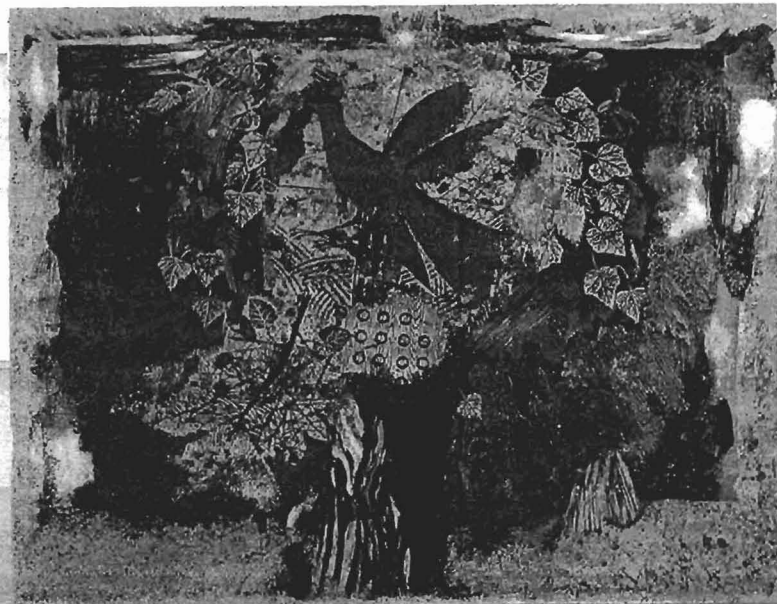


JEWISH THEOLOGY IN OUR TIME



A New Generation Explores
the Foundations & Future of
Jewish Belief

EDITED BY RABBI ELLIOT J. COSGROVE, PHD

Walking the Walk

RABBI DANIEL NEVINS

MY THEOLOGICAL PARADOX: a God whom I can describe is not worthy of my worship. This is axiomatic. God as an object is always god as an idol. How could mere creatures comprehend and describe the author of creation? Human consciousness is bound by the constraints of our limited experience and imagination. What are a few decades of education in the context of eternity? What perspective can ever be gained—even by the boldest of explorers—of the vastness of space? Our knowledge is pathetically limited, and yet we presume to speak of the eternal One. The morning prayer of the Jewish liturgy has it right—*Mah anachnu, mah chayeinu, mah chasdeinu, mah tzidkeinu, mah g'vurateinu*? “What are we in comparison to God? What are our lives, our morality, our strength?” Even the wisest and most righteous people die and are forgotten. “What is a person ... that You should know [or be known to] him?” (Psalm 144:3). Humility is the only appropriate posture when considering God.

Yet, this too is true: billions of humans have yearned for the presence, the guidance, and the love of God, and many have achieved powerful if

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fleeting experiences of that presence. Such experiences have the capacity to transform a life, a community, and an entire society. The yearning for God is a yearning for purpose, a sense that we are willed into existence for reasons mysterious, and that our lives, limited though they may be, may yet attain significance. As the psalmist says, "Taste and see how good the Lord is; happy the person who takes refuge in God" (Psalm 34:9). Our prayers guide us from helpless inadequacy to active searching. *Adon Olam* (Eternal Lord) takes us from God's transcendence over space-time (*b'li reishit, b'li tachlit*) to presence in our most vulnerable moments, at sleep and in death (*biyado afkid ruchi*). The nature of God is a mystery, but for many, the presence of God is a reality.

And more: we are not alone in our quest, but rather are enriched by traditions and communities of seekers who share our path and strengthen our purpose. The Jewish insistence on partnership in study (*chevruta*) and community in prayer (*minyan*) means that even the wisest and most spiritual seeker benefits from religious fellowship. In moments of weakness, community offers encouragement; in moments of presumption, community offers perspective and critique. The fellowship or covenant of seekers guides our pursuit of an elusive God. Perhaps this is why our mystical tradition refers to the most accessible facet of divinity as *k'nesset Yisrael*, the gathering of Israel. The same morning prayer that speaks of the insignificance of humanity proclaims, *Aval anachnu amkha b'nei b'ritekha*, "Yet we are Your people, children of Your covenant!"

What does it mean to be God's people, a people of covenant? *Eternal God, exceeding all measure or description, how shall we serve You?* This is no simple question, and there is no single answer. Every Shabbat, when we cease our own creative efforts and enter a contemplative frame of mind, we pray, "purify our hearts to serve You in truth." Perhaps we hope that this purification can be a magical gift from God, but Judaism offers a mechanism for pursuing this purpose: Torah and *mitzvot*. Study and worship, worship and study—there is no point in separating these aspects of our service. Through contemplation and action we integrate divine values into our lives, intending thus to purify

our hearts so that we might serve God in truth. Sanctify us with your commandments, and grant our portion in your Torah, and purify our hearts to serve You in truth. Action leads to comprehension, which in turn leads to purity of the soul. This progression is at the very heart of Jewish practice.

"And now, O Israel, what does the Lord your God demand of you? Only this: to revere the Lord your God, to walk only in his paths, to love Him, and to serve the Lord your God with all your heart and soul" (Deuteronomy 10:12). There is an internal, emotional purpose that is paired with an external life of service. Walking in all of God's paths is a consequence of reverence and a condition for experiencing divine love. That is, a person must be reverent in order to subjugate the individual will and follow a path set by God. But in that walk, a person is able to love God, by perfecting his or her service until it becomes complete. As God instructs Abraham, "Walk in my ways and be blameless" (Genesis 17:1). Walking the path of divine command changes a person and makes him or her a reflection of God.

In Judaism this practice of walking with God is known by the term *Halakhah* (sacred pathway). *Halakhah* is often understood as a noun, as an established body of law. But this definition is inaccurate. *Halakhah* is a dynamic system, not a code. Even the halakhic codes composed by the great medieval sages Maimonides and Joseph Karo are surrounded by commentary like a garden path bordered by plants. *Halakhah* is a living, changing system, not a fixed and limited object. My deepest objection to Orthodoxy (within which I lived many productive years) is that it tends to personify (and thus objectify) God and that its concept of *Halakhah* is reactionary to modernity and thus rigid like scar tissue. These two errors are understandable—worshiping eternity is less satisfying than clinging to an anthropomorphic image of the Divine. Confidence that the law is established for all time is a comforting fiction even if it is undermined by every cacophonous page of the Talmud. Worshiping without truly understanding, and serving without certainty are frustrating religious postures, but they are honest and humble, and that should suffice.

Halakhah should be understood as the practice of walking with God. God's commands give structure to the walk, but so too do God's values as they are portrayed in our sacred literature. If God is said to be "good to all, His mercy is upon all his works" (Psalm 145:9), then our imitation of God had better be good and merciful. It has become customary to speak of meta-Halakhah, or the values that stand above or behind the law. Likewise, it is common to bifurcate Jewish literature into Halakhah and *aggadah*, law and lore, with the assumption that the latter corpus speaks to the moral essence of religion while the former is just a legalistic shell. This is a very ancient dichotomy; it was the core of Paul's critique of Judaism, and it has been resurrected many times by Jewish antinomians from the early Chasidim to the later reformers. So sustained has this critique been that some traditionalists have succumbed to its force and embraced a religious practice of meticulous conformity without religious comprehension.

Yet this alleged bifurcation has never been true to the best of Jewish literature and practice. Halakhah is deeply exegetical, and *aggadah* is grounded in legal norms. In the Talmud and many collections of Midrash, the two genres are intertwined and often indistinguishable. As Robert Cover wrote in his landmark article "Nomos and Narrative," societies are constantly generating law to reinforce their narratives of communal purpose, and narratives to give texture to their communal norms. Narrative (*aggadah*) is jurisgenerative, and law in turn creates identity.¹ Reading halakhic literature, especially in the genre of responsa, one is struck by the frequent citations of verses and *aggadot* that give context and significance to normative practice.

For many contemporary Jews, halakhic literature is literally incomprehensible. Its language, subject matter, and conventions are so thoroughly alien to any textual experience that a modern Jew is likely to have encountered that it takes years to become attuned to halakhic thinking. Moreover, the intensive study of particularistic norms is quite at odds with the religious conventions of our day, which value individual insight over communal worship. Nevertheless, halakhic thinking retains much appeal for several reasons.

Given our inability to know the mind of God, Halakhah offers the next best thing. It attests to what millennia of Jews have discerned to be the divine will. For all of its ambiguities, halakhic literature yields many distinct instructions. Eat this, and don't eat that. Say this, and don't say that. Pray like this, and not like that. Implicit in this discipline is the idea that following *mitzvot* (commandments) draws one closer to the realm of God, while committing *aveirot* (transgressions) distances one from the divine. Indeed, this belief is explicit in the blessing formula that attends many *mitzvot*: *asher kid'shanu b'mitzvotav*, "who has sanctified us through the commandments." Alas, there is no blessing formula for committing *aveirot*, though the pseudo-messiah Shabbetai Tzvi was said to have punned a blessing, *mattir issurim*, that God permits (former) prohibitions.


Furthermore, Halakhah gives us a practice of subjugating the will in service of our creator. Ideally, this practice leads to humility, though there is constant danger that such service can lead a person instead toward arrogance vis-à-vis other people whose observable service seems less rigorous. As long as a person remembers that our service is always imperfect compared to the transcendence of God, then the performance of *mitzvot* can be done with humility and integrity.

Finally, halakhic practice has the benefit of giving structure to a person's family and communal life. The predictable rituals and other practices mean that a practicing Jew can pick up and join nearly any community and has a reasonable chance of transferring the tradition to his or her children.

Given all of these benefits, halakhic practice is quite appealing. Yet because Halakhah is built upon a foundation of millennia, it contains a mixture of elements, some of which are sublime, others of which seem odd, and a few of which are frankly repulsive in a contemporary context. The same system that teaches us that humiliating a person is like murder also contains many norms and narratives that are deeply humiliating toward various classes of people. Gentiles, Jewish women, and people who identify as gay or lesbian are all subject to casually dismissive or destructive sentiments in halakhic literature, which are at times attached to hateful and hurtful practices.

Like a crushed soda can left beside a pristine mountain trail, hateful traditions embedded in halakhic literature can repulse the most devoted practitioner. Yet just as trash found in the wilderness invites a conscientious hiker to pick it up and pack it out, so too do hateful aspects of our ancient tradition (such as the command to annihilate the gentile population of Canaan) require attention and active response from contemporary practitioners. Indeed, it is the imperfection of all formulations of Judaism—past, present, and future—and the mechanisms for adjustment that keep the halakhic system vibrant and allow it to reflect the transcendent nature of God.

On Shabbat each week we sing the words *K'vodo malei olam, m'shartav sho'alim zeh lazeh ayei m'kom k'vodo*, "God's glory suffuses the universe, but His servants ask one another, where is the place of His glory?" This is the paradox of our faithful practice; we feel God's presence everywhere, yet we are unable to pinpoint it anywhere. Like the unseen and elusive God, our pursuit of holiness is ever beyond our reach. Rather than give up in frustration, we should recall yet again the words of Deuteronomy 10:12: "And now, O Israel, what does the Lord your God demand of you? Only this: to revere the Lord your God, to walk only in His paths, to love Him, and to serve the Lord your God with all your heart and soul." Reverence, active practice, and love. This is what God requires, and this is what Jews have tried to accomplish for millennia. The task is great, but God is said to forgive our failures so long as we keep trying to return. This is the path, the Halakhah, that a humble Jew can follow.



On This Sacred Ground

RABBI ELIYAHU STERN

"STILL NOT ALL OF YOU secularists wanted to overthrow the yoke of the law," bellowed the quasi-fictional character Reb Hersh Rasseyner at his nemesis, the twentieth-century novelist Chaim Grade. "Some grumbled that Judaism kept getting heavier all the time.... Lighten the weight a little, they said, ... but the more they lightened the burden the heavier the remainder seemed to them.... Anyone who thinks he can hold on to the basic principles and give up what he considers secondary is like a man who chops down the trunk of a tree and expects the root not to rot."¹ Reb Hersh's words stung his boyhood friend, Chaim, who had long ago lightened his burden but still held dear to his roots.

Reb Hersh believed there was only "one way out of this" fool's bargain, to "see the law as the only reality of life. Everything else is a dream. Even when a man understands rationally what he should do, he must never forget that before all else he should do it because the Law tells him to do so."

Reb Hersh offers a piercing critique and sober assessment of nineteenth- and twentieth-century attempts to reinterpret Halakhah. He scoffs at those from all Jewish denominations who tried to make

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