

EDITOR'S NOTE

AMONG HIS PEOPLE HE DWELLED

R. OVADIA Z"l AT EYE LEVEL

Be-coming an individual does not sound like much of an accomplishment: what else is there to be? Notwithstanding which, in our society it seems almost impossible. Children are constantly told how special and unique they are, as if that were both an end in itself and an effortless given, and the result is drab conformity festooned with ribbons of eccentricity, as if just being different from others suffices to stamp your life as original and creative. The Torah world, by contrast, inculcates its uniform ideals for men and women, and endows its most revered figures with stereotypical, virtually interchangeable biographies of piety and erudition. Once in a very great while, a human being arises whose sheer originality and excellence forces everyone to recognize in him what genuine individuality means. In addition to the impact of their objective achievements, however formidable, such persons show all of us what a vital unique life can be.

Measured solely by his contribution to the halakhic corpus, R. Ovadia Yosef bestrode his century like a colossus. Among his scores of books, the two most notable series, the *Yabbia Omer* and the *Yehavreh Daat*, occupy the forefront of halakhic study and will continue to be highly influential in decision-making for the foreseeable future. Much has been said about the photographic memory and the insatiable appetite for halakhic literature that made his production possible. It is likely that this man knew more Torah, if Torah is defined by the quantity of published material, than anyone in history. Until Benny Lau's intellectual biography, less credit was given to his rare gift for lucid, fluent exposition and the organized judicial mindset that makes his writing eminently enjoyable and persuasive.

R. Ovadia was showered with acclaim for some of his "lenient" rulings. Surely, he was proud to wear the mantle of Beit Hillel, and frequently avowed that leniency, when it is justified, is a surer mark of greatness than pious timidity. His "broad shoulders," that is his capacity to reach and defend a lenient ruling, derived from encyclopedic knowledge and enormous self-confidence. Yet this is not the entire story. In *Yabbia Omer*, you are forced to recognize the voice of a *posek* who understands his milieu, a man

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with his feet on the ground, ready to learn about the operation of a refrigerator and sure-handed in sizing up the situations affecting his interlocutor. Over the course of his long career as a decisor, there is an incessant and unmistakable sense of the great halakhic and religious responsibility that comes with the great intellectual talent and personal charisma.

All this is well known. President Shimon Peres, who knew R. Ovadia well as a political leader and rabbinic authority, said that regarding the greatest of men, there is no need to discuss details. Speaking for the people of Israel in its entirety, immediately following R. Ovadia's death, he was right. The shocking finality of death is a time for mourning, indebtedness and silence, not an opportunity for journalistic punditry. As titular leader of a deeply divided nation, he was prudent to avoid the details in eulogizing a titanic but divisive figure whose true stature and the magnitude of whose loss can be imagined only by some segments of the populace. We, who wish not only to celebrate R. Ovadia but also to learn from him, cannot pass over the details.

The problem, in a word, is that R. Ovadia frequently allowed himself strong language about people with whom he disagreed or of whom he disapproved. And we cannot make it go away. Even as I contemplate the grandeur of his life and its message for me, high school *rebbeim* report to me their students' confusion – and they are not alone: What are they to make of his harsh condemnations? How can we, as educators, place this great sage on a pedestal when we disapprove of, and discourage vigorously, emulating his verbal example? Young people dislike hypocrisy, even when they are not completely free of it themselves. And even if we do not owe them a response, what do we say to ourselves?

II

I first heard R. Ovadia lecture in the early 1960's. Unlike the grown-ups, I was not particularly impressed by his erudition. As a child, I took it for granted that anyone qualified to teach knew what needed to be known: I reigned sovereign over my seventh grade geometry and history texts; the people on top must likewise have mastered their domain. I was, all the same, taken by the fluency of R. Ovadia's speech and the flourish of his style. Others seemed cowed by the challenge of reaching an ambitious practical conclusion; he accepted that responsibility without hesitation or misgiving. Where other rabbinical spokesmen insisted, as if they were reciting a party platform, that Halakha could address modern problems, R.

Ovadia went ahead and did it. Where other speakers, secular as well as religious, always seemed to be functioning in an official capacity, whether pointing with pride or inveighing against error, R. Ovadia's words seemed to emanate directly from his head and from his heart. Rather than appearing to orate or lecture, he could effortlessly reel off a substantial judicial presentation and segue into an inspirational coda as if he were simply thinking out loud.

My teacher R. Moshe Levy *z"l*, born in Marseille, had come under R. Ovadia's wing in Cairo of the late 1940's. Moonlighting for *Kol Yisrael*, it is he who arranged R. Ovadia's Friday afternoon radio show, comprising oral responses to a wide range of halakhic inquiries. In R. Levy's home I discovered the first two volumes of *Yabbia Omer*. It is he who revealed to me that R. Ovadia taught publicly, for two hours, every weekday night. Thus, during my high school years, I found my way most evenings to the *shul* on the backstreet of Jerusalem's Bukharan quarter, where I witnessed, and learned from, this remarkable individual in his native habitat.

Of those who warmed themselves at the fireside of Torah, some were learned; most were not. Some, wearied by a long day of physical labor, dozed fitfully. Others fulfilled their commitment to learning by passing among the benches, bearing trays of scalding, heavily sugared tea or coffee, to refresh the congregation. R. Ovadia sat at the right hand corner of the front table. Upon receiving the hot syrupy brew, he invariably favored it with a bemused sidelong glance, as if inspecting it for bugs, recited the blessing, and got back to business.

The primary subject matter was *Orah Hayyim*: the laws pertaining to the seasons and their holidays, blessings before eating and the like. From time to time, R. Ovadia announced an oral examination and went around the room, tailoring his questions to the quality of the listener. The lecture itself was flawlessly organized, and as detailed as you could possibly desire. I recall particularly a series devoted to the laws of *Shemitta*, with a full-blown defense of the *hetter mekhira* that was virtually identical with his later publications.

R. Ovadia's teaching, with its focus on practical law, was, of course, poles apart from the analysis common in Lithuanian yeshivot. That much I realized from attending the public *shiurim* of Ashkenazic *gedolim*, for example, R. Zolty's weekly lecture at the Yeshurun Synagogue, and that much I gathered from the grown-ups who were puzzled by the time I spent with a Sefardic rabbi who, regardless of his stellar achievements, would do little or nothing to initiate me in the Talmudic methodology appropriate for an Ashkenazi youngster.

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Just then I had more urgent preoccupations. Outsiders would call them “philosophical”; had I known the word, I would have called them “existential.” It would have been clear to any intelligent outsider that R. Ovadia could not help me with these questions either. I was troubled by many of the questions that come under the “problem of evil.” Even at that inchoate stage of my personal development, I could hardly have found R. Ovadia’s populist approach to reward and punishment, or his ethnocentric outlook, an adequate or satisfying guide to reality.¹

Yet against one existential question that agitated me, at that time, R. Ovadia offered a palliative. A primary cause of my deep dissatisfaction with organized religion and its secular substitutes was the sense that all the great public ideals and ideologies were a compulsory game of self-seeking tinged with corruption, and that those who advocated them, whether sincere or conniving, were merely playing their assigned parts, as honored bystanders, helpless apologists, or captive talismans. With an adolescent’s sweeping unfairness I was led to the no doubt exaggerated conclusion that it was all about politics, not about truth. In this maze of façade and intrigue, R. Ovadia, dwelling among his people, literally meeting them at eye level, speaking his mind, seemed to be the noble exception, perhaps the redeeming exception.

The founding of Shas, a political party no less corrupt than its rivals, the helicopters descending from the sky at election rallies, the distribution of amulets and campaign promises, mundane and otherworldly, the king-making and unmaking maneuvers and the ugly compromises, were twenty, thirty, forty years in the future. At the time, I do not recall vehement, personal insults against foes, despite distant rumors about the animus aroused by his first book, which challenged some of the rulings of the revered *Ben Ish Hai*. Perhaps I was not as sensitive to language as I am today, perhaps politics and public affairs, as distinct from the battles of Torah, hardly ever intruded on the learning. In 1965, when asked how to

¹ Let me make it clear that personal providence, in the sense that individuals and groups are obligated to understand what happens to them, both the pleasant and the odious, in connection with their personal relationship with God, is fundamental to Judaism. This is different from promoting specific explanations or interpretations of the exact way God’s providence operates. See my remarks in *Jewish Perspectives on the Experience of Suffering*, ed. Shalom Carmy (Northvale, NJ: Jason Aronson, 1999), and more recently in Shalom Carmy, “Yet My Soul Drew Back: Fear of God as Experience and Commandment in an Age of Anxiety,” *Tradition* 41:3 (2008), 1-30 and in *Yirat Shamayim: The Awe, Reverence, and Fear of God*, ed. Marc Stern (Jersey City: Ktav, 2008), 265-299, and Shalom Carmy, “Cops and Robbers,” *Tradition* 40:4 (2007), 1-6.

vote for the Sixth Knesset and municipal elections, R. Ovadia unsurprisingly instructed his disciples to make religious issues paramount. He added that he was against purely ethnic parties.

By the time that changed I had long moved on. R. Ovadia's straightforward manner, his warmth, his palpable commitment to Halakha and its study, his 24-hour-a-day readiness to give of himself without reserve, provided me with a temporary existential haven. It is something that I, and anyone who has gained from me, must be grateful for. My permanent intellectual home would be with other mentors, and I learned from them that being forthright did not exclude being circumspect.

III

There is a paradox here. It is not just that I am asserting, at one and the same time, that to me, a youngster disillusioned with the world, part of R. Ovadia's attraction, *as a religious personality*, was his transcendence of the politics and intrigue that vitiated his surroundings, while acknowledging that his subsequent performance in the public arena partook of the sleaziness and vulgarity of that world. I am insisting that his being of the people and for the people, uninhibited in his mode of speaking, the very feature most deplored today by the modern Orthodox with whom I associate, and who know his character mainly or only through the media, was inextricably bound up with my attraction to him.

President Peres, who suffered on occasion from R. Ovadia's tongue and owed him a great deal, not least his current position, claimed that the rabbi's harsh language was motivated by loving concern. The hypocrisy-detector in all of us dismisses this as one small gesture of diplomatic phony and collegial courtesy from an ageless, indefatigable master of the genre. What could Peres possibly have meant?

Cursing is an especially pungent form of verbal aggression; we can think of it as trash talking at its extreme. Taken literally, a curse is a tactical weapon of destruction. Balak hired Balaam to curse Israel, as one contracts with an assassin, expecting results. It is ridiculous to think of R. Ovadia as an expert practicing magician, unleashing commination as Madeleine Smith reputedly laced her paramour's cocoa with arsenic, thereafter retiring to await his death. One cannot imagine R. Ovadia officiating solemnly at a *pulsa de-nura* ritual, though I cannot vouch for his imitators.

In practice, cursing and otherwise invoking the name of God is a strategy of frustration and helplessness, a verbal substitute for direct action when that is disproportionate or impossible. The person who curses

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is expressing his or her anger, frustration, and sense of hurt, or articulating such feelings on behalf of others. The message is that “we” are indifferent to our adversaries, and that we refuse to submit to them, that we defy them. (When people blaspheme God, summoning Him against Himself, as it were, a literal understanding is patently absurd; rather, the blasphemer is defying God.)

Did R. Ovadia change in the decades after he influenced me? The sage I encountered in the 1960’s had not had an easy life, beginning with the profound poverty of his childhood, through his Cairo rabbinate, when a lookalike had acid thrown in his face by hoodlums hired by those who opposed his *kashrut* standards; even in his early years he was fighting to achieve proper recognition for Sefardic traditions. For all that, the years I saw him in action were, in many respects, the golden period of his life: the days spent teaching and judging, the nights devoted to writing, and the leisurely evenings propagating God’s law in the old neighborhood. The frustrations and nastiness of political infighting, no matter what the ultimate goal, cannot fail to take their toll. If R. Ovadia’s soul did not become callous—and he never wavered in his commitment to those who needed him—his tongue lashed out against those who undermined Torah and, as he saw it, hardened themselves against true spiritual values and the physical welfare of his flock. He spoke to and for the people among whom he dwelled.

Rambam put little stock in the efficacy of cursing. Nonetheless, in explaining why the Torah prohibits cursing the deaf (*Sefer ha-Mitsvot, Lav* 317), he warned against the vindictiveness reflected in the practice, even when the object is not present. In his later years, when R. Ovadia could be overheard via satellite by the entire world, one could not confuse the absence of his targets from the room for deafness. For whatever reasons, this extraordinarily intelligent and sensitive individual chose to ignore the danger of offending the outside world and lowering their esteem for Judaism in order to offer comfort to the people among whom he dwelled.² Having said all this, I wonder if Shimon Peres grasps the semiotics of bellicose language: we, who are rightly alarmed when the image of Torah is debased and public discourse is coarsened, might gain perspective from the incurable political warhorse.

² I am not here addressing those who object to R. Ovadia’s utterances because they oppose his views or because they object to all expressions of rabbinical partisanship. I hope to discuss the latter question with you soon; see “Like a Pistol Shot in a Theater: On Rabbinical Partisanship” (*Tradition*, forthcoming).

IV

One last point: In our circles of Ashkenazi *yeshivot*, it was common, until fairly recently, to employ the language of ethnic derogation to diminish R. Ovadia's stature. To disagree about the appropriate methodology of Talmud study and halakhic decision-making, to dispute the respective merits of approaches prevalent among different Jewish communities, is perfectly legitimate. In this area, R. Ovadia requires no sympathy; he gave as good, or better, than he got. I mean the unearned shoulder shrug of condescension, the casual hand gesture of dismissal, the uncritical assumption of superiority. I mean the tendency to reduce R. Ovadia's unparalleled gifts as an adjudicator to his prodigious memory alone, as if he were a fortunate freak of nature. I mean the slights he was subjected to, from the outset of his career until his old age, and the slights members of his family and circle experienced as students in Ashkenazi *yeshivot*.

Even R. Ovadia's populism, among those who deplore it, has been interpreted as a "Sefardi thing," as if the Haredi Ashkenazi elites were incapable of overheated, overripe, inflammatory rhetoric around election time and the rest of the year too, and as if other major Sefardi *gedolim* of the 20th century, like R. Benzion Uzziel and R. Hayyim David Halevi were not distinguished by the impeccable dignity of their utterances. Correspondingly, we miss the fact that R. Ovadia, unlike almost every other major rabbi of our times, was not born to rabbinic lineage but emerged from the people whom he never forgot, and with whom he enjoyed unique rapport.

Thus a Torah giant, the likes of which we see once in a couple of centuries, a man who should belong to *kelal Yisrael*, a man who now, in his death, is embraced by the wide community that thirsts for truth and light in God's law, a man increasingly known throughout that universe simply as *Maran*, our master, was made to feel that he belonged to only one segment of that world.

It is too late to rectify these failures of appreciation and gratitude. It is not too late to honor R. Ovadia's legacy by preventing such errors of injustice in the future. May *maran ha-Rav* Ovadia Yossef's wisdom and warmth continue to serve the people of Israel. May we learn judiciously and joyously from the example and inspiration of his life to become better Jews, better students of Torah, and better human beings.