

Hands Across the Ocean: A Review of Rabbi Aharon Feldman's

THE EYE OF THE STORM



The Eye of the Storm: A Calm View of Raging Issues

By Rabbi Aharon Feldman
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Few contemporary *roshei yeshivah* have been endowed with the capacity to write a volume such as *The Eye of the Storm*; and of the coterie that could, many, if not most, are probably disinclined to venture the undertaking. We are therefore somewhat beholden to Rabbi Aharon Feldman—a *talmid chacham* of repute and the head of Yeshivat Ner Israel of Baltimore, an illustrious Torah center that has contributed much to further the cause of serious learning and implementation of Torah in North America—for having mustered the ability and the determination to cope with the issues herein discussed. Moreover, he has articulated his positions with vigor tinged with passion, fusing personal conviction with public policy, with an eye to giving vent to the force of his personality and attitudes.

If I may intrude a personal vein, Rabbi Feldman's persona arouses in me latent but very warm memories. We were classmates during 1942-1943 in the *shiur* of Rabbi Yaakov Bobrovsky, *zt"l*, at Talmudical Academy of Balti-

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more—I, a spindly nine-year-old immigrant of limited social skills and of dubious acculturation; he, a bit older, firmly entrenched in both a home of Lithuanian rabbinic stock and in his native American milieu. We were both eager, and bright; he, beyond that, to me, a tower of strength. He befriended me and invited me frequently to his home. I still fondly recall the chilling warmth of joint sledding in Druid Hill Park on Sunday afternoons. As my family moved to Chicago after a year, the friendship gradually dissipated. There was virtually no further contact of note—not even when, some years later, we both found our tents simultaneously pitched under the aegis of *mori verabbi*, Rabbi Yitzchak Hutner, *zt"l*, at Chaim Berlin. But the memory and the appreciation linger.

Beyond luxuriating in reminiscence, I mention this point because it helped mold my anticipation in reading the book and reviewing it. In sum, despite the fondness, the memory and the current reality did not fully match. Over the years I had encountered some of Rabbi Feldman's writings, and had read them with interest. Apart from *The Juggler and the King*, which had served as a link to the Vilna Gaon's *machshavah*, several of these earlier writings have been reprinted in the volume under review. These include:

“Credo and Credence,” impressive for the candid quest for the certitude of faith; “Rabbinic Authority (*Da'as Torah*),” a blend of wise spiritual and pragmatic counsel, but shorn of excessive normative demands; and the widely circulated “Letter to a Homosexual *Ba'al Teshuvah*,” a balanced epistolary response which exudes sensitivity without conceding ideological or halachic ground. To these may be added, from this volume, the chapters on “Gedolim Books” and “The Chazon Ish,” which for those unfamiliar with the genre can provide a measure of perspective; and which, as regards the latter, brings us face to face with that towering magisterial exemplar of iron-clad discipline, the fusion of intellect and will. In addition, the chapter on “The Steinsaltz English Talmud,” presents a fair and judicious account of a tool that has progressively serviced fresh adherents.

And yet, further reading induced a more troubled response; and, in time, its roots became increasingly clear. This volume and many of its components were written with considerable gusto;

indeed, with no small modicum of anger—hopefully, not of the sort excoriated by Chazal and banished from the Rambam’s moral universe, but, despite the subtitle, “A Calm View of Raging Issues,” anger nonetheless.

As regards both tone and substance, this quality appears to have been, in part, consciously selected to characterize the volume and to define its

cific. The targets of the critique are first and foremost, Zionism, feminism and, to a lesser extent, aspects of Chabad, with sectarian denominations such as the Reform and Conservative movements omitted, deemed as unworthy of serious discussion. For our purposes, I shall focus on the first two as the most prominent.

The brunt of the attack is borne by

and result? Is the reclamation of Eretz Yisrael, accompanied by gradual progress towards *rov yoshvehah alehah*, Jewishly neutral? Can we blandly overlook the infant country’s commitment to *kelitah*, arguably the most monumental initiative of post-Biblical *chesed*, as if only atheists and Christians valued *caritas*?

And at the other end of the spec-

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prospective audience. In a brief preliminary introduction, entitled, “Why Read this Book?”, we are informed that it was not intended for those who do not share the author’s definition of Judaism, “nor for those who are not confused by any of the issues with which it deals” (p. 2). Rather, it was intended to enlighten the confused and to extend purgative solace to the misled: to minister, in Macbeth’s memorable phrase, “to a mind diseased,” ideologically. The optimal mode for realizing this aim was apparently perceived as the castigation of opponents, and occasional shrillness; hence, the predominant polemical thrust of *The Eye of the Storm*.

Emulating Rabbi Yosef Chaim Sonnenfeld, Rabbi Feldman asserts: “I, too, humbly submit that the criticisms in this book are directed towards those parts of the Jewish people which are not Jewish” (p. 4). In the interest of both accuracy and fairness, it should be added that the sequel reads, “My love for the Jewish people remains undiminished.” However, when we note that the source and precedent cited had not merely sought to justify criticism but to be stirred to hatred; that “the parts which are not Jewish” did not allude to unhalachically converted pseudo-Jews but to presumed ideological aberrants; and when we realize that these include a very significant segment of the Israeli *yishuv*, as well as its Diaspora supporters—many of us will, understandably, be shaken.

Perhaps I ought to be more spe-

cialism, and, understandably so, inasmuch as, on the one hand, it is described as “the most successful of all modern movements” (p. 2), and yet, on the other hand, it is perceived as wholly devoid of Jewish significance or commitment. Hence, the reality of its status as nevertheless “enjoying the unstinting support of the vast majority of religious Jewry” (p. 3) seems enigmatic. This anomaly is both befuddling and threatening, as it raises the specter of mass apostasy and the prospect of resultant retribution, variously described in Tanach. Hence, we are told that in order to ward off potential calamity, it was essential to reject the Zionist ethos in toto. “It is out of love for the Jewish People that I found it necessary to expose the vacuity of Zionist ideology” (p. 3).

And yet, I remain befuddled. Let me state flatly and clearly, that, on this front as on several others, I share Rabbi Feldman’s vision and his priorities. Fundamentally, we grew up with similar values and have both retained and intensified our commitment to Torah values and their place within personal and communal life. Still—or perhaps, therefore—I ask: At one end of the spectrum, is it indeed desirable—or even possible—to engage in a foray of utter denial of Jewish worth to what the Zionist enterprise, albeit regarded as a monolithic behemoth, hath wrought? Must we, may we, be so radically judgmental as we deplore certain lapses in religious motivation

trium, we encounter “efforts to bring the Jewish People back to the values of the Torah” (p. 3). But is this to be motivated and energized solely by the danger that engenders love? Aren’t we, Rabbi Feldman and myself as well as our fellow religionists, charged with the duty of *tikkun olam* in the spirit of *Malchut Shamayim*, rather than as a Marxist Utopia, simply and purely be-



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cause that is the Will of the Ribbono Shel Olam?

Finally, a note regarding both tone and substance, I presume that I am not the only reader who would have preferred a more balanced and judicious critique to the rancor that, at times, fills pages with total denigration of Zionism. Something to the effect that Zionism and the State it had established had contributed much to the character of Jewish life, but that much of its vision and reality remains woefully deficient, so that Torah Jewry needs to strive creatively, and, if necessary, to fight vigorously, in order to restore our full commitment to our national heritage. Some recognition of Religious Zionist claims regarding Divine assistance would be far too much to expect, and for this purpose, not crucial. What I have suggested, substantively and not just tactically, would still be quite meaningful, however. I believe that this formulation approaches the views of the Ponevezhzer Rav, as I knew him. I also recall that when a *rosh yeshivah* from a prominent anti-Zionist Torah family was taken to tour Yamit, he remarked, with intuitive admiration—and perhaps with flashes of memories of Eastern Europe—“*Zay vos Yidden haben da oyfgeboyt!*” (“Just see what Jews have accomplished here!”) And I hope that an analogous response could continue to fill a capacious Torah heart today.

The second primary object of Rabbi Feldman’s ire is more social than political; but it, too, is suffused with ideological and normative concerns. The area in question is feminism—or, more specifically, Jewish feminism (for some reason, consistently capitalized). The centerpiece of the discourse is “Halachic Feminism or Feminist Halachah?”, nominally a review of *Jewish Legal Writings by Women*, but substantively a vehement tongue-lashing of the movement, its leaders and spokeswomen, their pronouncements in general and their halachic excursions in particular. We are told repeatedly that any participation of the writers in the discourse is intellectually and religiously presumptuous. However, his designated readership notwithstanding, Rabbi Feldman evidently recognizes that the standards of judgment to be in-

cluded will need to be objective, and he takes on the cudgels accordingly.

As we might have anticipated, the sharp discussion proceeds apace—passionately expressed and cogently written, with the message that, whatever may govern competitive sports, here a gender handicap is out of the question—clear and implicit. Regrettably, however, the critique itself while generally on the mark and impressive, does not always meet the relevant standards. Surprisingly, some flaws are particularly problematic in the context of halachic discourse in two respects—that of general theory and that of detailed application. As regards the former, for instance, we are told that, “It is a fundamental principle—although often unknown or ignored—in determining Jewish law that halachah is determined by the cumulative decisions of generations of commentaries and decisors. Thus, an opinion of the Rishonim, when codified by the major later authorities, is inviolable” (p. 4). Dominant? Certainly. But flatly and categorically definitive? A question to be asked. I vividly recall hearing the summary of *mori verabbi*, Rabbi Aharon Soloveitchik, *zt”l*, of this issue’s parallel controversy between the Ba’al Hama’or and the Rabad, as to whether Rishonim could disagree with Geonim: “If one has broad shoulders, he can contravene Rishonim. The *Sha’agas Aryeh* disagreed with Rishonim in many places.” Of course, the prerogative of challenge, if it exists, is not fully or routinely available to all, and is reserved for subsequent halachic leadership. In practice, it is therefore of minuscule application: and in this respect its intrusion into the controversy in which Rabbi Feldman’s adversaries have here become embroiled is of minimal moment (although the situation may differ when Rishonim were themselves divided on an issue). The argument per se, however, is important, and entails a measure of questionable overkill. Can any halachist familiar with the historical tergiversations of *bein hashmashot*, pregnant with practical relevance, accept this apodictic generalization at face value? An overall directive, assuredly. But sweepingly comprehensive, hardly.

This point is linked to a related

tendency. In confronting issues of *pesak*, Rabbi Feldman repeatedly assigns greater gravity to recent summary decisors, be they even of relatively lesser stature, than to primary Rishonim, whose specific opinions on a certain matter may have been sidetracked. This tendency is, admittedly, not without foundation, and Rabbi Feldman can justly point to the formulary *halachah kebatrai* as its Talmudic source. However, the principle does not stand alone and can be overriden by other germane factors, personal stature included. The Mishnah in *Eduyot* (1:5) implies as much when it explains that rejected minority opinions are retained as part of the corpus of Torah, precisely in order to sustain the prospect of reversal by a later qualified *beit din*. The dustbin of history is not always so voracious.

A somewhat analogous tendency may be occasionally perceived at the plane of minutiae. With respect to women’s tefillin, we are told first “that the classic authorities agree unanimously that women are forbidden to wear tefillin” (p. 96). Shortly thereafter, we read of “the *nearly unanimous* [my italics] array of the classical *poskim* cited above who prohibited women wearing tefillin” (p. 96); but then again read “of unanimity among halachic authorities to forbid it” (p. 99). Strictly speaking, of course, if we use Rishonim as a yardstick, neither statement is accurate. A practice which was regarded as open to acceptance by the Rashba, the Ritva, the Meiri and less prominent Rishonim—all of whom asserted, minimally, that while the *Yerushalmi* cites conflicting views as to whether authoritative *chachamim* had protested against Michal’s (the daughter of Shaul Hamelech) wearing tefillin, the *Bavli*, whose views ordinarily prevail, assumed unequivocally that they had not—can hardly be peremptorily dismissed for lack of support. As to the statement that the Vilna Gaon held, contrarily, that the *Bavli* could be aligned with the *Yerushalmi* (p. 96), I believe the Vilna Gaon’s remark can be readily interpreted as conjecture rather than fact. Or again, inasmuch as the practice was nowhere proscribed by the Rambam or the Mechaber in *Shulchan Aruch*—and, on some read-

ings, was even permitted by the Ba'alei HaTosafot—it cannot be said to have been rejected, either unanimously, or nearly unanimously. Are not the giants here cited “classical authorities?”

Moreover, in the very same paragraph in which the Maharam is cited as a source for extending the scope of the term *guf naki* (a clean or pure body) to include pure thought devoid of salacious content, the author of the *Orchot Chaim*, a fourteenth-century Provençal compendium, clearly indicates that he, at any rate, thought the extension has no bearing upon women, who, in his opinion, are apparently not defiled by sexual ruminations. And indeed, he quotes the Rashbag as holding, without qualification, that a woman may wear tefillin and recite their *berachah*. I presume that Rabbi Feldman felt that these points could and should be outweighed by other factors. For my part, I would submit that given the complexity—rather than the supposed simplicity—of the issue, we can readily and emphatically agree with Rabbi Feldman’s judgment, to the effect that tra-

ditional prevalent practice should be sustained. But let the basis of that position be clearly understood, and let us beware of passion infringing upon precision. Assuredly, we can emulate the model cited in the Gemara (*Ketubot* 83a-84b), and common in legal practice, of accepting juridic conclusion, but for different reasons.

Other sections stir lesser levels of passion in most readers, although some—for instance, the essay on “The Slifkin Affair: Issues and Perspectives”—may touch some raw nerves as well. These are, however, marginal elements, enriching to some and irksome to others, but hardly a basis for evaluating a book or its author. These are best judged by the significance of purpose and the quality of execution. With an eye to both, this volume serves its intended audience well. It deals with *devarim haomdim berumo shel olam*, the *unum necessarium* of the Torah life and its hashkafic foundations; and it deals with it in language and categories his particular audience will appreciate. Given my own inclination, I would

have wished this collection a bit broader, a bit deeper and permeated with a mellower mood, so that Rabbi Feldman’s talents could serve and enrich a wider circle. However, this factor in no way vitiates its value for those for whom it was written, who will assuredly not regret having read it.

Finally, if I may, I close as I opened—on a personal note. Dear Reb Aharon: That pair of juvenile prattling sledders is now well past seventy-five. Each has, *besiyata diShmaya*, in successive contexts, respectively, learned much Torah and has been blessed with the ability and the circumstances to enable reaching out and personally transmitting to others that which we have been endowed. It stands to reason and is, presumably, mandated by joint mission, that our worlds meet and attain mutual fruition. As we both painfully know, however, this occurs all too rarely.

Must the walls that separate our communities and our institutions soar quite so high, the interposing moat plunge quite so deep? Shall we never sled again? ■

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