qualitative phenomena they encounter.⁶²

Worthy of quotation in this context is R. Soloveitchik's phrase relating to R. Hayyim of Volozhin and his book **נפש החים** (*Nefesh ha-Hayyim*):

The essence of the Torah is intellectual creativity. R. Hayyim of Volozhin devoted the first chapter in his work *Nefesh ha-Hayyim* to an explanation of the verse "And God created He him" (Gen. 1: 27). The gist of his world perspective, to which he gives expression in his explanation, is that it is man who gives life to and constructs the worlds that are above him. The whole of transcendental existence is subjected to him and under his sway. He creates supernal, exalted worlds and destroys them. "Know that which is higher *mimkha* ['than you' or 'from you']" (mAvot 2:1). All reality higher than our lowly world is from you; it exists by virtue of man's creative power. Know that [that] which is higher is from you!⁶³

Similarly to R. Soloveitchik and the way that he understood R. Hayyim of Volozhin, one may read Lévinas' discussion of this topic of generalization and detailing where he explains the meaning of the pact. The religious pact is composed of two different modes of associations – the first, principal association to the general meaning of the pact and the second association to every detail of the contract. Lévinas distinguished between the great ideas, the spiritual thinking that can tempt souls, and the concrete acts:

The general spirit of a legislation should be drawn out. The spirit of the law should be deepened. Philosophy is not forbidden, the intervention of reason is not unwelcome! If there is really to be an inner adherence, this process of generalization cannot be put aside. But why distinguish from it the access to the particular expressions of this general spirit? Because the meaning of a legislation in its general spirit remains unknown as long as the laws which it embraces have not been recognized.⁶⁴

It is important to add two remarks. The first remark is that R. Soloveitchik sees the Halakhic Man's way as a worthy attitude towards Talmud study. Thus, he described R. Hayyim of Brisk as a person who succeeded to open the gates of understanding and reading the tractate Kelim not as it was understood until his days, as a manual of the rabbinic period's instruments, but as details and abstract distinctions of Purification. The correct approach is to create abstract *a priori* categories of the conceptual meaning of purity and impurity. Those abstract categories establish a very complicated world which generate a lot of details that receive their meaning through the phenomenon that Tractate Kelim describes. The deep

62 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 23.

63 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 82.

64 LÉVINAS, "The Pact" (n. 28), p. 77.

meaning of the instruments of this tractate is not the description of the tools and vessels during the rabbinic period, but the manner of deriving rules from the ideal categories.

The second remark is, surprisingly, that R. Soloveitchik did not see himself as a Halakhic Man. This kind of self-understanding is not obvious, since he sees this type as a right and respected model. Nonetheless, for our research the important issue is the mode of study, and here R. Soloveitchik continues this direction. R. Soloveitchik's Talmudic lessons are conducted through Maimonides' distinctions, by the method of Halakhic Man's thought, even if he himself is not this person.

In contrast with R. Soloveitchik is R. Kook's point of view, which influenced by Hegel or Hegelian systems, and which tries to reach the unity of Spirit-Mind. Many details amass into one unity which can be understood spiritually. In order to explain this position, and to present its influence on his approach to reading the Talmud, I will present it in few stages:

The first stage: all the world is godly – the unity of existence:

All of being is comprised by a single point. All the vastness laid out before us, all the multiplicity and all the richness, all the distance and all the remoteness – all of it is relative vis-à-vis our own minuscule, partial smallness, which is inherent in our inchoate nature.... We have nothing parallel but unity.⁶⁵

The problems of this world are derived from the difficulty of recognizing the unity of the godly existence. There are many distinctions and discriminations in reality. A more remarkable distinction is the one that separates the all-inclusive from its details. Man stands before reality and sees a profusion of details: being features small details, even endless details. Another difficulty for this person is presented by the question of evil. The perspective that reality is seen as godly existence, almost pantheistic in attitude, comes up against our encounter with evil, which seems to separate reality into Good and Bad. R. Kook's attitude is very consistent: reality is godly and in harmony. All conflicts are merely apparently so. Man has to be encouraged to see the unity of existence:

It is a simple and direct insight that all the events in the universe, all the creatures, all their actions, and all the details of everything about them, their characteristics, their qualities, the nature of their material and, all the more so, their spiritual lives – it is all a distillation of the entirety of being.⁶⁶

It is important to emphasize that R. Kook's point of view includes history among the details of the godly world. It is also history that has to be under-

65 KOOK, *אורות הקודש* (n. 24), vol. II, p. 391.

66 KOOK, *אורות הקודש* (n. 24), vol. II, pp. 394-395.

stood as a divine history that includes all the different details of all periods. Man finds difficulties in seeing the godly aspect of history, and thus he encounters difficulty understanding how history reflects Providence.⁶⁷

To solve this difficulty R. Kook is ready to use Hegelian dialectic. History describes the complicated course of thesis, anti-thesis and synthesis. The world created by two different and conflicting theses: perfection – the divine world, and the world being perfected – the earthly one. The latter is our world, this reality where thought is not perfect, and the unity of things is not clear, and all the details seem to be in conflict. The messianic process will bring these two theses together, and unify the perfect and the being-perfected worlds into one. In other words, there are the world of unity, the world of detail, and then there will be the world of union (association).

But R. Kook understands that even the world of detail is a divine world. It is possible to see the unity of this existence and the godly aspect even by living in the current historical period. Indeed, it requires special eyes, and unique personal perfection that can bring one to know in this world what will be known in the next world. One can know the unity of the existence and that all the details are parts of this unity – divine reality. In order to clarify this idea R. Kook used the model of light and shadow.⁶⁸

Now, one may imagine a person when the sun rises and the day is filled with light, and he is not frightened anymore. And if this person could elevate himself higher and see the full picture – he would know that this is a forest. Man in this world needs light to understand the existence around him. While he has only a small light, revealed reality is seen as fragmented and separated. It could also be seen as frightening because reality could be evil for him. But when the darkness leaves and light comes, the shadows disappear, and the true reality is revealed. If man could just elevate himself to consider the divinity of the reality and the unity of the details, he would live with a messianic consciousness:

All that arises in the world from hoary antiquity to the end of time, all of it is fragments of aspirations and fragments of perceptions coming together into one complete creation. As long as the form that will gather them into a unified whole

67 See SHALOM ROSENBERG, “Introduction to Re’ayah [R. Kook],” in SHALOM ROSENBERG & BINYAMIN ISH-SHAOM (EDS.), **יובל אורות : הגותו של הרב אברהם יצחק הכהן קוק זצ”ל**, Jerusalem 1984/5, and JOSEPH AVIVI, “History is a Divine Prescription,” in: MOSHE BAR-ASHER (ed.), *Rabbi Mordechai Breuer Festschrift*, 2 vols., Jerusalem 1992, vol. II, pp. 709-771.

68 KOOK, **אורות הקודש** (n. 24), vol. I, p. 16; ROSENBERG, “Introduction” (n. 67), pp. 36- 37.

has not yet arrived, there are among them good and bad, truth and falsehood, pollution and purity, the sacred and the profane.

But with the appearance of the light of all-encompassing unification, which will make clear what all those aspirations and partial perceptions are to become, everything will be recognized as being for good, for truth, for purity, for sanctity, a world that is completely Sabbath, completely good.⁶⁹

One may see certain similarity between R. Kook's requirement of generalization and R. Soloveitchik's requirement of generalization. They are not satisfied with the multitude of revealed details, and they seek to reach into the roots of those details. The origins according to R. Soloveitchik are the idealistic thinkable categories, and according to R. Kook the generalization is the "unity of all reality."

The same view of the unity of existence underlies R. Kook's view of Halakhah. The person who is looking at all the details tries to see their origins, and of course does not take in all of the great divine picture. But this is a difficulty that the Diaspora created, where and when all the parts and details of all the laws and the legal passages, the different traditions and the conflicting considerations, seem to be in real disharmony. It requires a special personality to look at all the debates and see through them the way to build a new harmony and a grand unification. This special entity will understand that the unity of the thought could be proclaimed only through the multitude of the debates:

The depth of spiritual revival is prepared for "the Torah of Eretz Israel," and from it the barriers and the iron walls that separate realm from realm, discipline from discipline, will gradually recede. The entire spiritual world will be observable at one glance, in the "air of living souls of the Land of the Living." The glory of life that belongs to a delight in secrets, the flash of dialectic, the spontaneous revival of the Jewish people (*Knesset Yisrael*) in the Holy Land, the specification of laws (*halachot*) and the spread of vision and song, the desire for outstanding tenacity and the passion for development of the body – all these and more [...] that were taken to be as distant one from another and even contradictory – now are about to become for us bound together and truly united, and each one supports the other, its expansion and deepening, its dissemination and perfection.⁷⁰

The image of the Halakhah here is as collection of details and casuistic laws and rules. R. Kook emphasizes the argument that there is no other way to accomplish this unification and to present the Torah as one in all its phenomena:

69 KOOK, **אורות הקודש** (n. 24), vol. II, p. 510.

70 KOOK, **אורות התורה** (n. 7), vol. IV, p. 3.

And the Torah stands encompassed and united in its supreme holiness in the voice of the living God, such that everything with a living soul listens and hears that great voice, which bursts through continually from the entire Torah.⁷¹

There is a wide abyss between Lévinas and R. Kook on this idea. R. Kook wants to recognize the unity and the generality of the reality that lies beyond revealed details. And this is precisely what Lévinas seeks to prevent, the Totality of thinking, the generalization of understanding. Lévinas interprets this act as an attempt to subordinate all the differentiations for the purpose of grasping and bringing all the otherness into sameness. For Lévinas, there is a mode of totalization that leads to a totalitarian system which tries to enter all the others and to make it “mine.” But there is another mode of thinking – infinity, in which man respects all the details and all the debates in their uniqueness.

It is possible to overstate this contradiction, and to see Lévinas’ position as a claim against R. Kook’s thought. The position of unification seems modest because it grants a place to all other ideas. But to accomplish its harmonization, this position subordinates all others to its point of view. It requires arguing for a special vision, a special personality that has a general and total vision of the reality. The owner of the system is of course the person who has this special ability. For Lévinas, the important issue is that the reality is beyond “my” grasp, and that the other escapes from the consciousness of the “I” and of “sameness.” All the superior vision that man has constructed is, for Lévinas, the path of totalitarian thought, which tries to include the other’s thoughts.

In his article “Philosophy and the Idea of Infinity,”⁷² Lévinas distinguished very explicitly between two forms of seeking the truth. One form is an appeal toward reality as different from all the concepts that we have. The other is to recognize reality by bringing all differences within the conceptual thinking that includes it.

One can consider this an accusation against both R. Kook and R. Soloveitchik. They wish to reach the intellectual and abstracted categories as a means of turning the “other” to the “same” – to take the distant objects and make them our objects. The real phenomenon does not deny the independence of mind, which understand new data by comparing it to

71 KOOK, אורות התורה (n. 7), vol. IV, p. 1: *והתורה עומדת כלולה ומאחדת בקדושתה* *העלינה בקול אלוהים חיים, שכל אשר נשמו היה מksamיב הוא ושותע את הקול הנדרול הזה, ההולך ובודק בכל התורה כולה*.

72 LÉVINAS, “Philosophy and the Idea of Infinity,” in: IDEM, *Collected Philosophical Papers*, transl. Alphonso Lingis, Nijmegen 1987, pp. 47-60.

known concepts. Halakhic Man subordinates the phenomenon to the abstract categories. R. Kook's position resembles this critique in that it creates a unified conception that brings all the other and the different and the unique into a new total consciousness.

Messianic Destiny

Messianism is not necessarily an integral part of Torah study, but since it is very essential in R. Kook's theory, one has to compare these three scholars' views on this topic as well. R. Kook sees the messianic epoch as a new way of studying Torah, the worthy way of learning – the Torah of Eretz Israel. To understand the meaning of messianism is to understand how to study and interpret Torah.

Maybe it is appropriate to start this paragraph with R. Soloveitchik's statement that the idea of messianism is "a foreign branch in his garden." In an article that R. Soloveitchik devoted to messianism, he explains why he does not depend on messianic concepts. It is not because these concepts are not part of his spiritual tradition or the Jewish heritage. It is because, to his way of thinking, these concepts do not have a concrete and practical meaning. There is no importance to the messianic idea from the perspective of the conceptual and intellectual categories. Halakhic Man appeals to earthy reality through conscious categories. The messianic epoch is beyond his horizon because it is beyond this human period, indeed a "foreign branch."⁷³

R. Kook, on the other hand, sees messianism as the main notion that influences and shapes his entire vision and opinion. The messianic mind can be achieved even before the messianic epoch, by a great person who sees the divinity of all reality. This aim is achieved by virtuous individuals who have the ability to see how this world with all its detailing and its debates is an expression of one great unity. The messianic epoch will announce to all humanity that "the land has been filled with knowledge of the Lord" (Isa. 11:9), meaning that everyone around the world will recognize the divinity of reality. This messianic goal leads humanity, with or without its assent. History is godly and deterministic, especially at this time. R. Kook perceived the change of mind and the new consciousness of the messianic age. R. Kook includes Freud's psychoanalysis and Darwin's evolution as parts of this unified thought:

73 JOSEPH B. SOLOVEITCHIK, "On Love of Torah and the Redemption of the Soul of the Generation," in: IDEM, *In Aloneness and Togetherness*, Jerusalem 1975/6, 403-432 [Heb.], citation from p. 404.

The Messiah will explain the Torah of Moses, inasmuch as there will be revealed in the world the prophetic vision that all human nations and factions suck the juice of their spiritual vitality from the same basic source, the content nevertheless being appropriate to the spirit of each nation according to its history and all its unique particularities of weather and climate, its different economic circumstances, and its various psychological characteristics, leaving none of the richness of particularities absent from any nation – all of this uniting to draw from one source, in supreme friendship and strong inner security. “The Lord gives the word; the women who bear tidings are a great host” (Ps. 68:12): each and every thing said by God divides into seventy languages. And the complete harmony of the spiritual unity of the entire human world, in a form that sustains all the goodness of individual, personal, and collective freedom draws from the discovery of the rich unity of all being, in all its splendor, charm, and beauty, and in all its sweetness and delicacy, and all the glory of its freshness and its thundering power, in the plenitude of its goodness and the supernal joy of its tranquility.⁷⁴

Lévinas is surprisingly similar to R. Kook in his idea of the intrusion of the messianic idea into the present historical period.⁷⁵ Messianism is not beyond the imaginable horizon of Lévinas, and he made it an integral part of his thought. But his messianism is very different from R. Kook’s messianism. If messianic idea for R. Kook was a general understanding of reality, a total unity, for Lévinas the messianic idea is exactly the opposite – decomposing the classical messianism. Lévinas sees Talmudic scholars as those thinkers who create this concept of messianism. This is not an apocalyptic messianism, similar to the saying of the prophet: “Alas for you who desire the day of the Lord! Why do you want the day of the Lord ? It is darkness, not light” (Amos 5:18).

Messianism is an aim that is imposed on each person when he responds to the call. Messianism appeals to the person in his life, in this world, and is presented as an ethical demand from the other person. It is not a total position, and it is not revolution that changes all humanity and brings all people under one system and one religion. Lévinas sees Messian-

74 Messiah يפרש תורה משה, בזה שיתגלה החיזיון בעולם: (n. 22), pp. 62-63; ערפל טוהר, (n. 22), pp. 62-63: “...איך יונקים כל העמים והמפלגות האנושיות את לשד חיהם הרוחניים מהמקור היסודי האחד, ומכל מקום יתאים התוכן לרוח כל אומה ואומה על פי תולדותיה, וכל עניינה המיחדים, המזוגים והאקלימיים, וכל פרטיו השינויים האיקונומיים והתכונות הנפשיות לכל שינוייהן, עד שהעוור של הפירות לא יהיה חסר מאהמה, והכל יהיה מתאגד ויונק ממקור אחד, בידידות עלינה וביתחון פנימי איתן. ד’ יתן אומר המبشرות צבא רב, כל דיבורו ודברו שייצא מפני הגבורה נחלק לשבעים לשונות. וההתיכבות המוחלטה של האיחוד הרוחני של כל העולם האנושי, בצורה המקיים את כל הטוב של החופש הפרט, האיש והקיבוץ, מגליי האחדות העשירה של כל ההויה כולה, בכל זיהה, חייה ויופיה, ובכל מתקה ועינוגה, וכל הود רעננותה ורעם גבורתה, בשפעת חסדה ועליצות שלותה העלינה”

75 See my article, “Messianism as an Ethical Mission”, in: *Daat* 54 (2004), pp. 97-123.

ism as a task that is presented to the person from the future that faces him in the other's face.

One can see that for Lévinas, messianism brings to mind all the debates, because it is redemption and not unification:

Messianic times are often designated as the epoch of conclusions. Not that this prevents discussion, even on this point! One text from Berakhoth (64a) says: "R. Hiyya b. Ashi said in the name of Rab: The disciples of the wise have no rest either in this world or in the world to come. As it says, *They go from strength to strength, every one of them appeareth before God in Zion* (Psalms 84:7).⁷⁶

Differentiation in Textual Reading – Examples

It seems very clear now that there is a differentiation between the three thinkers on the question of how to read and interpret Talmudic texts. In all the aspects of the Talmud – *mahloqet* (debate), Halakhah, Aggadah, Oral and Written Torah, their *philosophies, and the aim of their projects – one can find differences and distinctions among their approaches.*

The second part of this paper present two Talmudic *sugyot* (topical inquiries) and the differentiation between the three philosophers in their interpretation. The first example will be *Teshuvah* (repentance or penitence; literally "return"), and the second will be the erotic impulse or human duality.

Teshuvah

This notion is simple and complicated at the same time, and is a good example to the great difference between our three thinkers. Each of the three approaches this notion from his unique point of view. R. Soloveitchik seeks to point out the internal change that man causes himself to undergo in this process. Repentance is directed inward, towards oneself. Lévinas talks about the modification when one person changes his relation towards the other, as well as the dilemma of forgiveness of the other before a third person. R. Kook goes beyond them and engages in change that takes in all the world.

To be honest, it is important to note that there is an imbalance among them on the quantity of their writing on this topic. R. Soloveitchik evinces a very strong interest to the notion of *Teshuvah*, as is evident by his returning again and again to this topic. He produced very many articles in which the concept of *Teshuvah* is dealt with directly or indirectly or at least hinted at. There is also a book devoted to his inquiry into this notion, based on

76 LÉVINAS, "Revelation" (n. 19), p. 138.

lessons that R. Soloveitchik gave during the Ten Days of Repentance. R. Kook saw *Teshuvah* as a very important and very difficult notion, in writing his book *אורות התשובה* (*Orot ha-Teshuvah* "The Lights of Repentance"). He prepared the book's program, the table of contents and began to write it, but it was his son R. Zvi Yehuda Kook who edited and finished this book. In Lévinas, in contrast to the others, one can find only very little formal writing on the issue of *Teshuvah*.

R. Soloveitchik, true to his way of thinking, was looking for basic categories to deal with the concept of repentance. One of the important distinctions that R. Soloveitchik made was that between *כפרה* (*Kapparah*, (acquittal, atonement) and *טהרה* (*Taharah*, purification):

Yom Kippur – the Day of Atonement – has a double function. The first is *kapparah* – acquittal from sin or atonement: "For the virtue of this very day shall acquit you of sin" (Lev. 16:30)... The second aspect of Yom Kippur is *taharah* – catharsis or purification. As it is written, "For the virtue of this very day shall acquit you of sin, to cleanse you..." (Lev. 16:30).⁷⁷

Atonement is a religious-normative concept that describes the person that seeks to repent for a bad action he has made. The Atonement is used as "only as a guard against punishment."⁷⁸ R. Soloveitchik broadens this idea, by describing the importance of the Day of Atonement – *Yom ha-Kippurim* – as a day on which a person atones for his evil deeds. This atonement is not dependent on a deep change of his personality; it is accomplished by itself.⁷⁹

But there is another concept that relates to the impurity of sin as pollution. Sin, according to R. Soloveitchik, damages the perfection of the human personality and changes one's personal status. The person becomes a sinner, and purification is needed to repair the damage to his personality. Purification is an internal modification, independent of external rituals, it is the internal act of repentance:

Natural truthfulness is, to my way of thinking, an integral part of man's character. The moment a person sins he lessen his own worth, brings himself down and becomes spiritually defective, thus foregoing his former status. Sin deprives man of his natural privileges and unique human attributes. He is subjected to a complete transformation as his original personality departs, and another one replaces it.⁸⁰

Atonement does not affect this aspect of sin, and to it the atonement ritual is irrelevant. The internal damage that happens to the soul requires

77 SOLOVEITCHIK, "Acquittal and Purification," in: IDEM, *On Repentance*, ed. P. Peli, New York 1984, p. 49.

78 SOLOVEITCHIK, *Halakhic Man* (n. 16), p. 113.

79 SOLOVEITCHIK, *On Repentance* (n. 77), pp. 77-92.

80 SOLOVEITCHIK, "Acquittal and Purification" (n. 77), p. 52.

purification. According to this categorical division, Soloveitchik explains the meaning of the Talmudic discussions on the Day of Atonement:

According to Rabbi Judah Ha-Nassi, the Day of Atonement procures acquittal of sin even for those who have not repented individually (bYoma 84b). *Kapparah* (acquittal) affects [sic] the removal of punishment. The “indemnity payment” shields man from divine anger and wrath. However, his personality remains contaminated, and this condition may be remedied only through ritual “immersion,” that is, by wholehearted repentance. *Kapparah* (acquittal of punishment) is possible even when an individual has not repented: but without personal repentance *tabarah* (purification) is unthinkable.⁸¹

One may see that Lévinas made a very similar claim in relation to the meaning of repentance before the divine:

Let us evaluate the tremendous portent of what we have just learned. My faults towards God are forgiven without my depending on his good will! God is, in a sense, the *other, par excellence*, the other as other, the absolutely other – and nonetheless my standing with this God depends only on myself. The instrument of forgiveness is in my hands.⁸²

R. Kook, in his way, saw *Teshuvah* as part of a great and deterministic course of the world’s *Teshuvah*, in the sense of “return,” to its owner – its Creator. According to R. Kook, *Teshuvah* is the *raison d’être* of the world. The existence of reality is founded on the path of repentance – from the world of perfection through the world of being-perfected, developing and improving while returning to a perfected unification. It is not a matter of a simple sin and a normative act of regret and change of behaviour. On the contrary, it is a course that goes beyond the human horizon, even against one’s will. The individual may associate consciously with this movement or decide not to associate with it. The meaning of human repentance is joined to the wider movement of the world. Reality will return to its origin everywhere. R. Kook describes different realms of repentance: the private realm, the national realm, the human realm, the cosmic realm – all reality that would like to return to God.

Through penitence all things are reunited with God; through the fact that penitence is operative in all worlds, all things are returned and reattached to the realm of divine perfection. Through the thoughts of penitence, its conceptual implications and the feelings it engenders, the basic character of all our thinking, our imagination and our knowledge, our will

81 SOLOVEITCHIK, “Acquittal and Purification” (n. 77), pp. 52-53.

82 LÉVINAS, “Toward the Other,” in: IDEM, *Nine Talmudic Readings* (n. 52), pp. 12-29, citation is from p. 16.

and our feeling, is transformed and placed again within the context of the holy order of the divine.⁸³

R. Kook's daring thinking is recognizable when he explains Darwin's theory and new social theories – Hegelian thought – as part of this movement. Hitherto, the world recognized the scientific consciousness that the world and history are in process. If there is an evolution in biology and in history, one can say that the hand of God is revealed in this movement – the movement towards God. It is necessary to have special eyes to see and appreciate the divinity of this evolution. All Talmudic discussion on *Teshuvah* has to be read through this point of view.

The comparison among the three thinkers concerns the roots of their thought. In Lévinas, one cannot feel the exalted spirit described by R. Kook. One may instead feel a certain mode of contempt, so gentle that it can almost not be sensed, regarding the meaning of repentance before God. Lévinas sees it as a ritual act alone. The profound act of repentance is situated in the appeal toward the other. Precisely in the situation of standing before the other, one finds oneself standing before the unknown, asking for forgiveness before one who may not agree to give a positive response. The other may not forgive the person who injured him. Lévinas interprets it with the exciting story about Rav:

Rab once had an altercation with a slaughterer of livestock. The latter did not come to him on the eve of Yom Kippur. He then said: I will go to him myself to appease him. (On the way) Rab Huna ran across him. He said to him: Where is the master going? He answered: To reconcile with so and so. Then, he said: Abba [i.e., Rav] is going to commit murder. He went anyway. The slaughterer was seated, hammering an ox head. He raised his eyes and saw him. He said to him: Go away, Abba. I have nothing in common with you. As he was hammering the head, a bone broke loose, lodged itself in his throat, and killed him.⁸⁴

And Lévinas adds:

Rab goes out of his way to provoke a crisis of conscience in the slaughterer of livestock. The task is not easy! Rab's disciple, whom he meets on the way, is aware of this. This disciple, Rav Huna... is convinced that the slaughterer will not be moved by Rab's gesture, which will only aggravate the fault of the slaughterer. Excessive moral sensitivity will become the cause of death. We are far from the forgiveness generously and sovereignly granted *urbi er orbi*. The game of offense and forgiveness is a dangerous one.⁸⁵

83 ABRAHAM ISAAC KOOK, "The Light of Penitence," in: IDEM, *The Lights of Penitence* [...], transl. B. Bokser, New York 1978, pp. 37-128, citation from p. 49.

84 bYoma 85b; LÉVINAS, "Towards the Other" (n. 52), p. 13.

85 LÉVINAS, "Towards the Other" (n. 52), pp. 22-23.

Lévinas does not leave the meaning of repentance at a general level, and he engages in a concrete case of essential repentance: between man and man. Forgiveness is the importance that lies in the very appeal of one before the other.⁸⁶

For Lévinas, this concrete situation opens to new difficulties, the meaning of this forgiveness for the third person who is not part of the event. There is another obligation of the repentance that enters the event of one before the other, by the third person.

Man and Woman in Tractate Berakhot

It is important to emphasize that this section takes as its subject only a comparison of textual readings. The analysis is focused on a passage in the tractate Berakhot.⁸⁷

R. Kook, in his *עין איה* (*Ein Ayah*), argues that the distinction between man and woman in the Talmud creates an ideal world where the male characters and female characters unify into a single entity in harmony and balance. Lévinas describes a human dualism that raises the question of the duality of woman and man. R. Soloveitchik, in his usual fashion, identifies abstract categories of male and female representing the influencing – the side that gives, and the side that has in abundance – the influenced.

The passage from b. Berakhot is as follows:

R. Nahman b. R. Hisda expounded: What is meant by the text, “Then the Lord God formed [va-yitzer] man” (Gen. 2:7)? [The word *va-yitzer*] is written with two *yods*, to show that God created two inclinations, one good and the other evil. R. Nahman b. Isaac demurred to this. According to this, he said, animals, of which it is not written *va-yitzer*, should have no evil inclination, yet we see that they injure and bite and kick. In truth [the point of the two *yods*] is as stated by R. Simeon b. Pazi; for R. Simeon b. Pazi said: Woe is me because of my Creator [*yozn*], woe is me because of my evil inclination [*yizri*]! Or again as explained by R. Jeremiah b. Eleazar; for R. Jeremiah b. Eleazar said: God created two countenances in the first man, as it says, “Behind and before hast Thou formed me” (Ps. 139:5)⁸⁸

How does R. Kook read this passage? Rav Nahman bar Hisda’s comment on man’s creation includes the two inclinations. And that means the emphasis on the totality of the divine creation, including the bad inclination. This remark is suited to the unified thinking of R. Kook’s theory, in which there is nothing except God, and man has to know that evil has a place in the great and divine unity:

86 See Emmanuel LÉVINAS, *Entre nous*, Paris 1991, pp. 155-159, 166-168.

87 bBer 61a.

88 Ibid.

To remove from one's thinking [the idea that] the exigencies of material being are what cause evil and base characteristics, and [that] there is no escaping the nature of that necessity. Instead, the blessed Holy One created both impulses [i.e., the innate human tendencies toward good and bad] for a proper purpose, and just as the good impulse and all good [human] qualities are a positive creation intended for an exalted purpose, so too is the impulse of bad qualities also a special creation with a respectable purpose.⁸⁹

Rav Nahman Bar Yitzhak's attack on the first interpretation is explained by R. Kook as a remark that adds something to that first one:

In any case, it should be said that the things that harm one's traits have no need of individual creation, for everywhere that superior wisdom took up the task of seeing to creation and improvement, there is order and correction, while any place bereft of improvement will, perforce, be left with the character of destruction [...] and so the lower, animal impulses that remain in the soul of man are only in accordance with the degree that divine wisdom agreed to let perfection stay away from the creation of the human soul, so that it could work on perfecting itself through the characteristic of choice that it was granted.⁹⁰

Here, one can see R. Kook's outlook reflected in his interpretation. According to this commentary, Rav Nahman's remark is about the idea of the independence of the bad inclination. Of course, he does not mean that there is an independent negative inclination, but that there is an option of the removal of the good inclination. The removal of the revelation of divine creation is the prevention of the good phenomenon, and this is precisely “destruction” and “ruin.” In other words, the absence of Providence is itself ruin.

True to his unified theory, R. Kook understands this position as bearing divine purpose: to give the human soul a place to live and to perfect itself. And then Rabbi Shimon Ben Pazi's utterance just elaborates the former remark. This sense of a bad inclination is the dimension of resistance to the spirituality that has an aim of creating an internal war leading towards the recognition of Goodness. Goodness is good by itself because it is the opposite of Badness. So, there are two sides to the fear of the bad

89 להוציא מהמחשبة שהכורה החומר הוא גורם (ע"ז איה, n. 37), Berakhot, p. 331: הרעות והתכונות הפחחות, וטבח החיוב אין ממן מנוס. כ"א לתכלית נכוונה יציר הקב"ה ב' היוצרות, וכשם שהיצר הטוב וכל התכונות הטובות הם יצירה חיובית לשם תכלית נعلاה, גם היצירה של התכונות הרעות היא גם כן יצירה מיוונית בעלת תכלית הגונה.

90 מכל מקום ראוי לומר שאין לדברים המזוקים בתכונות צורך ביצירה מפורטת, כי בכל מקום שם התעסקה החכמתה העליונה בטיפול היצירה והשכלול יש סדר ותיקון, והמקום הנעוזב משכלול מAMILא יותר בתכוונת הריסה [...] וכן הנטיות הפחחות בהמימות הנשאות בנפש האדם הוא רק לפיה הערך שהסכמה החכמתה האלוהית לעוזב השכלול מיצירת הנפש האנושית, כדי שתהיה משלמת עצמה על פי תוכנות הבחירה הנתן לה.

inclination: the refusal to accept God's word and the seduction of the objects that prevent the divine appearance. These two aspects are important to the improvement of God's recognition:

The measure of resistance found in man before he perfected himself, [...] is not neglected because of the absence of individual spiritual perfection, [but rather] it was created in order to perfect the spirit of man by means of what he can accomplish by his own free choice in overcoming all the obstacles, physical and spiritual, so that his cognizance and reason might expand and his knowledge of the good become complete, knowing both [the good] in itself and in its distinction from its opposite, the bad.⁹¹

The third sage, R. Jeremiah b. Eleazar, is understood by R. Kook to be referring to the two faces of the first Adam – male and female. R. Kook ascribes particular characteristics of mind to man, and special characteristics of feeling to woman. The creation of a human being is established in this way, separation before unification. The separation is needed in order that each side will announce itself in its fullness. And then the new unity that harmonizes the two sides will be fuller and more complete than it was before:

The descriptive, imaginative faculty, with its beauty and charm, and intelligence, which penetrates and observes with decisiveness and calculation – both have a complete system. Man is composed of poetry that flows from the depths of the descriptive faculty and feeling [and] rational observation that flows from the source of judgment. In this, man and woman are divided with regard to the characteristics of their personalities. Man is marked off for his rational faculty to overpower his emotions and his imaginative sense; woman, with the forces of her personality, is built to be guided by a sensitive heart and fine aesthetic sense [...]

A two-faced being did the blessed Holy One create, so that the power of emotion would be full and encompassed on all sides without any interference from the rational faculty and judgment, and [so that] the rational faculty, too, might, with all its might, move toward perfection with no opposition from the emotional faculty. And thus, the created being rose and was lifted high up, so that as the years advanced it might find a beautiful, refined value, and a world full of all things good, whether for the use of the mind or the use of aesthetic judgment and feeling.⁹²

91 KOOK, (n. 37), Berakhot, p. 331: עין איה שהשלים עצמו [...] לא נזבח מחסרוון השכלול הנפשי, והוא נזבחה כדי לשכלל רוח האדם על ידי מה שיוכל בבחירה החפשית להתגבר על כל המעצורים הגשמיים והרוחניים [...] זאת ההתנגדות היא באה מכך נטיה של יצירה מיוחדת כדי להכניס את האדם במצב התנגדות הכוחות, כדי שתתרחיב דעתו והכרתו ותהיה ידיעתו את הטוב ידיעה שלמה, בידיעו אותו בין מצד עצמו לבין מצד ההבחנה לעומת הרע שכנגדו.

92 KOOK, (n. 37), Berakhot, p. 331: עין איה כח המציג והמדמה בעל הטעם והחן, והשכל לשניהם יש מערכת שלמה. האדם הוא מורכב מישראל הנובעת החודר ומשקיף במשפט וחשבון,

Like R. Kook, Lévinas sees the question of creating woman as a second part of this text. The first discussion concerns the essential and primary duality of the human being:

From the start, the text is concerned with a certain duality in the human being and with an attempt to define what the human is. It is within this context that the later discussion about the feminine and masculine takes place.⁹³

First, Lévinas interprets Bar Hisda's phrase, and it seems that Lévinas knows another version of this Talmudic text:

R. Nahman b. R. Hisda expounded: What is meant by the text, Then the Lord God formed [*vay-yišer*] man? [The word *vay-yišer*] is written with two *yods*, to show that God created two inclinations, one good and the other evil.⁹⁴

And Lévinas explains that although that the usual translation of this word *יצר* (*yešer*) is “inclination,” he prefers another translation: “creation.” The Hebrew root of *צָר* can support this translation as well. The important feature of Lévinas’ commentary is the deep meaning of human existence: the rupture that is situated in it.

To create a man was to create in one creature two. They were two in one. And this does not refer to woman [...] What is the human being? The fact that a being is *two* while remaining *one*. A division, a rupture in the depth of his substance or simply consciousness, between two tendencies which exclude or oppose each other. Consciousness and liberty would be the definition of man, in short, reason.⁹⁵

Similarly to R. Kook, Lévinas looks for the duality of R. Nahman b. R. Hisda's phrase and finds it to be a logical thought. But R. Nahman b. Isaac's remark indicates, in very modern fashion, that logical and rational thinking is not a barrier before bestiality and animality:

There is no unbridgeable distance, no incompatibility between animality and reason. Reason can put itself at the service of bestiality and the instincts.⁹⁶

מעומק כח המציג והרגש, השקפה שכליית הנובעת ממקור המשפט. והנה האיש והאישה מחולקים בזיה בתכונות נפשותיהם, האיש מיוחד להיות גובר בשכלו על פי הרגש והטעם הצורי, דו פרצופין בראש הקב"ה. [...] האשה בנויה בכוחות נפשה להיות מבונה בלב רגש וטוב טעם למען יהיה כח הרגש מלא ומוקף בכל צדדיו ללא שום הפרעה מהתרחבות השכל והמשפט, וכח השכל גם כן יהיה בכל חזקו עליל להשתלים שלא שום מניעה מכח הרגש. ובזיה עלתה היצירה במעלה נישאה שבתחכחות השניים ימצא ערך נאה ומתקונן ועולם מלא כל טוב, בין לשימוש השכל בין לשימוש הטעם והרגש.

93 EMMANUEL LÉVINAS, “And God Created Woman,” in IDEM, *Nine Talmudic Readings* (n. 52), pp. 161-177, citation from p. 164.

94 bBer 60a and in a different version: אחד לטובה ואחד לפורענות.

95 LÉVINAS, “And God Created Woman” (n. 93), p. 165.

96 Ibid., p. 165.

And then the additional offer that Ben Pazi has given takes the reader to a new place – the duality that lies between the higher and the lower – the law that is announced in the name of the creator, and nature as a creature – desires and eros. For him, the human being is defined by obedience and not by freedom.

The third proposal is that of R. Jeremiah b. Eleazar – the two faces. Lévinas emphasizes that these two faces of the first man are not the male and female faces:⁹⁷ He prefers to describe it as a Janus head – there are faces at the front and at the back. The deep meaning of these two faces is that the person cannot escape his responsibility and the other's appeal.

Always the hand of God grabs me and guides me. It is impossible to escape from God, not to be present before his sleepless gaze. A gaze which is not experienced as a calamity, in contrast to the terror felt by Racine's Phaedra! ... in the biblical passage, certainly God's presence means: to be besieged by God or obsessed by God. An obsession which is experienced as chosenness [...] I cannot, even through sin, separate myself from this God, who looks at me and touches me.⁹⁸

The situation of two faces prevents a person from escaping from his mission, like Jonah:

Thus one can understand why Jonah could not escape his mission. This is what it means to have two faces. With only a single face, I have a place in the rear of the head, the occiput, in which my hidden thoughts and my mental reservations accumulate. Refuge which can hold my entire thought. But here, instead of the occiput, a second face! Everything is exposed; everything in me confronts *l'acte* and must answer.⁹⁹

And it is very important for Lévinas to comment further on the ethical-philosophical meaning of the theological discussion:

Let us insist again upon the meaning we have discovered in R. Jeremiah ben Eleazar's saying... Let us free it from its theological forms... What does this manner of being surrounded by God mean if not the very image which functions as its allegory? To be under the sleepless gaze of God is, precisely, in one's unity, to be the bearer of another subject – bearer and supporter – to be responsible for this other...¹⁰⁰

It is remarkable that these two thinkers trying to deal with the differentiation and the duality are not separated from the meaning of the human being. Apparently, the text engages with gender – the sexual differentiation. But neither raised the question of gender until it was necessary to do so.

97 Lévinas emphasizes the rabbinical motivation of quote from Psalms and not from the verse of Genesis "Male and female created he them."

98 LÉVINAS, "And God Created Woman" (n. 93), p. 167.

99 Ibid., p. 167.

100 Ibid., p. 168.

In R. Kook's view there is no other way to deal with these distinctions but with the unified and divine meaning. All those distinctions and internal duality are necessary by the divine wisdom, separation for unification. Lévinas, in contrast to this theory, saw the internal breach as a rift in the soul, very sad and difficult. All those differentiations impose responsibility from which no one can escape. The profound mission of the theological concept is the ethical responsibility that came from the other's face.

R. Soloveitchik's path through this issue is different, first because he did not publish any organized discussion of this passage. Nevertheless, one can find many discussions in his articles on the topic discussed. Here I will present two small discussions on this topic, the first one dealing notion of *berakha* (blessing, benediction), the second one with the community that is created by speech.

R. Soloveitchik devotes one article to the meaning of liturgical benedictions, using the Zoharic categories of *דוכרא* (*Duchra*) and *נוקבא* (*Nukba*) – male and female.¹⁰¹ These categories are the relationship that constructs the meaning of blessing: "male and female He created them" (Gen. 1:27).

Sexual distinction is the basis of each blessing. It is not surprisingly that all the first blessings in the Bible engage with procreation, beginning with animals and continuing through man's creation and up to Noah.

We must analyze the very first blessing given to mankind in Genesis: 'And God created man in His image, in the image of God He created them, male and female He created them. And God blessed them and said to them 'Be fruitful and multiply and fill the land and conquer it' (Genesis 1, 27 – 28). A fundamental principle of Judaism is revealed in these verses.

Within the organic-biological world in general, as in mankind specifically, the Creator ingrained the ability and the desire to procreate... Only through the joining of male and female can mankind be blessed as a unit.¹⁰²

The categories male and female in R. Soloveitchik's descriptions are built on the classical attributes (or perhaps the medieval attributes) of the influential and the influenced.

[...] The blessing of *Peru u-revu* is not limited to the physical world, but exists in the spiritual world as well... Every soul consists of a spiritual androgyny, a male and female persona. A *Dukhra venukba* can be found in every individual. *Dukhra* refers to dynamic, active man while *nukba* refers to affected, passive man. Man both influences and is influenced; he is both giver and receiver.¹⁰³

101 SOLOVEITCHIK, "The Purpose and Meaning of *Berakhot*," in: IDEM, *Derashot Ha-Rav: Selected Lectures of Rabbi Joseph B. Soloveitchik*, ed. Arnold Lustiger, Union City, NJ 2003, pp. 1-43.

102 SOLOVEITCHIK, "The Purpose and Meaning of *Berakhot*" (n. 101), pp. 3-4.

103 SOLOVEITCHIK, "The Purpose and Meaning of *Berakhot*" (n. 101), pp. 4-5.

R. Soloveitchik emphasizes that it is not his intention to say that, of necessity, the female characters are related to woman and the male characters to man. The relationship between “man” and “woman” is a dynamic relationship. Sometimes one side is the male and from time to time it is the female. This characteristic is not particular to human beings but rather describes all creatures – nature, animals, and divinity.

Of course the use of the image “male – female” relating to the divine world is taken from kabbalistic concepts. Nonetheless, R. Soloveitchik says that it is not his purpose to describe the relation between the Ten Degrees (ten ספירות, *sephirot*), but the manner of divine revelation. The relationship between man and God is dynamic, like the relations between man and woman. As a teacher, Soloveitchik describes the event of study – the teacher and his pupil. During the situation of study, sometimes the teacher is influential and sometimes the student is the one who influences. Like God and human, like man and woman, the relationship of **דוכרא** and **נוֹקְבָא** is a dynamic relation.

The deep meaning of our paragraph is the heart of the tractate of *Berakhot*, because this is the main issue of blessing – the relation between male and female. The whole ninth chapter of this tractate, where our paragraph is situated, is engaged with blessings. It is engaged with the earthly set – benedictions overseas and rivers, disasters and happiness, good and evil, and of course man and woman. The latter is the main paradigm of the essence of the blessing. This is the importance of this discussion – to describe different modes of relation between man and woman, God and human being.

One can easily see that R. Soloveitchik reads this Talmudic text with rational categories that are the intellectual roots of the duality. R. Soloveitchik interprets this discussion beyond gender and into metaphysical differentiation.

This Talmudic paragraph can be a very good example of the different ways of interpretation by these three thinkers, based on their respective philosophies. For R. Soloveitchik, who is devoted to the search for categories according to the Neo-Kantian philosopher, man and woman represents the metaphysical categories of male and female – influential and influenced. R. Kook also did not interpret this paragraph staying close to its concrete meaning. He is looking for idealistic meanings in the spirit of Hegelian idealism. Lévinas, in contrast, posits a philosophical reading that on one hand exceeds the concrete meaning of the text and goes beyond it to the human situation and the meaning of responsibility, but on the other hand, the aim of this interpretation is a return to the ethical deed, which is always concrete ethics.