

## COMMUNICATIONS

### HALLEL AND YOM HA-ATZMAUT

TO THE EDITOR OF *TRADITION*:

In the Spring, 1960 edition of *TRADITION*, Rabbi Meyer Karlin wrote an article defending and explaining the reasons for reciting Hallel on Yom ha-Atzmaut.

I am amazed that he did not mention in his article the comment of Rashi in *Shabbat* 118b that Hallel was instituted by the Prophets, and is only to be read at the times that they had designated. The recitation of Hallel is not dependent upon individual feelings of joy and delivery from adversaries, but only on the dictates of the Prophets. This is what Rashi meant when he says "as Chanukkah" (*Pes.* 117a), for Chanukkah was instituted by the Prophets and the Sanhedrin.

Also, Ibn Ezra and other sources cited by Rabbi Karlin for the establishment of Yom ha-Atzmaut apply only in a case where all the great rabbinic authorities of the era or the Sanhedrin agree to the establishment of such a festival. Even then, the establishment of a festival does not necessarily mean that

Hallel must be recited — for as we have explained above, Hallel is dependent only upon the rulings of the Prophets.

The Torah does not scorn individual thanksgiving and prayer in a time of need and salvation. However, any law or custom that is instituted for all the Jewish people must be sanctioned either by the Sanhedrin or, if there is no Sanhedrin in existence, all the great scholars living at the time. The recitation of Hallel, however, can only be decreed by the Prophets.

I might also add that *Maharsha* (*Shabbat* 118b) comments that Hallel is recited only as praise to the Almighty for a miracle which changes the course of nature. The *Maharal* of Prague makes the same statement in his *Gevurot Ha-Shem* (chap. 61).

This is also evident from the ruling of the *Rash Mi'Lunel* (see *Bet Yosef, Or. Ch.* 218) that the blessings over a miracle, mentioned in *Berakhot* (chap. 9), refer only to a supernatural miracle. However, if one is saved from disaster in a natural way, even though his life was

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in danger, the blessing *she'asa nisim* is not recited. (Nevertheless, he is obligated to recite the prayer for deliverance [*birkhat ha-gomel*] according to the *Rivash* and others.) Therefore, Hallel, instituted by the Prophets to be recited at that given time ("as Chanukah"), was also only meant to be recited over a miracle that changes the course of nature.

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RABBI KARLIN REPLIES:

My article in TRADITION is a digest of the Halakhah and cannot possibly mention *every* source. The Rashi in *Shabbat* 118b adds nothing new to the Gemara in *Pes.* 117a quoted in my article which specifically states that Hallel was instituted by the Prophets. However, Rabbi Director is wrong in saying that this refers only to past miracles, for the passage reads: *al kol tzarah asher lo tavo alehem*, etc. This refers to *future* salvations as well as to past ones. The best proof is Chanukkah, for it took place after the age of the Prophets. Rabbi Director's additional criticism is answered in detail in my article and it requires no further comment.

As to the reference to *Orach Chaim* 217, the evidence is to the contrary. The *Bet Yosef* cites both view-points and decides that one ought to pronounce the blessing over the miracle (not *Ha-Gomel*) without *shem u-malchut*. It is true that the *Taz* and the *Gaon of Vilna* dispute the source. But see the *Biur Halakhah* of the *Mishnah Berurah* who agrees with the *Bet Yosef*.

### THE CHAKHAM-TYPE

TO THE EDITOR OF TRADITION:

It was with a sense of anticipation that I launched into the article "Two Facets of Judaism," by a distinguished Hillel colleague, Rabbi Zalman Schachter. His expositions of Hassidism have always proved erudite and stimulating. I expected the same treat again. Long before I was half through, however, my brow was furrowed with question marks and exclamation points. A re-reading, moreover, did not erase the creases. Allow me to clarify the basis for my discomfiture.

In the article, Rabbi Schachter makes the essential claim that throughout the ages there has existed a polarity of approach in Jewish thought whose roots are not logical or ideological but psychological. These differences are, for purposes of case-study, cast by the writer into two personality moulds, each of them presumably concretizing the respective types in this religious antinomy.

The one is called the *Chakham*. His is "comfortably committed" in his faith and has "become arrested at a particular level of Jewish observance and Jewish living." He stands "quite justified before God" and since he feels very much "at home" with his heavenly Father, he experiences no overwhelming "desire for Teshuvah." Moreover, "his rightness is measured in terms of Torah behavior," the criteria being "glatt kosher, Jewish dairy products, the mutual approval of the pious." The *Chakham* is "so busy doing God's will" that he has hardly any time at all to think of God

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himself. His religious conduct is middle of the road, which the Kotzker considered a path "trod only by animals." In general, such an individual possesses a "cool head," functions with a "dormant motivation," is theologically "detached," studies philosophical "answers before the questions," "seeks the obvious," and on the whole aligns himself with past tradition and "with the great authority."

Not so the second dramatis persona whom he designates the *Baal Teshuvah!* His is the "heart afire," and his the intoxication of yearning for the Lord. His life is therefore a perennial "state of tension" whose religious temperature must forever be torrid. Otherwise, he would dread the onslaught of the "creeping frost of Amalek." It is, therefore, not surprising that "mere halakhic justification" is not enough. His standard must be: "will God take delight in my action?" The *Baal Teshuvah* cannot rest with the present; "he always looks forward to the future," for his at-onement with God. This high spiritual pitch is sustained by "the situational prophetic call which he claims to hear" and which, as the living word communicated to him by the Divine Providence, partakes for him of the "power of prophecy."

My initial reaction was skeptical. It was just incredible to me that Rabbi Schachter had earnestly presented these characterizations as living examples of the religious personality. Indeed their very representativeness was open to question. The *Baal Teshuvah* emerges as an exciting, God-intoxicated model of

spiritual outreach. His thrust towards godliness is explosive, infectious, and inspirational. On the other hand, the *Chakham* per se, let alone by contrast, seems to be limned in caricature. What a fallen paradigm of high religion! At best, this tenant on earth, too at home with God, is *parevdig* (despite his giatt kosher or Jewish dairy product) and average, *balebatisch* and bourgeois, mirroring the mean (but not golden) of religious living in the mass. At worst, this potential co-partner of Divinity, devoid of any restless striving for *yirat ha-Shem*, which is surely an equally significant measure of Torah behavior (see *Mishneh Torah, Hilkhhot Yesodei ha-Torah*, Ch. 2, for the relationship between fear and love of God in religious experience; cf. *Kesef Mishne, ibid.*), has become smug and sterile, moribund and mechanical. Under no circumstance, however, could I see him as the exemplar of a spiritual approach which merited Rabbi Schachter's glowing crown of "the words of these and the words of the others are both the words of the living God." The gift appeared to have been bestowed gratuitously and much too facily.

Yet a second reading persuaded me of the writer's seriousness. If so, I take literary umbrage at the distortion. His *Chakham*, despite the pretentious title, resembles neither the "Wise Son" of the Haggadah, who seems at least to be in intellectual search, nor the Sage of the Talmud who is heir of prophecy (*B. B. 12a*), nor even of Maimonides' *Mishneh Torah* whose spiritual bearing is aristocratic, seeking as

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his capping moral and ethical achievement only the accolade of God's own tribute: "Thou art my servant, O Israel, in whom I shall take pride" (*Hil. Deot*, ch. 5). Patently, the *Chakham* of "Two Facets of Judaism" is more akin to the "wise guy" whose religious antennae are much more attuned to the popular plaudits of *vox populi* than to the private proddings of *vox Dei*. In this respect, Rabbi Schachter ought to have taken more serious note of his own profound advice: "It will not do to create a straw man . . . and to attack that straw man."

For the genuine *ish ha-halakhah*, the prayerful assertion of the Psalmist *shiviti ha-Shem l'negdi tamid*, "I envision the Ever-Present eternally before me," has a disturbing and gripping claim upon him. So does the sense of immediacy in the covenant relation. It was not the intuitionist of the Hassid alone to whom the Torah directed the compelling words: "The Lord made not this *berit* (covenant) with our fathers, but with us, even us, those here today, us all, the living" (Deut. 5:3). The *Sifre* too addresses all Israel in its comment on the verse: "Ye shall regard them (i.e. God's *mitzvot*) as constantly new, as if ye have just heard them today" (Deut. 11:1; and cf. *Mekhilta* on Ex. 19:1, quoted by Rashi, *ib.*). This simply means that the personal appropriation of this eternal "today" is the task and quest of every single authentic Jew, even those who do not subscribe to the fundamental principles of Hassidism. Similarly, the true *Talmid Chakham* of "dry" Mitnaggedism

can also become "engagé" by and share poignantly in the cosmic drama of sin. The Talmud, which gave birth to this concept, is the revered inheritance of the whole Congregation of Jacob. So much in general.

Allow me now to raise two other particular points. The first relates to the statement that the *Baal Teshuvah* "is concerned not so much with the what of Judaism as in the how of becoming a good Jew" (p. 198). This evaluation presumably contrasts with that of the *Chakham* whose great regard is for "the what of Judaism." For him, implies Rabbi Schachter, Halakhah is an end in itself and his meticulousness for minutiae in observance even causes him to lose sight of God Himself.

Something rings alien in this formulation! Have I been in error in assuming that it is a fundamental presupposition of Torah that the "what" of Judaism is inextricable from the "how" of becoming a good Jew, and that each detail of the *mitzvot* is, as it were, a word of love addressed to the Lawgiver? Even as a Jew cultivates a solicitous concern for the accuracy of their performance, so is he progressively filled with a consuming passion for Him Who has ordained them. In such a language of love, can the idiom of means and end be aught but jarring and bizarre?

(Rabbi Schachter, in his "Chassidism and Neo-Chassidism" [*Judaism*, Summer, 1960, p. 220], attributes to Hassidism the view that some men can achieve "real existence" and the elimination of the "limiting self-will which keeps out God, through a mystical identifi-

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cation with the great Self of the Infinite." Halakhah, therefore, becomes a democratic and necessary expedient, because "this direct way is barred to most of us." Does this mean that essentially the way of *mitzvot* is *second-best*? If so, is the elected one freed from the "yoke of *mitzvot*" during his mystical illumination?)

It seems to me that if, in the Torah, the Almighty has set forth for us as Jews not alone the goals to be striven for — even though rarely achieved — but also "the path upon we shall walk," then Halakhah ceases to be mere *technikos*, a system of law or even a kind of religious methodology, but becomes literally *the way*, *the* divine direction. The *mitzvah*, too (at least within the realm of history), then has more than just ceremonial disciplinary, ethical, aesthetic, psychological, or even spiritual purpose. These are all of limited value, whose function is instrumental. The sacred act in Judaism constitutes a kind of *kabbalat pnei ha-Shekhinah*. For in the winged words of Professor Heschel, the *mitzvah* is the abode of the Immanent God. In its fulfilment, the Jew, every Jew, encounters his Maker, for "the way to God is the way of God" (A. J. Heschel, *God in Search of Man*, pp. 311-312). That this dialogic relationship with the living God is rarely attained is a tragic truism in all Jewish ranks. But when it is achieved, its redemptive dynamic can surely be traced as truly to the "cool" majesty of disciplined halakhic living as to the fiery intoxication of mystical fervor. That, at least, seems to have been the com-

mitment of so many of our most illustrious forbears.

My second point is related to a footnote (p. 201) in which the writer takes exception to Prof. Fox's assertion that "a Jew who lives in accordance with Halakhah has done all that can be asked of him." Rabbi Schachter makes reference to the famous statement of Ramban on Leviticus 19:2 "Ye shall be holy, for I, *ha-Shem*, (your God) is holy." Based upon this comment, he maintains that "Nachmanides would say that such a person may well be a reprobate with the consent of Torah."

My own reading of the text, I regret to say, does not lead me to such a conclusion. On the contrary, according to Nachmanides this kind of irreligious paradox could have been possible only prior to this divine call to holiness. Once, however, *kedoshim tihyu* was proclaimed, all commandments were taken up into its comprehensive embrace (in Ramban's words: *mitzvah kelalit*), and shared in the power of its demand. Henceforth, "ye shall be holy" was to be a prerequisite and concomitant of every single halakhah. For in God's eyes, a *mitzvah* without sanctity is a crippled and truncated act. (It is my humble assumption that the classical and unresolved dispute regarding *mitzvot tzerichot kavvanah* [the need for intent in the performance of the Law] involves a judgment not of piety but of practice. Unquestionably the normative requirement by God was the wholeness of a contentful and intentful *mitzvah*. The Prophets have made this eminently clear and emphatic in their

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condemnation of the *mitzvat anashim melumadah* — the act of men, learned by rote. The Sages were, however, also concerned with the *ex post facto* norm of Halakhah for man, that is, an act already performed without proper intent: must it be repeated, or not?)

I am happy, however, to be able to join fully with Rabbi Schachter in his concluding peroration. How true and how sad it is that such a polemic on Judaism is of so little concern to the indifferent — and they are so many! It would, therefore, be hazardous folly to ignore his warm plea that we keep all doors open to the uncommitted. No genuine man of religious concern dare put any unnecessary blocks in their path as they, one by one, grope their way back on the high

road to Him. It is for this reason, too, that I deeply regret Rabbi Schachter's uncharitable condemnation of Orthodox Judaism in *Jewish Heritage* (Spring 1960) p. 40, "as neither vital nor profound enough." Not only was this charge undocumented, but, in the light of his welcome plea, made no contribution of peace to an already riven Torah community. We too need each other's love and understanding.

The brotherly hand of love and concern must be extended to every earnest pursuer after truth, even as we too in brotherhood strive mightily to remain the *dorshei ha-Shem*, the earnest seekers for and of the Lord.

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