

## The Slifkin Affair Revisited

### Part 4: The Challenge of Truth

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In my opinion, the Slifkin Affair ultimately boils down to the question of how we know truth and make decisions pursuant to the truth. What we observed in the first 3 parts of this article is that Torah presents a most interesting twist in this determination of truth. The Torah demands of us, not simply a determination of what is correct and what is incorrect but a determination of what spectrum of opinions fall within the realm of Torah and which ones do not. In other words, even as we believe some ideas to be true, we are called upon to consider other views with which we disagree and render a decision on whether they are still within the realm of Torah truth or not. The result is that even our very methodology of determining truth is placed, by the Torah, under the microscope – with powerful, and even I may add, unique consequences. To give value to opinions with which we disagree demands of us to question our own views and recognize the inherent fallibility of the human being. Yet, while still being called upon to declare certain opinions outside the realm of Torah, the value of the human pursuit of truth is also validated – we can get something right, at least in demarcating certain views for rejection. It is this tension between some level of surety in our ability to perceive reality and some recognition of our inherent fallibility that is the essential nexus of this issue.

In Part 3, in defining the different types of disagreements that may exist in the world of ideas, we presented the concept that this distinction between a proper spectrum of opinions within Torah and an improper spectrum of opinions may rest on a distinction in the cause of these differing opinions. We distinguished between inherent human weakness and human failing. The human being, inherently, cannot capture the full vision of truth and, as such, differing opinions emerge – each one seemingly in contradiction to the other – as a reflection of this reality of the meeting of the human being and truth. Yet, human drives and emotions can also colour this pursuit of truth and a divergence of

opinion may emerge as a result of the effect of this bias and desire. Strangely, the greatest bias that may affect us is this very desire to possess truth – which may lead us to ignore our weaknesses in this regard and overly stress the surety of our conclusions. The Torah presents a great challenge to the human being. One is to strive for truth – and even to live by the truths that one discovers – but one must also recognize the inherent fallibility of the human being in this very pursuit. At the conclusion of Part 3, we identified the following paradox: “The more we are sure of ourselves, the more we are sure of our conclusion to accept the reality of God and Torah – but the more we are sure of ourselves, the less we are able to stand in awe and humility in the face of God, Torah and the Divine Wisdom ultimately beyond our comprehension.” To this we may add the following paradox: The more sure we are of ourselves, the more we are able to act upon the decisions that we make – but the more we are sure of ourselves, the less we are able to acknowledge our own fallibility and learn.

The challenge of understanding this pursuit of truth begins with the basic mechanisms within this pursuit: faith and reason. These two concepts ultimately reflect two different approaches to how we gain knowledge. An acceptance of faith essentially means that one believes that he/she already has knowledge within. I know because I know. It emerges from one’s inner being; in the language of Torah we may express this in terms of the inherent knowledge of the *neshamah*, the soul. Faith could also be described as some connection to a clear source of knowledge that is transmitted in an intuitive manner. This could be described, in the language of our religion, as some form of *ruach hakodesh*, a holy spirit, which touches us and directly informs us of the truth. In either manner, faith describes the transmission or acceptance of conclusions, complete concepts, which one perceives to be correct due to the very feeling that they are correct. Faith is not the result of analysis; it is not proven. In the realm of faith, one accepts concepts because one accepts these concepts.

Reason essentially is built upon a perception that knowledge is outside the person and must be determined from one’s experiences and awareness of the information one collects from the world outside. The process of reason and thought is the further method by which one analyzes this information collected in order to gain greater insight into the world and thereby develop a fuller understanding of the truth. What a human being has within is the ability to participate in this process, skills by which one can attempt to gain

the most knowledge possible from the information collected from observing the world; the inner human being, though, does not inherently know the conclusions. Conclusions, ideas, complete concepts only emerge through applying the process of reason to the information collected.

An excellent illustration of this distinction between faith and reason can be found in the famous *machloket* regarding the age at which Avraham Avinu gained the knowledge of God. One view is that he was three. Another view is that he was forty. It is not surprising that **Rambam, Mishneh Torah, Hilchot Avodat Kochavim 1:3**, while mentioning that Avraham started the process while still young, states that he was forty. **Ra'avad** states that he was three and it is also not surprising that **Kuzari**, I believe, also only quotes the view that he was three. Rambam, as one who stresses the significance of reason in the pursuit of knowledge, would be expected to agree with the view that Avraham was forty as this would reflect the position that he gained knowledge of the Divine through reason. To gain knowledge of God through reason would demand analysis and the process of thought; this would demand time. Of course Avraham must have been forty which would represent the effort that he must have exerted to reach this truth, this conclusion. Kuzari, however, is one who believes in an inherent ability and even knowledge with the *neshama*. Avraham was distinguished, not because of his rational efforts to uncover God but, rather, because his soul was inherently distinguished; his soul knew the truth. If so, it is understandable that Avraham was three when he recognized the Existence of the Creator for that realization simply meant that Avraham needed to be in touch with his inherent being and to listen to the messages already within. This can occur and did occur for him at three. Rambam's approach personifies the realm of reason; Kuzari's approach personifies the realm of faith.

While the distinction between faith and reason is illustrated here by a *machloket* between Rambam and the Kuzari, it should not be thought that within the world of Torah one must adopt an either-or approach. In fact, it is just the opposite. Kuzari also accepted the importance of reason and Rambam, as is the case of any man of reason who must build upon *a prioris*, also recognized the reality that some ideas originate within. The corpus of Torah literature actually does seem to support the existence of both these systems. Debates within Torah regarding the process of thought, thus, are not simply questions of faith or reason but rather truly focus on how we are to balance these two

methodologies of truth. As can be imagined by the existence of two methodologies, conflicts between faith and reason do arise. One challenge is to determine how to reconcile any conflict. A greater challenge, though, may be the attempt to determine why God, in the first place, gave two methodologies in the realm of knowledge – and the ensuing conflicts. A significant factor in approaching this query may be the recognition that each method alone would be insufficient. The challenge of truth and knowledge would, thus, seem to demand a balancing of faith (our inner knowledge process) with reason (our external knowledge process). It may be, furthermore, in the very reality of this conflict that we gain an insight into the paradoxical challenge the human being faces in attempting to find truth.

Earlier I wrote that the greatest bias that may affect us in the process of striving for truth may be this very desire to possess truth. This desire demands of us to believe that we can know truth. In turn, this demands of us to evaluate the process by which one is to determine truth; this determination, in turn, necessarily demands of us to develop a position on faith and reason. It is this very decision, though, that solidifies our bias for thereby we give varying weights to our understanding of our role in the process of knowledge. To value faith gives weight to our intuitive conclusions. To value reason gives weight to our process of thought. How we perceive the methodology by which we gain knowledge and truth thus says something about ourselves and how we see ourselves. It is here that we encounter the juncture of human fallibility and human weakness. If how we understand the process by which we know truth touches upon how we see ourselves, than how we see ourselves, or wish to see ourselves, affects the process by which we know truth. And if we wish to see ourselves as able to gain knowledge of truth, is there not the great possibility for our determination of this methodology to be skewed towards that which works for us? Yet, is there any other possible way to proceed without a belief in one's ability to know? As imperfect as we may be, we still ultimately are left with ourselves. It is within this context that we begin to understand the added, necessary value of *Eilu v'Eilu* and the entire challenge of knowledge through the eyes of Torah. Indeed we must paradoxically believe in ourselves in order to act but also must question ourselves in order to learn. It is actually in the conflict of faith and reason that we are presented with the basis of this ultimate lesson and given the ability to proceed. This is the *yesod* of *Eilu v'Eilu*. It is in how we approach the other, the opposing view that we gain the breadth of the

challenge of truth and understand how we can both act and learn.

My contention is that this issue is really the very essence of the Slifkin Affair. The entire question comes down to how we know truth. The debate may revolve around various conclusions but at its core, the issue is really the methodology by which one arrives at these conclusions. Even more basic, the issue is really how we arrive at these methodologies. Ultimately it is not about the truth but the more fundamental issue of how we arrive at the truth. The fact is that we often take the method by which we make such decisions for granted. I believe that, through the Slifkin Affair, we are now being called upon to consider this process – the remarkable challenge that we must undertake in order to enter into the process of determining truth. *Eilu v'Eilu*, the determination of what is within the pale of Torah and what is without, is not simply about tolerance. It is about the keys to our very understanding of our paradoxical role in relating to the truth of Torah.

## The Mashichists

As discussed previously, the case of the Mashichists may provide an interesting starting point to begin this further study. Many who continue to advocate for *Eilu v'Eilu* find themselves at their limit in applying *Eilu v'Eilu* to this position. The question is why. Of course, in attempting to answer this question, there is the substantive issue itself which cannot, obviously, be ignored. **Rabbi Dr. David Berger**, [name of book] presents a powerful argument on the inherent weaknesses of this position in terms of the basic underpinnings of the fundamental principles of Torah. **Rabbi Emmanuel Schoichet**, himself a member of Chabad with strong anti-*Mashichist* feelings, does, however, present a response to this work which – although, in my opinion, inappropriately filled with *ad hominum* attacks – presents many arguments against a declaration of heresy; these are such challenges, I should add, that would be found in usual *Eilu v'Eilu* defenses in this realm. This, of course, does not necessarily negate Rabbi Berger's arguments or immediately call for an acceptance of the *Mashichist* view within the spectrum of Torah. This view is definitely on the edge; within the general, normative understanding of Torah thought, there are clear arguments for one to challenge this view. But is it clearly outside the realm of *Eilu v'Eilu*? What you actually find are people who think very highly of the works of

such individuals as Menachem Kellner and Mark Shapiro, works which extend the parameters of Torah theology, and who are also intently critical of the *Mashichist* position. What is it within this perspective that causes individuals, who generally are open to variance in Torah thought, to have such strong negative reactions to this position?

No doubt, the nature of the *Mashichist* position and its potential closeness to a Christian view which has been (an) anathema to Jews over the past two millennia has also played a role in the strong negative response toward this position, even amongst individuals generally open to variance in thought. I think, though, that this greater negative reaction to this view may not even emerge directly from the position itself but rather from how adherents to this position present themselves and this view to others. It is the surety with which the *Mashichists* present this position that, I believe, reinforces (if not altogether creates) the strong negative reaction to them and their position. Many individuals state that they will not extend the value of *Eilu v'Eilu* towards positions of individuals who, in turn, will not respond to variant opinions in a similar spirit of *Eilu v'Eilu*. We discussed in Part 1 an inherent difficulty with this stand. In the case of the *Mashichists*, though, the feeling of negativity towards this position goes beyond a simple response to the denial of expected reciprocity in regard to *Eilu v'Eilu*. The *Mashichist* view cannot inherently fathom the possibility of *Eilu v'Eilu*, i.e. the opposite view that the *Rebbe* is not *Mashiach*, because such a view would completely challenge his/her entire perspective – not just in regard to the specific assertion that the *Rebbe* is *Mashiach* but concerning knowledge and truth itself.

If one questions a *Mashichist* regarding his/her position, the essential defense of this view is that the *Rebbe* stated this about himself. With that statement, the *Mashichist* feels that this is sufficient proof for the validity of this view. Essentially, there are two questions that follow. One is that not everyone accepts this perception as the correct understanding of the *Rebbe's* words – so why does this individual think that this position reflects the proper interpretation of what the *Rebbe* meant? Two, even if this is what the *Rebbe* said, what makes one accept these words despite the recognition that no other Torah scholar of equal stature accepts this as correct? In response to the latter question, the *Mashichist* relies upon an inner faith that the *Rebbe* is connected to the voice of Heaven and that what he says is the truth. To disagree with the *Mashichist* view, thus, would entail a challenge of the *Rebbe*. The disagreement is reduced to a focus on the *Rebbe* – is he the

carrier of the truth or not? To say no is an affront to the *Rebbe* and inherently cannot be entertained. (This ‘cornering’ also can occur in discussions with Bretzlovers in regard to Rav Nachman as the *tzaddik amiti* and thus the ultimate purveyor of truth.) Within such a context, a concept cannot even be discussed for the concept is a given. This prevents the investigation of ideas that necessarily emerges from the application of *Eilu v’Eilu*. An investigation of truth, of the truth of this assertion, is stopped before it even begins. In regard to a position as radical as that of the *Mashichists*, such a reality is even more questionable. The *Mashichist* assertion thus challenges more than a principle of faith; it challenges the whole realm of the Torah investigation of truth.

Yet there is more. The *Mashichist* furthermore must believe that his understanding of the *Rebbe’s* words is the correct one. While it may seem that the *Mashichist* is ultimately expressing great allegiance to the *Rebbe*, in fact, what emerges is a strong statement about the self. He accepts the *Rebbe* as the carrier of the truth because he accepts the *Rebbe* as the carrier of the truth; he accepts his understanding of the *Rebbe’s* words because he accepts his understanding of the *Rebbe’s* words. This is a clear example of what we have termed faith – essentially the *Mashichist* believes this truth because he/she believes this truth. It is solely from the gut. For many, the concept of faith usually is understood to reflect a strong commitment to the object of the faith. If one has absolute faith, it is deemed to demonstrate something very powerful in regard to the object of the faith. Faith actually does not make this type of statement. Faith actually makes a statement about the one expressing the faith. Absolute faith means that one is really sure about oneself – and that the feeling of what he/she feels is true is the actual truth. An inability to question is not really a statement about the object of the faith but of oneself.

In the realm of this type of faith, there is no real possibility for dialogue or debate. This is because any dialogue and debate really has nothing to do with the final conclusion of truth that this person maintains. Dialogue and debate work in the realm of reason for reason presents facts, considers the analysis of these facts and attempts to determine the truth based on the external information and consideration. Absolute faith emerges solely from within; how can one discuss “I believe because I believe”? In the case of the *Mashichist*, this is intensified – yielding so negative a response – because the *Mashichist* view seems to come out of nowhere and reflects the musings – and, ultimately, ego – of such individuals. What exists is a belief in oneself and one’s perception of truth. My use of the

word “ego” is most significant. On the surface there is a perception that this individual is actually bending his/her will in the presence of another, of even the Divine command as expressed in the words of this carrier of the Divine Word. Yet, ultimately, the acceptance of this carrier flows solely from that faith within the individual that this person is the carrier of the Divine Word. Ultimately the individual’s truth is based upon the individual believing in himself/herself as possessing this truth – the truth about this carrier of the Divine Word. As such, this person’s understanding of the message is the correct one because this individual states that it is the correct one. It doesn’t sound like “I’m right because I’m right” because it seems that the person seems to be saying that the other, in this case the *Rebbe* is right – but the *Rebbe* is right because this person says that he is right.

With this recognition, we can begin to understand why the *Mashichist* truly raises the ire of many. It is not only that he/she is declaring that he/she is right because he/she is right but this declaration is being made in regard to fundamental principles where the preponderance of evidence points the other way and the presented position is most radical. Even more so, there are other explanations of the *Rebbe*’s words that do not demand such a radical departure from normative Torah thought. The maintenance of faith is often praised when it occurs in difficult situations, in the presence of compulsion and/or negative consequence. In a similar vein, the *Mashichist* may perceive himself/herself as a true believer because he/she maintains this faith in the face of ridicule and constant challenge. Yet, there is a distinction. Here the challenge emerges from within the very system to which adherence is declared. Given all the facts of Torah, the *Mashichist* adopts an opinion that is more than not normative, that demands ‘cartwheels’ to maintain. Sources do not really point to this conclusion although sources can be read to somehow fit in with this. Bottom-line it is a position that is believed because the individual believes it – and no argument will change this position. It is the classic case of faith, not only over reason – which may yet exist in the realm of Torah study – but faith negating reason. In such a case, *Eilu v’Eilu* is impossible. The impossibility of *Eilu v’Eilu* may exist within the realm of Torah when the faith position is actually shared by the entire corpus of Torah thought. If that is not the case, *Eilu v’Eilu* actually emerges as the great challenge to positions based solely upon faith perception. You cannot advocate for a position based solely upon the view that I am right because I am right in a world of *Eilu v’Eilu*. The opposing position, by definition, declares the need to question your position

and your feeling of being right. With this questioning, *Eilu v'Eilu* acts to attempt to prevent human weakness from affecting our pursuit of truth.

*Eilu v'Eilu* demands a world of dialogue. It demands that one contemplate why he/she believes his/her position to be correct in the face of a divergent opinion expressed, within Torah, by the other. *Eilu v'Eilu* demands that you question yourself. What many do not recognize is that this is, in fact, what one does when one contemplates a differing position with respect. You are ultimately asking yourself how you know you are right. In advocating for *Eilu v'Eilu* one is demanding such introspection from oneself and the other. The result may still be a definite acceptance of one's original opinion – but the important role of doubt in this process is recognized. The need to argue with presentations beyond the self is recognized. The conclusion that I am right because I am right is negated. *Eilu v'Eilu* is not a blanket realm of tolerance. It is a realm that demands contemplation of ideas, and thoroughness in consideration of the truth. It demands the bigger picture. It demands one to question why one believes the *Rebbe* to have been correct in the face of others who disagree. It demands one to investigate the very nature of every decision that one makes. It demands one to recognize that one is making decisions – and to develop the humility that must accompany this recognition.

## **The Problem with Reason**

*Eilu v'Eilu*, thus, declares that the pursuit of Torah knowledge demands reason and cannot emerge from faith alone. It is not the only source for this assertion, yet, the existence of differing positions validated within the pursuit of truth, and the need for a determination between differing positions of this nature, necessarily calls for dialogue, discussion and debate which, in turn, demands a perception that truth is outside the individual and must be gained from outside oneself. The realm of faith presents a problem for it ultimately declares that one knows truth through the internal declaration that one knows the truth. This cannot allow for dialogue; it can only create a shouting match between two parties each one stating that they are right. Whether this occurs in regard to the final idea itself or in regard to which carrier of the truth to believe, faith concludes in the simplistic formulation of “I’m right and you’re wrong.” At that level, there can be no discussion. *Eilu v'Eilu* is not only about tolerance and the acceptance of divergence. It

declares a reality of divergence within Torah, within our search for truth. This, in turn, affects the entire process.

Once *Eilu v'Eilu* is introduced into the environment of such a shouting match, the entire model crumbles. Although there are other ways of explaining the divergence between individuals in regard to faith perceptions that do bring a subjective element into the realm of Torah thought (usually emerging from the Kabbalistic world), the acceptance of the possibility of divergence effectively leads to a recognition of the important value of reason in the process of gaining Torah knowledge. Reason can explain divergence and thus give it meaning. Reason, in addition, clarifies the positions that truly fall within the spectrum of *Eilu v'Eilu* and those that do not – for reason provides a yardstick for evaluation. It provides a mechanism of dialogue. It takes the entire process of finding truth out of the individual and a potentially misapplied ego of surety in knowing. Essentially, divergence of opinion declares that knowledge is not solely within. We can argue, discuss or debate the truth because we recognize that we do not have the truth within. We must search outside of ourselves and make decisions using our rational faculty in this regard. Again this is not solely in regard to the final idea itself but also in regard to the one whose ideas we accept. The point is that we no longer just declare ourselves right because we are right. We declare that we accept a certain view or the view of a certain individual for these reasons – knowing full well the inherent limitations of any decision of this nature: and thus appears the opening for *Eilu v'Eilu*.

Yet it is precisely at this point, with the recognition that reason also has its limitations, that we recognize the role of faith in the process of knowledge and the discovery of truth. Reason depends upon external information; what if our external information is limited? Reason depends upon our rational faculties; what if our rational faculties are limited? In a world of action, faith (furthermore) offers a sense of security in self that allows us to act based on our convictions, especially in the face of adversity. Yet, does this statement not seem to reduce faith to a pragmatic value that serves a purpose? The fact is that faith is actually much more than this for, ultimately, any decision we make emerges from an element of faith. Reason can reduce alternatives and open us to possibilities. Often, though, reason cannot provide a definite answer. In the end, even as we may continue to deconstruct a matter before us, we often still have to make a call based solely upon an intuitive feel whether a certain concept – be it solely the most basic *a priori*

- is right. In the Shadow of the Divine, this intuition must be more than some human emotion; it must have some real value in the search for truth.

In the end, however, after applying the realm of reason and allowing its process to challenge our feelings of truth, we are still left with having to arrive at conclusions based on these very same intuitive feelings of what we believe is the truth. In the end we have to say that “I am right because I am right” but the question is when to make this declaration. We do so in regard to *a priori*s. We do so in choosing between logical possibilities (although reason plays a role in this process as well). A world built solely on faith declares the feeling of “I am right” the appropriate arbiter in all circumstances and regarding all ideas. As such there is no possibility of introspection. A world, that accepts the interplay of faith and reason, uses reason to demand introspection while recognizing the limits of reason and the subsequent judicious use of faith. A world built solely on reason, though, also has its problems. In the many situations where reason cannot deliver the absolute conclusion and thus can only leave reasonable alternatives, the decision is left to the individual as a matter of choice. This choice is not seen as a statement of truth but rather a statement of individual taste. In the perspective of the secular, intuition is not about the truth but about the desire of self. This challenges *Eilu v'Eilu* for the differing views within this concept are not options for individual choice but rather *divrei Elokim chayim* operating in the realm of truth. *Eilu v'Eilu* is not similar to secular relativism for it demands a paradox. While it insists on respect for the opposing view as *divrei Elokim chayim*, it also demands of the individual, in expressing his/her view within Torah, that he/she truly believe that he/she is right and possessing truth. Faith has some objective value. The Torah rejects a world built solely on the process of faith. It similarly rejects a world built solely on the process of reason. It demands the interaction of reason and faith – which presents the further challenge of how to integrate the two and, bluntly, also ensure that our application of faith meets its serious objective. It is with this realization that I began to understand what I believe is the true issue of the Slifkin Affair.

## The Concern

While I will not say that my investigation of the controversy was thorough, as I looked at it I found it more and more difficult to really see it as it appeared on the surface.

Of course, this surface perception of the nature of this ban was that ideas and concepts were presented that were outside the pale of Torah and thus had to be declared as such, with a proclamation that they should not be entertained. The problem was that this assertion – that these ideas were outside the pale of Torah – was truly difficult to defend. The very controversy that ensued inherently demonstrated this. The very fact that many – *yodei'a sefer* – disagreed with the ban's assertion pointed to a problem with declaring these ideas outside the realm of Torah. Rav Feldman argued that we no longer had the right to accept the view of Rav Avraham ben HaRambam. Rav Moshe Tendler, on the other hand, penned an article in which he quotes only the opinion of Rav Avraham ben HaRambam. I have no doubt that many do in fact disagree – with Torah arguments supporting their disagreement – with Rabbi Slifkin's ideas but the assertion of the ban was that these ideas were outside of Torah. This assertion was problematic – so what really was going on?

I could dismiss the words of those who declared the ban as many did. I was driven towards a different path. If such illustrious Torah scholars converge with this type of declaration, my understanding of *Eilu v'Eilu* as well as other Torah concepts, demand of me to attempt to find some reason, some Torah basis, for their position (even as I may still disagree with their conclusion). The only conclusion I could reach was built in the world of policy (as the term is presented by **Rabbi J. David Bleich, Introduction, Contemporary Halakhic Problems, Volume IV**). While truth has almost primary value within Torah, there is clearly a concept that the truth may be distorted for policy considerations. The most well known case of this is, of course, Hashem's re-telling to Avraham *Avinu* of what Sara *Imeinu* said. (**Bereishit 18:12**) This could be done, of course, because of the policy concern for *sholom bayit*. (**Rashi**) Another example of a policy consideration that involved a distortion of the actual *halachic* truth is the case of Rav in **T.B Baba Kamma 99b**. We are also aware of the reality that almost everyone, in some place – although disagreeing as to the exact place due to their perspective – maintains that Rambam distorted his true understandings of the truth in order to ensure that the general populace followed the ways of Torah. Academics even have a phrase for this: pragmatic truth – i.e. in order to ensure proper behaviour, saying something that is not really true because the real truth may lead to improper behaviour. So, what if the *gedolim* who declared this ban did so because they felt that the ideas presented in Rabbi Slifkin's works could lead to greater problems? What could be the policy problem with this presentation? In **Mysterious Creatures**, Rabbi

Slifkin presented an excellent description of the variant views on the question of Science and *Chazal*. But now the problem unfolds – how is one to decide between these divergent opinions within Torah? It was this difficulty of how we personally resolve issues of *machloket*, deciding between variant opinions, that I think concerned these *gedolim*. The ban was their policy response to this issue – and, even as one may disagree with this policy response, we should realize that this is indeed an issue.

Someone gave me an article (which would appear to have been printed off the web) which was attributed to **Rabbi Dr. David Berger** and dealt with the issue of the Jewish soul. It was an excellent article that presented two very important points in regard to the concept of the Jewish soul. First, that even those who believed in the concept of the Jewish soul had different understandings of this concept. Second, that there was clearly a *machloket Rishonim* in regard to this very idea and clearly many *Rishonim* (including according to Rabbi Berger, and also in my opinion,) Rambam, who rejected the very postulate of a unique Jewish soul. A divergence of opinion is thus presented – so how does one decide?

This question can be addressed on many different planes. We may ask how the Torah scholar makes a decision of this nature, thereby initiating an investigation of the different methodologies used within Torah thought for such decisions. We may direct an individual to consult his *rav* – as in the case of other decisions. Then, of course, we may wish to ask how one should choose a *rav* and investigate the process involved in that decision. Another possibility is to question the very need for a decision in matters of this nature. Many years ago, as I concluded a brief presentation on this very subject, someone asked me what I truly believed. The question was actually much more direct and biased: “But Rabbi Hecht, you still really do believe in the Jewish soul, don’t you?” My response was that I truly believe it is a *machloket Rishonim*. I have often been told that I live in a world of *machloket* and this is often the truth. As people argue that one is able, in the world of *hashkafa*, to have greater breadth in adopting the position that one believes, I have always wondered why, in the world of *hashkafa*, there is even a need, in many instances, to adopt a position. In the world of *Halacha*, in the world of action, we cannot do two opposite acts simultaneously so we must decide. But in the world of thought, why the need for a conclusion? Whether there is a Jewish soul or not does not affect my behaviour one iota – so why the need to draw a conclusion? My answer that it is a

*machloket Rishonim* actually, I believe, is the answer that reflects the greatest understanding at this time – and since it does not pragmatically demand a definite answer, why move away from the best theoretical answer – that it is a *machloket*? Yet, still, there are issues with pragmatic consequences, so we return to the question of how one decides..

Rabbi Berger, addressing the issue of choosing between the variant opinions in regard to the Jewish soul, presents a different perspective. He states that since there are *Rishonim* who maintained that there is no unique Jewish soul, it is acceptable for one, who has difficulty with this concept, to follow these *Rishonim* – and adopting this view does not challenge one’s identity within Orthodoxy. There are, in fact, pragmatic reasons for supporting this form of decision-making as it has positive *kiruv* implications – and this is implicit in Rabbi Berger’s comments. Many cannot live with certain views; and many cannot live with the indecision inherent in a realm of *machloket*. Their commitment to a Torah lifestyle can be, thereby, challenged. They need definitive answers, specifically definitive answers with which they are comfortable. In presenting a spectrum of Torah opinions, we give the individual the opportunity to choose a position with which he/she is comfortable thereby removing a potential for conflict that may hinder a person’s commitment to a Torah lifestyle. Yet there is also a problem in this process of decision making within Torah and this must also be considered. It may be the negation of this form of decision making that was the real force behind the ban.

The question is: how is one to make decisions within Torah? The simple answer, of course, applying the mechanism of reason, is that we must make such decisions with knowledge and, of course, defer to those with greater Torah knowledge. This is clearly understood in regard to, what we may term, the first level decisions that involve the actual determination of a position based on the sources. A problem, though, emerges in regard to what we may term the second level decisions, where one is choosing from the variant results of the first level investigations and decisions. While, in the realm of *Halacha*, most will still see this type of decision as still demanding the function of a *posek*, this role is somewhat less understood and, even more so, less understood as needed. This need for the scholar to, not only outline the variant positions within the realm of *Hashkafa* but also, choose between the variant positions worked out in the first level analysis is even less understood. The difficulty is that, while scholarship is understood to be necessary in the first level decision-making that involves the articulation of the variant positions, its role in

the second level decision-making is not as easy to demarcate. Once we have the alternatives, what is the difference between the scholar making the choice or the lay individual making the choice? The process is one of human choice, not scholarship, it is contended. In the world of *Halacha* where there are rules for deciding between variant views and an intellectual process thereby defined and applied, this challenge is somewhat muted. In the realm of *Hashkafa*, though, the challenge is voiced more powerfully. It is thus not surprising that the argument that declares the rules of *halachic* decision-making between variant opinions also apply in the realm of *Hashkafa* was heard in support of the ban. It is not an issue of human choice; it is a decision for the scholars. Yet there is a strong argument that these rules do not apply in *Hashkafa*. And, even in the world of *Halacha*, the lay person still does choose whom he/she will direct his/her *shaila*. There is a realm of human choice within Torah. We return to the realm of faith – and isn't faith the intuitive realm of all people? Isn't reason necessary in defining the acceptable, alternative positions within Torah but isn't faith the means by which we choose between these alternatives? Yet, even given the significant principle of *Eilu v'eilu*, does the Torah truly accept this vast realm of autonomy? The two edged sword of *Eilu v'Eilu*, which can also produce the tension of cognitive dissonance, may actually be an argument against this very assertion of a broad realm of autonomy. The role of human choice within Torah, embodied in the concept of faith, demands further contemplation. Faith has its problems – who then makes the faith choice?

Through presenting variant ideas and, as such, choices to an individual, we are seen as effectively passing decision-making on to the individual. This person's perception thus becomes the arbiter of the truth. Now, if the person has the requisite knowledge to be involved in the first level analysis of an issue and make a determination according to this first level process of Torah decision-making, that is one matter. We go with scholarship, yet this is actually also an issue reflecting a difference between the *Charedi* and the Centrist camps of Orthodoxy. The former favours more centralized decision making in the hands of the few who have reached a stature of *gadol* (without entering into the issue of defining this term). The requisite knowledge for being involved in the process is defined with very high standards. The latter favours a more de-centralized structure of decision-making that places the process in the hands of a larger body of individuals. The requisite knowledge is defined with somewhat lower standards in the face of a value perceived in

this more de-centralized model. This de-centralization, even onto the individual, is further highlighted in the presentation of differing views with an indication that they all are acceptable within Torah; the implication is given that any individual can make a decision as long as the choice is from this spectrum of acceptable alternatives. This is, in fact, how many understand *Eilu v'Eilu*: as long as it is within the pale, it is acceptable to choose that position. Human choice becomes the decider of truth. The above problems of faith are revisited because ultimately one chooses because one simply believes it is right. The greater problem is that truth flows from the individual and not from the Torah source. The *Charedi* model ensures that the individual continues to confront the truth – from outside oneself – especially as the model extends beyond reason and a further declaration that only the select can make this type of decision as well. (This enters into a discussion of the realm of *ruach hakodesh* in this regard. See, in this respect, **Lawrence Kaplan, Orthodox Forum Series: Rabbinic Authority and Personal Autonomy, Da'as Torah**, although I could be putting a positive spin, or at least attempted objective, on the article's assertions.).

There is a tension in the observance and acceptance of Torah. It is not necessarily what we want reality to be – and this is important. We are called upon to accept what reality is, even as we may not like it. It is on this level that *Eilu v'Eilu* becomes more problematic because, in hearing a spectrum of possibilities, one gravitates to the choice that one likes – but is this the choice that is correct? Furthermore in following that which one likes, the greater lesson emerging from a tension with the Torah truth can be lost. It may make one more comfortable to read *Ma'aseh Bereishit* allegorically so that Creation and Evolution can merge. It may, similarly, be more comfortable to not believe in a Jewish soul – but is this the process of Torah? Perhaps we are to struggle with the position we find more difficult. Should we also see a decision of Torah as implying a matter of choice? Torah is to include, to some extent, a sense of imposition of ideas from without. This can be challenged, it is often argued, if too much choice is presented. If you inform people of a more lenient view on a *halachic* subject, won't they just pick that one? The response of many is thus never to inform the populace of these opinions. But is that also an honest presentation of the truth? The fact is that we do make choices. We, at least, choose whom we will listen to and learn from. The fact is that Torah is not just about imposition. If we are to have a relationship with God, our being must be part of this relationship. We need

to voice our being through choice and the intuitive structure of faith that somehow reflects the merging of self and truth. Yet, thereby, human weakness can creep into our decisions. Intuition indeed has its problems. The issue is, thus, the nature of these choices. How does one apply the realm of faith within the world of Torah thought?

A divergence of opinion between Torah scholars reflects the reality that the world of reason can only go so far and that, even given intense thought, we are left with a variance of thought that demands a decision that does actually come from within. What is not recognized is that even this decision is different than the simplistic presentation of human choice. Given the differing alternatives, people believe that the individual is really no different than the *posek* or person with Torah knowledge making such a decision, effectively choosing between the alternatives. Given the alternatives, we are both (the lay person and the Torah scholar) choosing based on our faith mechanism, following what we feel from within. It may be what we like; it may be what we feel is true. Either way, it is the call from within. But, in fact, it is vastly different. The *posek* is not choosing which view he likes. Beyond the rules of *psak*, the *posek* is choosing which view he believes is correct given the sources. It is a feeling within but not of the final conclusion; rather of which analysis is better. It is a completely different object of evaluation. Each differing conclusion is based on a different analysis. The scholar chooses the view that, according to his/her mechanism within, he/she believes explains the sources best. It is not human choice based on the conclusions; it is not what I like, what I find most comfortable or, even, what I simply feel is true. It is human choice based on the process; it is what is felt to be the correct analysis. It is also a choice emerging from an intuitive faculty honed by Torah itself through years of study. *Emunat Chachamim* does not just mean we trust their rational scholarship. It also means we trust their *shikal ha'da'at*, their intuitive faculty as more refined than ours and thus less affected by human weakness. With this recognition, the very process of how we choose between variant opinions, changes. Even if the individual is attempting to apply the same process in his/her decision, the distinction in stature still remains.

The regular individual, though, even as we may state that he/she cannot make such an evaluation, is still left with the choice of which person involved in such a process to choose to follow. Maybe one is not competent to render a view on the question of Science and *Chazal*. Maybe one is not even competent to choose between the different views. But isn't one still left with the responsibility and reality of choosing which authority

upon which to rely – and can't one choose Rabbi Slifkin? This brings the mechanism back to the realm of human choice. It is perhaps in response to a concern for this role of human choice that the *Charedi* world attempts to remove any semblance of disagreement as it speaks to the general population. Thus, the language of a ban. If Torah is going to maintain a value in its imposition upon the individual and its limitation on human choice (and autonomy), it is important to, as much as possible, remove the option of error in choice. If Torah is going to be perceived as coming from without the individual, it is actually best to remove a realm of human choice. This has always been a problem with *Eilu v'Eilu*. It gives an impression of broad autonomy in that people can go with their feeling. It is a reason for some to be concerned about the message found with Rabbi Slifkin's works. And, actually, there is reason for concern. An allowance for broad human choice has its problems (as presented in the *Mashichist* discussion). Yet it must be recognized that it is a problem that the Torah actually imposes upon us. To ignore the fact that a realm of human choice is also part of the realm of Torah is a problem.

Reason presents a strange dichotomy. It challenges one's belief in oneself as the carrier of truth, demanding arguments and analysis, forcing us to move away from the ultimate faith statement that I am right because I am right. Yet reason, as its process may conclude in the validation of differing views, returns the search for truth to the realm of human intuition, often in a more powerful way. It is no longer I am right because I am right; it becomes: I follow this Torah opinion and thus I am in the realm of being right. It is this perspective that, I believe, ultimately bothered those who declared the ban. Books, like those of Rabbi Slifkin can empower individuals to make choices within the realm of Torah – and this empowerment presented a problem to those who decreed the ban. Are these choices being made correctly?

The fact is that there is some validity to this concern. The pursuit of truth and Torah knowledge must emerge from a combination of pure faith and complex reason and encompass the potential for a spectrum of possibilities, but solely within parameters. To maintain this perspective, I attempt to live in a world of *machloket* and attempt to render a definite decision only when needed. To hear individuals make *halachic* or *hashkafic* decisions based on what they like or on an unexamined, intuitive reaction has always been bothersome to me. Truth must speak to us, not solely be a manifestation of what we wish it to be. A policy response of many, including, I think, those who declared the ban, is to

create an authority that declares the truth in order to not leave it in the hands of simple human choice. They would contend that it is better to distort the truth in order to save the truth – that Torah must emerge from the serious study of Torah and not as a result of human choice. Yet Torah includes the realm of human choice and this is demarcated in the concept of *Eilu v'Eilu* which necessarily declares that as long as Torah is in the realm of the human being it will work within this realm. Yet this is a great challenge of Torah – to mark the realm of human choice within the realm of Torah. The ban identified this problem and gave one solution – remove this ideal from the general goals of the populace for the necessary sake of protecting the mechanics of Torah. To respond to the ban demands that we declare that we can protect the mechanics of Torah even as we respond to the challenge of human choice. It demands of us to contemplate how we make our decisions within Torah. It demands of us to question ourselves whenever we are faced with choice. Are we choosing what we feel is correct, what we believe to be the most thorough analysis? Is our image still of the truth? Is human weakness affecting our decision? As we decide, do we feel the cognitive dissonance of *Eilu v'Eilu*? Do we feel the struggle of/for truth? Only with the realizations that bring forth such questions, can we find that answer as to how we integrate faith and reason. The ban, it is my belief, emerged because of an assumption that we cannot meet the challenge of truth. To question the ban demands the acceptance of the responsibility of meeting this challenge.

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