

From:

The Book and The Sword

by David Weiss Halivni

New York: Farrar, Straus and Giroux  
1996

WHAT FINALLY convinced me that I had to leave the Seminary was not so much the actual decision in favor of the reforms. On the contrary, I greatly sympathize with some of the problems they addressed and am trying to alleviate them by recruiting serious female students to the Talmud program at Columbia University, with the hope that when they become scholars they themselves will discover solutions. Rather, the implications of the process and decision were intolerable to me. The reforms were interpreted to mean that halakhah had bowed to modernity. A single infraction of a law, even of the magnitude of these reforms, can be isolated, can be cordoned off and distanced with little or no impact on the other laws or on the system as a whole. That probably would have happened had a similar infraction taken place in a small

Jewish community, free of the influence of Reform or *Haskalah* (Enlightenment). But in the present climate of opinion, doing away with a law which the media and the modern temper have little sympathy for (and may even consider immoral) will, *ipso facto*, be interpreted as a clash between modernity and halakhah in general, with the latter retreating. Halakhah is then reduced to the status of folklore or at best to a mode of behavior that served Jews well in the past but, like everything else in history, needs periodic adjustments to be viable today. That will set a pattern for the future: whenever halakhah and modernity collide, halakhah yields. A halakhah that yields to anybody or anything cannot be Divine in the traditional sense of being revealed, which, in the words of Leo Strauss, is "the central idea of the Bible and the condition of the possibility of all the others." This shakes the very foundation on which Jewish belief was based throughout the ages and inevitably weakens adherence to its precepts.

Realizing the detrimental nature of these implications, some of which I believe has been confirmed since then, I felt a need not only to disassociate myself from the decision by voting against it but also to reassert the supremacy of the halakhah as the sole vehicle for a Jew's getting close to God. I expressed my sentiments in the following letter, which I sent to the faculty members at the time they voted on the reforms (the first sentence of the last paragraph I heard from the late Professor Ernest Simon):

To the members of the Faculty Assembly:  
My position concerning women's ordination is by now, I take it, well known to all of you assembled here.

I am against it. It is a violation of *halakhah* which to me is sufficient grounds to reject it.

I am cognizant of the enormous pressure exerted upon us from different quarters to ordain women. But a religious Jew, when faced with a confrontation between sociology and religion, must choose religion. This is the meaning of *kabbalat 'ol mitzvot*, of accepting the yoke of the mitzvot; even if it is uncomfortable, even if it is being attacked and ridiculed, and even if you have doubts about its ethical correctness. As in the case of its counterpart, *kabbalat 'ol malkhut shamayim*, the acceptance of the yoke of the kingdom of heaven, one does not abandon faith in God every time one has a doubt—every time one has a question. Doubts pass and a stronger faith emerges in their wake. True love is tormented love; after making up, the soul is at greater peace than before the quarrel. It is easy to have faith when one is sure of God's existence, secure in the knowledge that He is caring for him. The task is to reach out to heaven when it is cloudy, when no heaven is visible. Truly religious Jews came out of concentration camps strengthened in their faith, fortified in their commitment to Judaism. They could not afford losing everything. "Though he may slay me, yet in him I will trust" (Job 13:15).

I have studied, restudied and examined the examples some scholars say indicate that the Rabbis *consciously* changed a law for either ethical or moral reasons. I have found *no* tangible evidence to support such a thesis. Indeed, I would have been very much surprised were it different. For that would have impugned the ethical or moral integrity of their prede-

cessors. It would have implied that they imagined themselves to be superior to their teachers and to their teachers' teachers, up to the first link in the chain of tradition. Such a thought, if ever it occurred to them, would have been immediately banished and suppressed. It runs counter to their notion of the sanctity of tradition, which in order to be grounded in revelation—the ultimate religious authority—had to assume that the closer one gets to the time and source of revelation, the more reliable and authoritative is his teaching.

That is not to say that there were no changes in halakhah, that halakhah remained monolithic throughout the ages. Changes did take place, *but they were not done consciously*. The scholars who legalized them did not perceive themselves as innovators. The changes were integrated into community life long before they sought—and received—legal sanction. They originally came about imperceptibly, unnoticed, the result of a gradual evolutionary process. By the time they demanded legal justification, they were ripe, overgrown, as it were. So much so, that in many an instance, whoever opposed the changes was considered a breaker of tradition, adopting a “holier than thou” attitude.

A Jew knows no other way of reaching out to God other than through halakhah (the latter taken in the widest possible sense). He knows no way to penetrate the highest recesses of spirituality other than through a structured pattern of behavior. In the course of that engagement he may experience a sense of elevation, a touch of ecstasy, a feeling of being near to God. That

is his greatest reward. While it lasts, he is desirous of nothing more. Indeed, nothing else exists.

How does a *mitzvah* catapult one into such religious heights? What is prayer? Nobody knows, any more than we know when looking at the sunset, or at a smiling child, how and why we are gripped, riveted to the scene, transformed in a foretaste of the world to come. Our religious and aesthetic experiences are shrouded in mystery. We are put on fire, but do not know how the fire is being kindled. The mistake of reform is that it claims that it knows how the fire is being kindled; that, as a result, it can control the flame. When it actually tried to control the flame, alas there was no fire; everything was so cold!

The truly religious Jew is awe-stricken both by the mystery of God and by the efficacy of the mitzvot to bring man closer to God. He dares not tamper with the mitzvot for he humbly acknowledges that he knows not their secret, or secrets. He is grateful to the tradition for having kept alive through the ages the connection between God and the performance of the mitzvot, so that he can now relive it, re-experience it and bequeath it to his children. Without tradition, he would not have found his way to God; it is his religious lifeline. He cannot part from it.

In the light of the above, I hope you will understand why I cannot participate in the vote on women's ordination scheduled for October 24, 1983. I am committed to Jewish tradition in all of its various aspects. I cannot, therefore, participate in a debate on a religious issue of major historical significance where the traditional decision-making process is not sufficiently

DAVID WEISS HALIVNI

honored; its specific instructions as to who is qualified to pass judgment not sufficiently reckoned with. Even to strengthen tradition, one must proceed traditionally. Otherwise it is a *mitzvah haba'ah ba'aveirah*—a mitzvah performed by means of a transgression.

It is my personal tragedy that the people I *daven* [pray] with, I cannot talk to, and the people I talk to, I cannot *daven* with. However, when the chips are down, I will always side with the people I *daven* with; for I can live without talking. I cannot live without *davening*.

David Halivni