

In this essay Rabbi Spiro of the Young Israel of Chomedey, Quebec, Canada, replies to Rabbi Tzvi Marx's rejoinder which appeared in our Summer 1979 issue.

## A REJOINDER TO TZVI MARX

Rather than offer "A Rejoinder to a Rejoinder to a Rejoinder," or engage in that terribly over-worked gesture called "continuing dialogue," I shall simply reply to some of the arguments by Rabbi Tzvi Marx\* against my rejoinder regarding halakhah as a ground for a shared spiritual language with secularists.

We *galut* Jews must concede our disadvantage when someone living in Israel uses his *yishub ba-arets* to pull spiritual and moral rank on us. Rabbi Marx's ornithological metaphor, "*huts la-arets* Jews of a . . . feather flock together," used to compare my perspective with the Israeli frame of reference, smacks of patronizing condescension, but I accept it. He is right! Jews in *arets* endure great hardship, sacrificing comfort, convenience, security, even life itself, to be closer to God. We *galut* Jews must ashamedly admit we do indeed "pursue a more limited spiritual quest." However, our arguments with our fellow Jews in Israel, I humbly submit, are "philosophical," and are conducted despite the practical differences ordained by geography—although they are of great significance—on the merits of logic in dialectical discourse. Otherwise we can have no debate. The arguments would always end with a righteous, "Come here first, and then you can talk!"

Pragmatically we all agree that there must be cooperation among all elements of society, in Israel and in the Diaspora. What we are arguing about is whether there can be a *genuine* spiritual language shared by the secularist and the committed Jew. We may preach, nay, we *should* preach, all we can about loving our fellow Jews and about the practical benefits of cooperation and harmony. But the urgency and the desirability of sociological unity should not blind us

\*Tzvi Marx, "A Rejoinder to a Rejoinder on Halakhah as a Ground for Creating a Shared Spiritual Language," *Tradition*, Summer 1979, vol. 18, no. 1, pp. 99–110.

to the logical inconsistency inherent in extending it to a common spiritual language of halakhist and secularist. To the true secularist there can be no spiritual language for there is no such thing as "spirit." Man is an anonymous particle in a random universe without goal or purpose. "Spirit" is at best an *esthetic* image, a poetic fancy.

Let us then for the sake of argument admit into our discourse the contemporary "Jewish" secularist who concedes a certain amount of "spirit" in his scheme of the universe. He may believe in Einstein's precise mathematical god<sup>1</sup> (really Spinoza's god), Mordechai Kaplan's "force,"<sup>2</sup> Teilhard de Chardin's "vitalism,"<sup>3</sup> or even Richard Rubenstein's "gods of the earth."<sup>4</sup> These "spirits" are still far removed from the halakhist's personal God of Sinai who gave Laws to all mankind (and a special set to the people of Israel), who expects men to keep His Laws and scrutinizes their conduct in relation to that expectation and who continues to reveal His Will through Jewish Law (*J. Peah* 2:4, "Even that which a conscientious student will one day teach in the presence of his master was already revealed to Moses on Sinai"). Spirit, law, obligation, commitment, devotion, worship, faith—the halakhist and secularist may use the same words but the meanings of the words are not the same to each of them. Even the grammar is not the same. Could a secularist make a *berakah*, using the second person singular to address God, King of the Universe? Certainly in *hobot halebabot*, matters concerning faith and belief, which according to Ibn Pakuda<sup>5</sup> represent the bulk of the *mitsvot*, the differences are irreconcilable. The halakhist and the secularist live in two vastly disparate spiritual realms and no amount of linguistic legerdemain, spiritual or otherwise, can conjure a realistic theological bridge between them. One may be the brother of the other and there may be coincidental congruities, but what each stakes his life and the life of his descendants upon is as different as spirit is from flesh.

Rabbi Hartman says, "Faith expressed in behavior patterns creates a realm of common categories." No doubt he refers to *mitsvot ma'asiyot*. For a common spiritual language we and the secularists would then together "psychologize" the halakhah. The prohibition against *'abodah zarah* would become the rejection of an undisciplined, unsublimated abandonment to the dark passions of the *id*, or of the "seductive" element in life, as Rabbi Hartman explains it—immorality, power, arrogance, anger. Or it would be explained as a mnemonic "to create certain kinds of memories," as Rabbi Marx explains it (although why the Torah should want us to "create" negative memories is problematic). The Sabbath would become a meditative

emphasis on “being” rather than “doing.” In this tension-ridden world it will be an extraordinary means of alleviating anxiety and promoting mental serenity and psychological equilibrium. *Bar mitzvah* and other life-cycle rituals would be an effective method of resolving identity crisis (as defined by Erikson<sup>6</sup>). What’s wrong with all this is that faith becomes trivialized, as Jacob Needleman perceptively notes:

Men turn to religion and find, to their ultimate dismay, that religion turns to them, to the sciences, their ideas of action and accomplishment, and their *language* (emphasis added).<sup>7</sup>

Halakhah will be secularized, reduced to a device for solving human problems. And the halakhist may very well ask if in the name of relevance and harmony he adjusts his faith to the secular times isn’t he being led instead of leading? Furthermore, Harvey Cox observes that psychology, from which Rabbis Hartman and Marx borrow so freely as soil for the common ground of a shared spiritual language with secularists, is itself floundering badly because it has rejected man’s religious aspirations:

Some psychologists, including a growing number of clinicians, are beginning to feel that they have reached a dead end. Their effort to understand the psyche without reference to the psyche’s relationship to other realms of being has resulted in shallowness and aridity. . . . Despite occasional claims to the contrary [it] still continues to concentrate on the self, with only a peripheral interest directed toward the integral enmeshment of the self in . . . cosmology, metaphysics and theology—the rich matrix from which it first emerged.<sup>8</sup>

The late Abraham Joshua Heschel used to say, “God is not nice, he is not an uncle. God is an earthquake!” Somewhere in the region of his soul the Jew must feel *’abodah zarah* is an offense to *God*, that the Sabbath is a testimony to God’s creation of the world for His own sake (“resting” as He pleased), and that life-cycle rituals are an opportunity for recommitment to God on His own terms!

Rabbi Marx argues a shared spiritual language is necessary because “it is an unnatural state of man to be together with his fellow man in so many serious respects and yet not try to understand him in his deepest aspirations toward life.” Whether understanding a fellow man “in his deepest aspirations” is possible is a philosophical question in its own right. According to most existentialist thinking it is not possible. The uniqueness of each individual, a concept to which halakhah subscribes, precludes that. Yet people form communities to

help one another, even dying for one another, without understanding one another's "deepest aspirations." This, rather than Rabbi Marx's wished-for condition, may be the "natural" state of man. Common sense and the imperative to love one's neighbor dictate to the individual not to seek the impossible understanding of his fellow's "deepest aspirations" before practicing the Golden Rule. Why, like Christians with their love, must we insist so strongly in sharing "spiritual language?" Perhaps those "others" wish to keep their "deepest aspirations" to themselves, existentially unique, and resent the imposition of our love and partnership! And why insist, furthermore, that *all* halakhists secularize their concepts to accommodate the non-halakhists? The halakhist, too, is entitled to the privacy of his spiritual language!

This privacy, I humbly submit, is meant by the *brakah hakam harazim*. When seeing a large crowd God is praised, the rabbis say, "for making the mind of each person different from that of another" (*B. Berakhot* 58a). Moreover, in my humble opinion, it is the key to interpreting the *Midrash Rabbah* in Lamentations, "Would they had forsaken Me but kept my Law!" cited by Rabbi Hartman and noted by Rabbi Marx as an unanswered challenge to my views. Rabbis Hartman and Marx assume that, according to this midrash, behavior, patterns conforming to the *mitsvot ma'asiyot* are acceptable to God even if the motivation is secular. But the balance of the midrash implies that the performance of *mitsvot* will eventually bring an individual to "the right path," namely, *halakhic* convictions! That means missionizing not dialoguing! It is the theologian that God is addressing. "Instead of speculating about shared 'spiritual' languages," He says, "let my people occupy themselves with the 'halakhic' aspects of the Law!" For within the framework of broad principles, (twelve according to Maimonides and three according to Duran and Albo,) Jews are entitled to their own unique version of life's "deepest aspirations." And what each will find will be his "right path" to God.

And now for some minor points raised by Rabbi Marx. In my rejoinder I offer "the immediacy of the advent of the Messiah" as a possible reply to the question, "Are the non-halakhic Jews to remain outside forever?" Rabbi Marx asks, "What is the calendar for this immediacy?" He also reminds me the *Hazal* invoked the grave malediction, "Blasted be their bones!" upon those who calculate the date of Messiah's coming. My reply was simply a restatement of Maimonides' twelfth article of faith. Rabbi Marx mistranslates the second half of the article as, "I wait for him if he should tarry," em-

phasizing the possibility of delay and the consequent contradiction to faith. The translation should more appropriately be, "even though he tarry I shall wait for him to come *every day*." Maimonides insists the delay must not affect faith in the immediacy of Messiah's advent any day! There is no calendar, the date of Messiah's coming is *always today*, as the Messiah himself told Rabbi Joshua b. Levi in the streets of Rome (*B. Sanhedrin* 98a).

In my rejoinder I argue that Buberian dialogue, being open and unconditional, must include everyone, even a *rash'a*. Halakhic dialogue, on the other hand, is restrictive and selective, and excludes *resha'im* (*al tithaber larash'a*—*Abot* 1). Buberian dialogue is equated with love. Halakhah often counsels hate (*B. Pesahim* 113a, *Ta'anit* 7b, *Yebamot* 23a, *et. pass.*). Rabbi Marx disputes my contentions. He claims, "one can imagine human grounds whereby a person rules himself out of consideration for human love," and would also have us accept that "the Divine component of halakhic love is . . . to exhort man to love his fellow man in a dialogic sense." But it cannot be so! Values do not exist in a genuine I-Thou relationship apart from the members of that relationship. That is fundamental to Buber's philosophy. There is either reciprocity or there is nothing, only I-It! (Rabbi Marx has no logical reason to confine his consideration only to human love. One could use his argument to legitimately exclude oneself from Divine love. That would certainly go against the grain of Buberian dialogue.) And the authority for halakhic dialogue, conversely, lies outside the relationship, in Jewish Law. This extraneous and conditional basis of association precludes I-Thou.

Rabbi Marx attempts to prove his point about halakhic love by citing (1) Hillel's epitomizing the whole Torah in his version of the Golden Rule and (2) rabbinical application of "Love your neighbor as yourself" to a condemned criminal. But the proofs are unconvincing. Hillel's remark to his famous heathen is interpreted by Rashi as an exhortation to love God (*re'aka vere'a abika*—see *Shabbat* 31a). And in the second proof cited, the Talmud uses the biblical passage "Love your neighbor" to explain the unusual depth of the "stoning pit" (*bet hasekilah*) which caused instantaneous death (*B. Sanhedrin* 45a). What possible aspect of dialogic love could be derived from the Sanhedrin's executing a condemned man as expeditiously as possible! But more fundamentally, the rabbis are referring there to one upon whom judgment has been passed and who therefore has confessed ("all those who are about to die confess"—*B. Sanhedrin* 23b). And "since he has accepted the Law upon himself" he is entitled to love (*Abot* 1).

A final point. In my rejoinder I distinguish between the risk of dialogue in Maimonides' day and the risk today. Rabbi Marx maintains the risks are the same. He writes, "It is precisely the question whether or not philosophic truth could be identified or integrated with Torah that caused such perplexity which motivated Rambam's treatise." Not quite! A careful reading of Maimonides' introduction to the *Guide* will reveal he wrote it for the committed Jew who nevertheless, because of his philosophic enlightenment, was perplexed about *how* to reconcile his philosophic knowledge with Torah.

The risk of dialoguing in Maimonides' day was less than today because in his day philosophic truth was an absolute. In Maimonides' eyes any rational person, with proper elucidation, had to accept the halakhic view because it was philosophically true. To contradict it would be unreasonable. And the *Guide* was to be that elucidation which would reveal the philosophic truth of the halakhah. Today truth is considered relative. Beliefs and opinions are a matter of whim. They are usually chosen on the basis of the attractiveness of the lifestyles they represent. And that makes dialogue with non-halakhists dangerous. Unless one closes one's eyes to the allures of non-halakhic living—it is easier, more convenient, less egregious and unrestrictively satisfying to the appetites—one must speak of "risk" and "economy of souls." It is not the search for truth which ravages our ranks, but an unbridled hedonism masquerading as elevated philosophies of life. Against this, Maimonidean rationality is of little avail. Not everyone has the moral strength to withstand the siren call of modern *abodah zara*. The victims are legion. Rabbis Hartman and Marx may be overestimating the willingness of the non-halakhic elements in the community to reject the "seductive" in life.

Since I quote no statistical studies Rabbi Marx doubts the accuracy of my claims that dialogue with secularists is unprofitable. He writes, "If we are determined to make a spiritual census, then it behooves us to be more accurate in our accounting." Continuing the mixed metaphor, I daresay one need not be a census taker or an accountant to verify the information. Any pulpit rabbi in America, any Hillel director, any youth leader who can count will confirm the statistics. What are the few hundreds who join synagogue groups (NCSY etc.), Chabad House, or Hillel compared to the thousands who stay away? I have spoken to many of the "stay aways." It is not the inability to find philosophic truth in the halakhah that keeps them away, but the "forbidding" aspects of our religion. And they have convincing spokesmen to rely on to justify their alienation from Judaism's way of life—contemporary cultural prophets, libertarian

philosophers and campus gurus. When we talk of dialogue with non-halakhic elements we must also include those who deliberately avoid commitment because it interferes with their philosophy of wanton "self-expression." Are we to send out our youth to do dialogic battle with these powerful antagonists? And armed with what? A common spiritual language? And let us remember the rules of dialogue—an open and ready willingness to change. Are not "risk" and "economy of souls" significant under these conditions?

As offensive as the notion may be to some, it must be admitted that isolation, ghettoizing as practiced by the Hasidic and yeshiva communities, seems to be the only measure that has resulted in any significant reduction in the terrible toll of falling away from halakhic living that plagues even committed families.

I cannot say whether the conditions I describe pertain to *arets*. Perhaps the balance of forces is different there, the "seductive" element not so powerful. But Rabbi Marx does not oppose my arguments on that premise. His reasoning is that there is a greater urgency in Israel than in the Diaspora for dialogue. No one will disagree with that, but the logical incompatibility of Buberian and halakhic dialogue stubbornly remains. And if the "seductive" element in Israel is in fact as strong as it is here in the Diaspora, and I suspect it is, "risk" and "economy of souls" will have to be taken into consideration as well.

## NOTES

1. Albert Einstein, *Ideas and Opinions* (New York: Crown Publishing Co., 1954).
2. Mordechai Kaplan, *Judaism as a Civilization* (New York: The Reconstructionist Press, 1957).
3. Teilhard de Chardin, *Toward the Future* (London: Collins, 1975).
4. Richard Rubenstein, *After Auschwitz* (Indianapolis: Bobbs-Merrill, 1966).
5. Bahya ibn Pakuda. *Hobot Halebabot*, Introduction.
6. Erik Erikson, *Identity and Life Cycle, Psychological Issues*, No. 1 (New York: International University Press, 1967).
7. Jacob Needleman, *The New Religions* (New York: E. P. Dutton, 1977), p. 10.
8. Harvey Cox, *Turning East* (New York: Simon and Schuster, 1977), p. 76.