RELIGION OR HALAKHA

THE PHILOSOPHY OF RABBI B. SOLOVEITCHIK

VOLUME ONE

Dov Schwartz
Translated by Batya Stein

SJJTP 1

BRILL

Religion or Halakha

Supplements to The Journal of Jewish Thought and Philosophy

Edited by

Leora Batnitzky (Princeton University)
Christian Wiese (University of Sussex)
Elliot Wolfson (New York University)

VOLUME 1

Religion or Halakha: The Philosophy of Rabbi Joseph B. Soloveitchik

Volume One

by

Dov Schwartz

translated by

Batya Stein



BRILL

LEIDEN • BOSTON
2007

This book is printed on acid-free paper.

Library of Congress Cataloging-in-Publication Data

is available on https://catalog.loc.gov

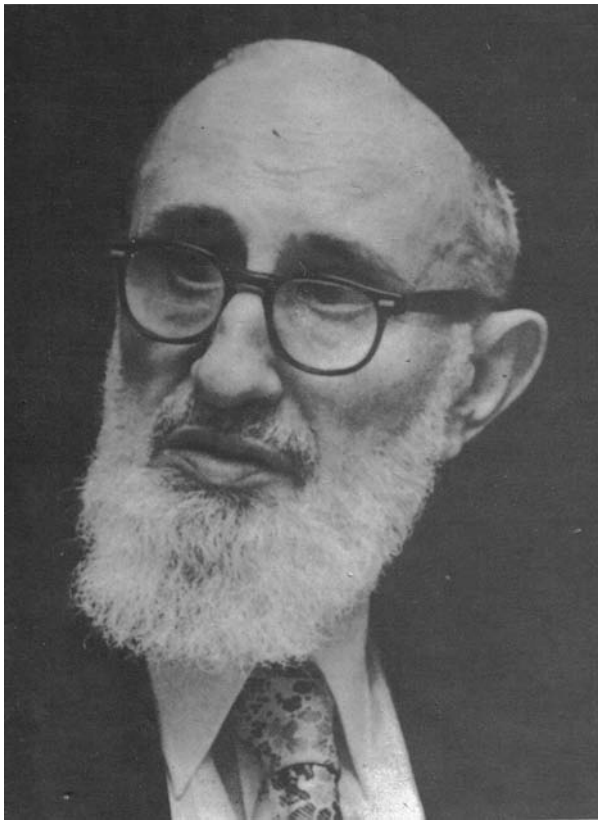
ISBN 1873-9008
ISBN 978 90 04 15766 8

© Copyright 2007 by Koninklijke Brill NV, Leiden, The Netherlands.
Koninklijke Brill NV incorporates the imprints Brill, Hotei Publishing,
IDC Publishers, Martinus Nijhoff Publishers and VSP.

All rights reserved. No part of this publication may be reproduced, translated, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior written permission from the publisher.

Authorization to photocopy items for internal or personal use is granted by Koninklijke Brill NV provided that the appropriate fees are paid directly to The Copyright Clearance Center, 222 Rosewood Drive, Suite 910, Danvers, MA 01923, USA.
Fees are subject to change.

PRINTED IN THE NETHERLANDS



In memory of Isidore Friedman, *z"l*
Disciple of Rav Soloveitchik, lover of Torah, man of deeds

CONTENTS

Introduction 1

Chapter One The Opening of Halakhic Man: A Covert Dialogue with *Homo Religiosus* 11

Chapter Two *Homo Religiosus*: Between Religion and Cognition 37

Chapter Three The First Paradigm of *Homo Religiosus*: Maimonides 59

Chapter Four The Second Paradigm of *Homo Religiosus*: Kant 82

Chapter Five Halakhic Man as Cognitive Man 96

Chapter Six The Negation of Metaphysics and of the Messianic Idea 128

Chapter Seven Mysticism, Kabbalah, and Hasidism 146

Chapter Eight Halakhic Cognition and the Norm 194

Chapter Nine Halakhic Man's Personality Structure 222

Chapter Ten Religiosity After Cognition: All-Inclusive Consciousness 246

Chapter Eleven Myth as Metaphor: Halakhic Man as a Creator of Worlds 267

Chapter Twelve Change or Interpretation: Repentance as Creativity 291

Chapter Thirteen On Providence and Prophecy 309

Chapter Fourteen *Halakhic Man* after Twenty Years: What Has Changed? 333

Summing Up *Halakhic Man* in the Context of its Times 349

Selected References 359

Index 365

INTRODUCTION

This book is a literary and philosophical analysis of the essay *Halakhic Man*[1] by Rabbi Joseph Baer Soloveitchik. The literary analysis focuses on a feature that is immediately evident to the essay's readers: its form involves deliberate contrasts and contradictions, together with a complex and at times convoluted writing style. The present work may be seen as an interpretation of *Halakhic Man*, but also as a thematic analysis of R. Soloveitchik's early writings in general. The period in R. Soloveitchik's thinking discussed here covers the years 1931–1944.

My analysis of *Halakhic Man* reveals two of R. Soloveitchik's basic assumptions:

1. **Halakhah**. The term Halakhah as used in Part One of the essay *does not refer to practical Halakhah*, alluding neither to a concrete religious lifestyle nor to halakhic rulings or injunctions. Instead, it is confined to the way of study practiced in Lithuanian *yeshivot*, and particularly those that followed the "*lomdus*" method developed by the Brisk dynasty. Halakhah in the present context deals with a methodological process in which Torah scholars analyze a series of theoretical halakhic laws (as formulated, for instance, in *The Code of Maimonides*), deconstruct them into their infinitesimal components, and recast them as ideal legal constructs ["*hillukim*"]. This process involves the reconstruction of halakhic laws through the scholar's theoretical reason [*Erkenntnis*]. *Halakhic Man* describes the specific forms of cognition and consciousness prevalent among Brisk dynasty scholars (Hayyim Soloveitchik, Yitzhak Ze'ev Soloveitchik, and others), who relegate practical Halakhah (halakhic rulings) to the sensorial qualitative realm that, as such, they consider neither valuable nor interesting. Since this is not the usual meaning of Halakhah, the parameters and process of halakhic man's cognition and consciousness can only be described in philosophical terms based on Hermann Cohen's neo-Kantian outlook rather than on

[1] Joseph B. Soloveitchik, *Halakhic Man*, tr. Lawrence Kaplan (Philadelphia: Jewish Publication Society of America, 1983).

the philosophy of religion. Although practical Halakhah *is* part of the term's meaning in Part Two of *Halakhic Man*, particularly in the ethic-aesthetic and eschatological context, this sense of the term "Halakhah" is not dominant there either. Halakhah in this epistemic, idealist sense requires an entirely new interpretation of *Halakhic Man*, which I aim to offer here.

2. **Esotericism**. Essentially, *Halakhic Man* is an apologetic tract, aiming to introduce the typical *rosh yeshive* [the yeshivah head] of the Brisk dynasty to modern readers. Modern readers are not acquainted with the personality type represented by "ideal" halakhic man, and the contrasts and contradictions in R. Soloveitchik's essay are intended to help these readers understand Brisk scholars. *The literary style of Halakhic Man is thus essential to its understanding*. I will argue that the contrasts and contradictions derive from R. Soloveitchik's attempt to present halakhic man as related to, or characterized by, some features typical of the *homo religiosus*, even though mature halakhic man is far removed from the *homo religiosus*. The religious-experiential dimension is "forcibly" imposed on the personality of halakhic man in order to bring this type closer to modern readers. A careful study of the essay's style, however, reveals that the sole experience of interest to halakhic man is cognition and creativity. The only (negative) link between the two types is personal rather than cognitive: halakhic man, like every religious individual, was originally endowed with the features of the *homo religiosus*, but he shakes free from them as he develops into halakhic man. Although I do not rule out other ways of explaining the literary style and even suggest such options myself, I show that the esotericist reading is consistent and provides a coherent explanation of the essay's structure.

At the same time, I intend to endorse and develop two other basic assumptions that researchers have considered at great length, intimated in the two previous items:

1. *Halakhic Man* is intended as an essay presenting R. Soloveitchik's ancestors and their scholarly dynasty. R. Soloveitchik himself, however, does not fully identify with the essay's views. Unlike the Brisk dynasty, which is made up of ideal halakhic types who reject any synthesis with other types of religiosity, R. Soloveitchik

himself does acknowledge the existence of such a synthesis (see his "From Thence You Shall Seek"[2] and *The Halakhic Mind*).[3]

2. For his description of halakhic man's cognition, R. Soloveitchik relies on Hermann Cohen's epistemological idealism, while the portrayal of halakhic man's will is predicated on Cohen's idealist view of ethics and aesthetics. Cohen's neo-Kantian outlook is the philosophical instrument that R. Soloveitchik finds most effective to describe the thought of halakhic man. In fact, it is more than this, given the overlap found at some points between halakhic thought and Cohen's idealism.

Below is my outline of the ideological development of *Halakhic Man* according to the essay's structure.

Part One: Personality Structure

1. *Halakhic Man's Pure Cognition (i–viii)*

At the opening, the essay introduces halakhic man as a composite of cognitive man (*ish ha-da'at*) and *homo religiosus* (*ish ha-dat*). After a brief description of cognitive man, R. Soloveitchik defines *homo religiosus* and dwells at length on his characteristics. He also presents typical models of the *homo religiosus* type, illustrating them in historical figures such as Maimonides and Kant; at the same time, he argues that Hermann Cohen's thought lacks the features of *homo religiosus*. After presenting *homo religiosus*, and only then, R. Soloveitchik proceeds to describe cognitive man in great detail. From this point onward, the latent element directing R. Soloveitchik's writing style becomes explicit: the work reflects the cognition and consciousness of the ideal halakhic man that, as noted, are wholly based on Hermann Cohen's thought. I intend to show that Ernst Cassirer's influence is not evident in *Halakhic Man*, despite his lasting impact on R. Soloveitchik's other works.

---

[2] Joseph B. Soloveitchik, "From Thence You Shall Seek" (Hebrew), in *Halakhic Man: Open and Hidden* (Jerusalem: WZO, 1979), 117–235.

[3] Joseph B. Soloveitchik, *The Halakhic Mind: An Essay on Jewish Tradition and Modern Thought* (New York: Seth Press, 1986).

The philosophical mechanism for understanding halakhic man's cognition is, almost exclusively, Cohen's epistemological idealism.

2. *The Problem of Cognition as a Norm (ix–x)*

At the second stage, R. Soloveitchik is required to defend his reliance on Cohen's epistemological repertoire to describe speculative Halakhah, which is essentially a normative system. For this purpose, he resorts to the mathematization of Halakhah and founds it on "quantitative measurements," a tactic enabling its adaptation to Cohen's infinitesimal method. At the same time, Cohen's ethics enables the application of epistemological idealism to a normative system such as Halakhah. R. Soloveitchik fashions halakhic man's pure will according to Cohen's ethics, in which "the law and order man" fulfills a vital role, and continues to derive the ethical and creative dimension of halakhic man according to the transcendental method, with Halakhah replacing law. From here onward, R. Soloveitchik as author identifies with halakhic man in order to describe this type's cognition and consciousness: he flatly rejects Kabbalah and Hasidism as features of the *homo religiosus*, since they are incompatible with the world of halakhic man and even threaten his spiritual existence.

3. *The Psychological Implications of Pure Cognition (xi–xv)*

In these chapters, R. Soloveitchik focuses on the character and on the spiritual and social implications that follow directly from the extreme idealist structure of halakhic cognition. Halakhic cognition yields a personality type that acts according to solid and absolute principles and resists compromise. Halakhic man is a lonely type, lacking political or interpersonal flexibility and is thus unacceptable to society. He also finds other types of religiosity, such as mysticism, intolerable. His cognition thus yields a distinct personality, characterized by sharp and extreme features.

Part Two: Creativity

4. *The Creativity of Halakhic Man (i–vi)*

Part Two presents halakhic man as a creative-aesthetic type. R. Soloveitchik discusses the purpose driving halakhic man when engaging in *hiddushei Torah* [creative interpretation], the sensory affirmation of the inner-cognitive domain, and the re-creation of halakhic man's personality. Part Two of *Halakhic Man* differs from Part One in that the adaptation of the ideal halakhic system to the sensory world ("the realization of Halakhah") appears in halakhic man's cognition only at the stage of criticism and consciousness (*bewusstsein*). In the creative endeavor of halakhic man, however, this is the leading factor. In Part One, R. Soloveitchik focuses almost exclusively on cognition and on the consequent personality type. By contrast, in Part Two he turns to the purposeful will of halakhic man and to his creative-aesthetic endeavor. In Part Two, then, the term Halakhah is not exhausted by the ideal halakhic meaning it had assumed in the Brisk dynasty and refers also to real, practical Halakhah. The ideal meaning of Halakhah, however, remains dominant in the cognition and consciousness of halakhic man. R. Soloveitchik intimates to the understanding reader that their development, as well as the re-creation of the personality, is the only form of genuine creativity.

Part One largely parallels the study of pure reason, and Part Two—the study of practical reason and the aesthetic creative power. I claim that this order attests to the messages that R. Soloveitchik is attempting to intimate to the discerning reader. The main and most crucial of these messages is that no essential relationship exists between halakhic man and *homo religiosus*, either in the realm of cognition or in the realm of ethical autonomy, despite his explicit claim to the contrary at the opening of the essay. The extensive discussion about *homo religiosus* is meant to show that the cognitive and ethical features that characterize him are missing in halakhic man, whose cognition and personality fit only those of cognitive man. *Homo religiosus* often poses a threat to halakhic man, who espouses cognitive and ethical autonomy. The *tsaddik* doctrine that some *homi religiosi* (Hasidim) have adopted as their behavioral mode is one instance of such a threat.

This distinction is also related to the method and the instruments used to present it: only the cognitive philosophy of Hermann Cohen can serve to clarify the structure of halakhic man's cognition,

which is why R. Soloveitchik vehemently rules out any relationship between it and *homo religiosus*. In Part Two of *Halakhic Man*, R. Soloveitchik clarifies that the abyss between halakhic man and *homo religiosus* is not only cognitive but also ethical and aesthetic. The pure will of halakhic man and the aims he strives for are antithetical to the legacy and the behavior of *homo religiosus*. In sum: *homo religiosus* is cast off from the world of halakhic man.

The idealist interpretation of halakhic man's cognition is extreme in that it removes from halakhic cognition all metaphysical remnants, replacing them with the inference process of theoretical Halakhah. The endeavor of *Halakhic Man* is comparable to that of *The Kuzari*: both were intended as the final word in Jewish philosophy. According to Judah Halevi, historical experience replaces theoretical thought and utterly negates its effectiveness. According to R. Soloveitchik, halakhic cognition (of the Brisk variety) is defined as an autonomous creative epistemic process, which discloses its fundamental principles as it unfolds. Beyond this process, cognition is meaningless. R. Soloveitchik's own view was different, as evident in "From Thence You Shall Seek," where religious consciousness is portrayed as syncretistic and includes scholarship as well as other experiential and metaphysical domains. *Halakhic Man*, however, deals only with the Brisk dynasty, and R. Soloveitchik emphasized this in the epigraph to this essay: "At that moment the image of his father came to him and appeared before him in the window" (TB Sotah 36b). "At that moment," that is, when writing *Halakhic Man*, R. Soloveitchik indeed deciphers the code of this ideal type and describes it in meticulous detail. At that moment he also disparages the "*homo religiosus*," since this was the way of ideal halakhic men. Before and after this moment, however, R. Soloveitchik himself would have fitted more adequately into the mould of the *homo religiosus*, who combines scholarship, speculative and practical Halakhah, transcendent philosophy, and mysticism. The dialectic that characterizes R. Soloveitchik is temporarily set aside in order to describe the one-dimensional figure of halakhic man.

Let me stress again: this analysis of *Halakhic Man* sheds light on the sharp criticism that R. Soloveitchik levels at Jewish mysticism from its inception until Hasidism. The rejection of mysticism's experiential dimension is the direct result of a view of cognition as based on the value of Torah study, which is perceived as a dynamic endeavor of analyses and inferences in the Brisk style of *hillukim*. The cognition and consciousness of halakhic man are described according to the

Marburg idealism of Hermann Cohen, who had also drawn away from myth and mysticism. By contrast, the *homo religiosus* outlined in *The Halakhic Mind*, and particularly in "From Thence You Shall Seek," views halakhic-scholarly cognition as only *one* element of his overall cognition and willingly adopts the ideas of Kabbalah and mysticism. The mystical cognition that had been absent from the consciousness of halakhic man reawakens in the *homo religiosus* described in "From Thence You Shall Seek."

In my work in this book, I often rely on the assumption that R. Soloveitchik's conceptual framework and his style in *Halakhic Man* should be understood in light of other works he wrote during the same period (1930–1944): his dissertation on Hermann Cohen's idealistic perception of reason,[4] *The Halakhic Mind*, and "From Thence You Shall Seek." The last two appeared later, and R. Soloveitchik may have viewed their publication as a kind of balance to the existentialist-therapeutic approach characterizing his works from the mid-1950s onward, which strongly emphasize the motif of suffering and closeness to existentialist-Protestant thinking. *The Halakhic Mind* and "From Thence You Shall Seek" are phenomenological works, clearly focusing on the subjective consciousness reconstructed from the "objective" side of religious experience (Halakhah), and seeking a dialectic and a balance of opposites.

Halakhic Man, then, deals with the "early" period of R. Soloveitchik's thinking, before the publication of "The Lonely Man of Faith" and other works. This "early" period bears the indelible mark of R. Soloveitchik's "academic era," which culminated in his doctorate. R. Soloveitchik was influenced by intellectual trends that were in vogue in the early twentieth century in intellectual centers in Germany and its surroundings—from Hermann Cohen and his disciples at Marburg, through David Hilbert, Herman Minkovsky and their circle in Göttingen, and up to Max Weber in Heidelberg. The young intellectual, both an academic and a Torah scholar, felt an irrepressible impulse to prove that the modern world he thought was epitomized in these philosophical and scientific trends corroborates the relevance of Jewish religion, namely, of Halakhah in general and of his father's house (the Soloveitchik dynasty) in particular. Equipped with the philosophical

[4] Josef Solowiejczyk, *Das reine Denken und die Seinskonstituierung bei Hermann Cohen* [*The Epistemology of Pure Thought and the Construction of Being According to Hermann Cohen*] (Berlin: Reuther & Reichard, 1932).

and cultural tools he had acquired at the university, R. Soloveitchik launched the project of mapping out the characteristics of the modern *homo religiosus* in general and of halakhic man in particular. R. Soloveitchik tries to bring the various manifestations of "rabbinic" Orthodox Judaism closer to the modern world, enlisting for this purpose the rich cultural arsenal he had acquired. R. Soloveitchik views the committed scholarly type of the Lithuanian *yeshivot* as one of the most authentic expressions of vital, active Judaism. The terrifying circumstances of Jewish life at the time of his writing *The Halakhic Mind* and *Halakhic Man* were catalysts to this endeavor. My central assumption in this book is that this penchant for apologetics moved R. Soloveitchik to adopt an esoteric style, and the authentic messages intimated in his words can only be understood by reading between the lines.

We use two systems of meaning for the concepts that R. Soloveitchik draws upon during this period. Both shape his style in *Halakhic Man*, and a clear distinction between them is imperative in order to understand his intention. The two prominent examples are: (1) Consciousness. In R. Soloveitchik's discussions on the philosophy of religion, the concept refers to the subjective and normative elements of religious cognition. In the dissertation and in *Halakhic Man*, the concept refers to the critical stage of cognition, where sensory concreteness confirms the products of cognition. (2) Object. In the philosophy of religion, this concept refers to existence outside cognition and consciousness. In the dissertation and in *Halakhic Man*, the term refers to the product of creative reasoning, that is, the pure scientific or halakhic substances within reason. I have chosen to trace R. Soloveitchik's dual terminological uses, without coining different terms for each realm.

The beginning of this book can be traced to a weekly course I taught at the Institute for Advanced Torah Studies at Bar-Ilan University. The openness and wisdom of the Institute's directors, R. Moshe Raziel and R. Aaron Katz, and the interest evinced by a small group of students in R. Soloveitchik's complex writing style, contributed greatly to the interpretation I offer here. My concern with *Halakhic Man* continued during a course on religious-Zionist thought I taught at the Department of Philosophy of Bar-Ilan University. For the final shape of this book, I owe thanks to several colleagues and students. Some read chapters of the book, and with others I spoke about its central issues: my colleagues Yaakov Blidstein, Gad Freudenthal, Ruth Glassner, Shlomo Zeev Pick, Avi Sagi, and Aaron Shear-Yashuv, and my students Immanuel Cohen and Elad Filler. I wish to thank Gideon Freudenthal in particular for his

patience, for sharing with me the breadth of his knowledge, and for the clarity of his formulations. Any merits in this work are indebted to his contribution. The faults, of course, are all mine. Last, I am grateful to my translator, Batya Stein, my partner not only in the search for clarity of style but also in the creative endeavor of thought and interpretation. To all, my deepest appreciation.

My analysis rests on the outstanding English translation of *Halakhic Man* by Lawrence Kaplan. Sincere thanks to the Nathalie and Isidore Friedman Chair in the Teachings of Rav J. B. Soloveitchik for supporting the English translation of this book.

CHAPTER ONE

THE OPENING OF HALAKHIC MAN: A COVERT DIALOGUE WITH *HOMO RELIGIOSUS*

R. Soloveitchik often presents his ideas through "ideal" types, of which the best known are halakhic man and *homo religiosus*. These pure types are composites, incorporating features characterizing other ideal types (*homo religiosus* and cognitive man, man of fate and man of destiny, and others). Relationships between them are at times intricate and multidimensional. In this work, I analyze the figure of halakhic man as an ideal type while exploring its deconstruction into its elementary components or, more precisely, presenting it as a figure that is actually not amenable to such deconstruction. This analysis compels an in-depth discussion of *homo religiosus* vis-à-vis halakhic man, a task I undertake in the first chapters of this book. Chapter One focuses on the opening section of *Halakhic Man*, and examines a series of theses about the writing of this essay.

Halakhic Man: A Balanced Figure?

At the opening of the essay, R. Soloveitchik describes halakhic man as a figure representing a balance between *homo religiosus* and cognitive man. Halakhic man has features of *homo religiosus*—an inner rift, contradictions, and a yearning for transcendence—and of cognitive man—striving for clear, systematic, and precise knowledge of the laws of the universe. In the opening passage of *Halakhic Man*, he emerges as a dialectic type. Lawrence Kaplan argues that R. Soloveitchik's writings in Hebrew describe harmonious and optimistic personalities, unlike his writings in English, which speak of pain and contradictions:

> But in his [R. Soloveitchik's] Hebrew writings, and particularly in his two long pieces, "Halakhic Man" and "From Thence You Shall Seek," the model of the ideal *homo religiosus* is entirely different. In the actual life of this figure are elements of equilibrium, of stoic silence, of Aristotle's golden mean, and of Maimonides' personality. In his articles in Hebrew, the ideal *homo religiosus* succeeds, through a concerted thought-will-and-action

> effort, in turning the religious experience of revelation into a source of creativity, individuality, and freedom, unlike its beginning as an experience of coercion, failure, self-sacrifice, retreat, and submission. In sum, he combines glory and majesty within the framework of the covenant. He thereby dismisses the contradictions between the rational religious experience and the religious experience of revelation. Harmony, rather than incongruities and contradictions, is the ultimate criterion, although this harmony indeed emerges from an entanglement of contradictions and incongruities. Moreover, attaining this harmony is indeed the main religious aim of the ideal man living within the covenant. Halakhah itself, both its study and its observance, gives man the means to attain this aim.[1]

Kaplan unequivocally postulates here that the contradictions within halakhic man are ultimately resolved. But the question is whether the balance that characterizes the life of halakhic man is a unification of existing opposites, or whether these opposites are altogether dismissed. Is it accurate to suggest, as Kaplan does, a parallel with a golden mean that draws away from extremes and offers a middle course? Incongruities, after all, do seem to persist within halakhic man. In this book, I offer another option: stoic serenity is what characterizes halakhic man, since the Stoics argue that the wise individual has feelings but ignores them, allowing them no impact on his actions and decisions.[2] The same is true of halakhic man: he is aware of feelings and of aesthetics, but without letting them affect his halakhic cognition and consciousness[3]

---

[1] Lawrence Kaplan, "Models of the Ideal Religious Man in Rabbi Soloveitchik's Thought" [Hebrew], *Jerusalem Studies in Jewish Thought* 4 (1985), 329–330.

[2] John M. Rist, "The Stoic Concept of Detachment," in *The Stoics*, ed. John M. Rist (Berkeley, Ca.: University of California Press, 1978), 259–272. See also ch. 12 below.

[3] Note my use of the following terms:

1. *Thought* (*Denken*) deals with cognition of an object involving no contradiction. According to Cohen, thought is what creates the objects of mathematical natural science.
2. *Cognition* or *knowledge* (*Erkenntnis*). This term relates to the perception of objects meeting the transcendental conditions of experience that, according to Kant, are space, time, categories, and analogies of experience.
3. *Consciousness* (*Bewusstsein*) is thought confronting itself and examining its products and achievements in light of qualitative concreteness. According to R. Soloveitchik, thought is a postulate of the system, whereas consciousness is a "critical category." Consciousness emerges when thought begins to engage in judgments. See *Das reine Denken*, 53.

These concepts define both the cognition and the consciousness of halakhic man, as the following chapters will show. In his Hebrew writings, R. Soloveitchik often fails to distinguish between thought and consciousness, since the discussion on *homo religiosus* relied on criteria taken from the phenomenology of religion. Hence

or his personality. For halakhic man, cognition indeed shapes the emotional dimension. Halakhic man is wholly indifferent to any considerations originating outside his halakhic consciousness. Although this does not appear to have been Kaplan's intention, his solution is to channel all contradictions into freedom and creative activity, resembling an act of sublimation. By contrast, I will argue that the dominant trend in *Halakhic Man* presents these contradictions as merely apparent and, at most, as characterizing the early stages of halakhic man's personal and epistemic course. At later stages, he breaks free from them altogether. One trend that should not be ignored claims that incongruities do persist but halakhic man succeeds in overcoming them. According to this trend, the features of *homo religiosus* persist in repressed fashion in halakhic man and threaten to erupt at all times, and halakhic man must vanquish them.[4] Whatever the case, I will argue that halakhic man rejects *homo religiosus* altogether.

Kaplan and other scholars accept R. Soloveitchik's statement at the opening of *Halakhic Man* unquestionably. I hold that R. Soloveitchik has a conceptual and apologetic interest in presenting halakhic man as an inclusive, synthetic, and harmonic combination of religion and cognition. The presence of a harmonic model in R. Soloveitchik writings in general and in *Halakhic Man* in particular is an accepted convention.[5] My recurrent question is: Does the category of balance guide R. Soloveitchik's description of halakhic man?

My argument is that R. Soloveitchik *wishes to create an impression* of synthesis out of a dialectic and a harmony of opposites. His writing, therefore, *openly* strives to attain such a balance. For R. Soloveitchik, it is important that the reader should construe halakhic man as a figure that includes various tendencies (*homo religiosus* and cognitive man) and balances between them, particularly tendencies typical of *homo religiosus*. In truth, however, halakhic man is a unidimensional figure, striving to dismiss and repress existential complexities. I will argue that the text's

4. *Religious consciousness* in this context refers to the emotional, intellectual, experiential, and existential span of *homo religiosus*. The denotation of the term *consciousness* in reference to *homo religiosus* and relying on phenomenological tools differs from its denotation in a discussion on critical idealism. I have therefore used both these denotations, according to the relevant context.

[4] See below, 223–224, 237–238.

[5] See, for instance, Gili Ziwan, "Religious Experience According to Rav Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 221–226.

covert message is that halakhic man has altogether shed the features of *homo religiosus* from his personality. Halakhic man, then, is a figure without any contradictions whatsoever, exclusively a cognitive man in the neo-Kantian style of Hermann Cohen. The contradictions appear only at the exoteric level because R. Soloveitchik has an interest in presenting halakhic man as a figure that also includes features of *homo religiosus*.

Theses: How Much of "Homo Religiosus" in "Halakhic Man"?

Before he introduces halakhic man, R. Soloveitchik devotes lengthy discussions extending over four sections of the book to its component types—*homo religiosus* and cognitive man.[6] Most of his discussion, however, deals with *homo religiosus*, and only one section (pp. 5–6) deals with cognitive man. In my conclusion, I will indicate that R. Soloveitchik was ready to pay any price in order to bring halakhic man closer to the universal religious experience described by phenomenologists of religion and, to some extent as well, by Protestant existentialists. The experiential consciousness characterizing Halakhah and emerging from it is indeed described as such, and at length, in "From Thence You Shall Seek." R. Soloveitchik has a hidden motive for describing halakhic men (Eastern European scholars and yeshivah heads) in terms closer to the phenomenological profile of *homo religiosus*, as evident from the form he adopts in the opening sections of *Halakhic Man*. In section ii (5–8), cognitive man and *homo religiosus* are described in texts of similar length. By contrast, section i (3–5) defines only *homo religiosus* in the text and in a long, four-page note (note 4) dealing with some of his potentially distorted aspects. The note actually draws a distinction between two types of *homo religiosus* and exposes the negative type. The text clarifies the link between halakhic man and *homo religiosus*, but we find no parallel concerning cognitive man:

> But if, in the light of modern philosophy, *homo religiosus* in general has come to be regarded as an antithetical being, fraught with contradictions, who wrestles with his consciousness and struggles with the tribulations of the dualism of affirmation and negation, approbation and denigration, how much more so is this true of halakhic man? (3)

---

[6] *Halakhic Man*, 3–16 (and notes, 139–146).

R. Soloveitchik devotes much of the text and of the note to a description of halakhic man as opposed to *homo religiosus*. Particularly in the note, he goes to great lengths to exclude from the religious experience the simplification and subjective absoluteness assumed by "Protestant groups" or by "American Reform and Conservative Judaism" (140). In his view, the religious experience is dialectic and tormented.[7] R. Soloveitchik, however, does not compare halakhic man to the modern version of the scientist, who represents cognitive man. Whereas *homo religiosus* is the covert though constant interlocutor at the opening of *Halakhic Man*, cognitive man is nowhere present—except for the mention of his existence as a distinct element in the dialectic of religion and cognition[8]—leaving no room for negotiation concerning his links to halakhic man. This is even more prominent in light of section ii, where *homo religiosus* and cognitive man are ostensibly given equal space.

In section i, then, cognitive man is not defined at all. Indeed, he vaguely appears as "prosaic" (3) and as a personality that "contradicts all of the desires and strivings of the religious soul" (4). Although this is a description by default, R. Soloveitchik does not go to the trouble of defining cognitive man and assessing his complexities. By contrast, *homo religiosus* is clearly defined as "an antithetical being, fraught with contradictions" and so forth, and broadly discussed in the lengthy note. Right at the opening, halakhic man is put to the test of scholarly concern—"he is of a type that is unfamiliar to students of religion" (3). The abstention from a covert "dialogue" with cognitive man can be explained through the following series of theses, founded on a systematic analysis of *Halakhic Man*:

1. The affinity and the closeness between halakhic man and cognitive man, almost to the point of their mutual fusion, is self-evident and needs no mention at the opening. Cognitive man is not merely

[7] These assumptions reflect the influence of phenomenologists of religion such as Rudolf Otto and Max Scheler, whom R. Soloveitchik mentions explicitly (139 ff.). See, for instance, this phenomenological description of experience: "The religious experience, from beginning to end, is antinomic and antithetic…It is in a condition of spiritual crisis, of psychic ascent and descent, of contradiction arising from affirmation and negation, self-abnegation and self-appreciation" (141–142). See also below, ch. 7.

[8] On the dialectic of R. Soloveitchik's thought (without distinguishing between his various writings) see Ehud Luz, "The Dialectic Element in R. Soloveitchik's Works" [Hebrew], *Daat* 9 (1982), 75–89. See also Yuval Sharlo, "*And They Shall Become One in Thy Hand*": *From Dialectic to Harmony in the Teaching of Rabbi Joseph Dov Soloveitchik* [Hebrew] (Alon Shevut: Tevunot, 2000).

similar to halakhic man, and the parallel drawn between them is not simply meant to clarify the figure of halakhic man. In a sense, cognitive man is a constitutive element of halakhic man.[9] R. Soloveitchik strives to present halakhic men as cognitive men (concerned with physics and mathematics) who, at some stage of their cognitive development, turn to the normative system of Halakhah. By contrast, the connection between the Brisk dynasty and the *homo religiosus* tormented by suffering does require explanation: at the opening of the book, *homo religiosus* is characterized by a tendency to subjectivity entirely alien to the scholar.

2. *Homo Religiosus* reflects the human striving and yearning for transcendence. He seeks realms of existence beyond the concrete. By contrast, both cognitive man and halakhic man address only physical-earthly reality. *Halakhic Man* opens with a quest for the subjective-abstract and the transcendent to expose its contrast with the quest for the physical and the normative typical of halakhic man.
3. The opening of the book is an exoteric cover for a hard truth: halakhic man has no positive connection with *homo religiosus*, and his personality can be defined and described solely within the coordinates of cognitive man. The positive link between halakhic man and *homo religiosus* postulated in *Halakhic Man* is meant to hide and mask the abyss between them.

These claims are not consistent with R. Soloveitchik's doctrine as we know it from his other articles, and for a reason: *Halakhic Man* describes the leaders of Brisk *yeshivot* as pure types; as such, they do not reflect R. Soloveitchik's outlook or personality. These assumptions clarify why R. Soloveitchik seeks to emphasize the association between *homo religiosus* and halakhic man at the opening of the essay. In my estimate, the parallels that R. Soloveitchik traces between halakhic man and *homo religiosus* are only apparent, since none of the features typical of *homo religiosus* are to be found in the mature and fully fledged personality of halakhic man. The synthesis between *homo religiosus* and cognitive man in the figure of halakhic man is thus only an external impression, designed to conceal the unbridgeable gap between these two types. Furthermore: "pure" halakhic man rejects *homo religiosus* and even

[9] On the partial overlap between the cognition of cognitive man and the cognition of *homo religiosus* ("mathematical judgments"), see below, ch. 8.

views him as endangering stability. This rejection is reserved mainly for the mystery man (the mystic, the kabbalist, and the Baʿal Shem Tov hasid), who is a specific, distinct kind of *homo religiosus*.[10] Why, then, does R. Soloveitchik seek to create the impression of a synthesis? Why misleadingly present halakhic man as possessing characteristics typical of *homo religiosus*? This apparent dialectic can be explained in two ways:

1. *An Existential Explanation*

Halakhic Man does indeed speak of a pure type that is unconnected to *homo religiosus*. R. Soloveitchik thereby follows Edward Spranger, who presents ideal types—social, aesthetic, political, and so forth.[11] But these ideal types do not exist in concrete reality. Real halakhic men, or most of them, cannot break free from the influence of *homo religiosus*. R. Soloveitchik clarifies at the opening of his essay that his immediate concern is the concrete-existential reality of halakhic man, and he is therefore not oblivious to the impact of *homo religiosus*' wide-ranging consciousness. Although halakhic man rejects *homo religiosus* and grapples with him, he cannot fully evade his characteristics. Only at more mature stages of his development will halakhic man be able to cast off most of the features of *homo religiosus* that have clung to him. In concrete existence, the inevitable imprint of the subjective religious experience is evident. R. Soloveitchik himself, as a flesh-and-blood thinker functioning in a concrete reality, is influenced by scholarship as creative knowledge, and by the dialectic religious experience on which he dwells at length in "From Thence You Shall Seek." The stress on the distinctive characteristics of *homo religiosus* at the opening of *Halakhic Man* is thus meant to draw the author's concerns closer to the concrete-existential realm and, in this sense, the essay fits the ideological interests of R. Soloveitchik's writings throughout the years. The discerning reader, however, understands that ideal halakhic man escapes the influence of homo *religiosus* and becomes an entirely different type, matching only cognitive man.

[10] See below, ch. 7.

[11] Spranger's method focused on the understanding of phenomena through the study of culture, avoiding scientific abstractions.

2. *An Apologetic-Esoteric Explanation*

Although this explanation also fails to suggest an essential link between *homo religiosus* and halakhic man, an apologetic and political interest emerges here: R. Soloveitchik tries to bring Brisk halakhic men closer to the American Jews who live and function in a modern-pragmatic world on the one hand, and in a communitarian society with religious symbols on the other. Through his stylized and multivalent writing, therefore, he blurs the contrast between scholars of the Soloveitchik family and homo *religiosus*. Although researchers differ concerning the Jews' level of "Americanization" during and after the large waves of immigration, all agree that this process did leave an indelible mark on the general Jewish public and on their spiritual leaders.[12] R. Soloveitchik strives to present halakhic man not only as a legitimate internal Jewish phenomenon but also as a feasible development in a modern religious world, and he addresses the contemporary Jewish reader, who perceives subjective religious feeling as constitutive of religious existence. He therefore emphasizes the similarities, as it were, between *homo religiosus* and halakhic man. This explanation assumes that *Halakhic Man* intentionally resorts to incongruencies and contradictions, the more so since they fit R. Soloveitchik's model of religious existence. The writing technique is thus crucial for an understanding of the essay's ideas, and others have already attested to the importance its author had ascribed to the "reading between the lines."[13]

It would appear that both these approaches typify R. Soloveitchik's writing, and they are not necessarily contradictory. Clearly, the true drama in the pages of *Halakhic Man* unfolds in the covert but persistent and intense struggle between halakhic man and *homo religiosus*. From the perspective of halakhic man, *homo religiosus* is potentially dangerous and

---

[12] See, for instance, Kimmy Caplan, *Orthodoxy in the New World: Immigrant Rabbis and Preaching in America (1881–1924)* [Hebrew] (Jerusalem: Zalman Shazar Center for Jewish History, 2002), 101–107; Marshal Sklare, "The Jew in American Sociological Thought," *Ethnicity* 1 (1974), 152–173; Charles S. Liebman, *A Research Agenda for American Jews* (Ramat-Gan: Bar Ilan University, 2001), 1–24. At the ideological level, a view known as the "Americanization of Zion" emerged in the Reform movement during the nineteenth century, claiming America is the "true" Israel. Although this approach was toned down in the twentieth century, its traces were still highly visible at the time of *Halakhic Man*'s writing. See Gershon Greenberg, *The Holy Land in American Religious Thought, 1620–1948: The Symbiosis of American Religious Approaches to Scripture's Sacred Territory* (Lanham: University Press of America, 1994), 259–265.

[13] Zvi Schechter, *The Soul of the Rav: A Year of R. Joseph Dov Soloveitchik's Death* [Hebrew], 3rd edition (Jerusalem: Flatbush Beth Midrash, 1999), 15.

destructive and a counter-attack against his more typical features[14] is thus imperative. R. Soloveitchik is often—negatively—concerned with homo *religiosus*,[15] to show that no true discourse is possible between him and halakhic man.

Rejecting Religion as a Haven: (1) Motives and Consequences

In the long note in the opening chapter (139–143), which largely parallels a separate discussion in *The Halakhic Mind*,[16] R. Soloveitchik points to the problematic status of the philosophy of religion and to the perilous and destructive aspects of modern philosophy's "religious" tendencies. Modern philosophy is represented by a specific genre of *homo religiosus* in R. Soloveitchik's discussion, a type he views *ab initio* as negative,[17] and is indeed the one who features in the note at the opening of *Halakhic Man*. Let us consider the structure of this note and its contribution to the figure of halakhic man that R. Soloveitchik seeks to outline at the opening of the essay.

In this note, R. Soloveitchik vigorously rejects the populist and self-serving view of religion (at least in American pragmatism,[18] in religiosity as part of a civil structure, and in the Jewish-liberal streams within it) as a refuge and a corrective to the instability of life in the modern secular world. Religion is perceived in this outlook as a reaction to the challenge of cultural development in the wake of modernity. Yet, rather than as a frontal confrontation between religion and modernity, this approach presents religion as directed toward *another dimension* (more perfect, subjective, transcendent) of life; as an experience that is

---

[14] Such as a concern with Kabbalah and Hasidism. See below, ch. 7.

[15] See David Hartman, *A Living Covenant* (New York: Free Press, 1985): "The essay concentrates, however, on contrasting the deficiencies of *homo religiosus* with the virtues of halakhic man" (65). Yet, Hartman's claim whereby *homo religiosus* is not "endowed with the *mitzvot* and the *Halakhah*" (67) is incorrect. To the contrary: *homo religiosus* clings to Halakhah as an earthly (theurgic) expression of the supernal transcendent realm. See ch. 2 below.

[16] See *The Halakhic Mind*, 50–55.

[17] On the various types of *homi religiosi*, see ch. 2 below.

[18] R. Soloveitchik presents this approach in the name of William James in "Sacred and Profane: 'Kodesh' And 'Chol' In World Perspectives," *Jewish Thought* 3 (1993), 56. R. Soloveitchik also takes exception to the "pragmatic view of religion." See Joseph Dov Soloveitchik, "On the Love of Torah and the Redemption of the Generation's Soul" [Hebrew] in *Divrei Hashkafah* (Jerusalem: Elinoar Library, 1994).

only good, devoid of quandaries or doubts, a spiritual world to which the religious individual escapes from the concrete-objective course of life. The religious realm of inner consciousness is detached from the outside, concrete realm, and an abyss divides religious "subjectivity" (emotions, cognitions, beliefs) from secularized "objectivity" (activity, concrete and daily life).

The basis for the critique formulated in the note in *Halakhic Man* is more clearly stated in *The Halakhic Mind*, which was written at the same time. In this essay, R. Soloveitchik criticizes the philosophical-metaphysical approach to religion, seeking to justify his own attempt to build a philosophy of religion by combining the methods endorsed by phenomenology with those of modern scientific thinking (meaning the conventional approach in the philosophy of science): "In view of this, it would be fallacious to apply the method of independent philosophy in the field of religion."[19] In this essay, R. Soloveitchik targets the religious subjectivism originating in modern philosophical approaches to religion, where it appears as an emotional domain devoid of rationality and lacking objective-normative expression. A comparison between R. Soloveitchik's critique of the subjective perception of religion in these two essays shows that this view, which presents religion as an inner world counterposed to actual "external" life, follows directly from the phenomenology of existentialism and vitalism. Religion is presented as a subjective and emotional-experiential realm, providing shelter from the menace of modern life. As such, religion is not based on a rational component and lacks any objective, normative, or practical expression.[20]

---

[19] *The Halakhic Mind*, 61. See below, ch. 2. R. Soloveitchik pointed to Max Scheler as an essential source for the division between metaphysical paths and those of religious cognition (ibid., 120, n. 62). See, for instance, Max Scheler, *On the Eternal in Man*, trans. by Bernard Noble (Hamden, Conn.: Archon Books, 1960), 128 ff., 164, 168, 183.

[20] R. Soloveitchik emphasizes the connection between a populist stance on religion and its perception as a subjective realm that imposes no objective obligations in "Sacred and Profane," which also dates back to this period (the original Hebrew version of this article was published in 1945 in *Ha-Tsedek*): "The religious experience, however, is beyond granting man a hedonic status or spiritual complacency. To the contrary, the religious experience is fraught with pitfalls and continual challenge. *G-d, if man finds Him, does not relieve the G-d seeker of his imperatives but imposes new ones*. Religion enriches life, gives it depth and multidimensional visions, but does not always grant man the comfort and complacency that nearly always spell superficiality and shallow-mindedness" (57, emphasis in original).

In *Halakhic Man*, R. Soloveitchik rejects the subjective modern outlook on religion adducing two reasons: (1) Its catastrophic consequences. (2) Its fallacious contents. The dreadful outcome of this stance is reviewed in the following passage:

> First, the entire Romantic aspiration to escape from the domain of knowledge, the rebellion against the authority of objective, scientific cognition which has found its expression in the biologistic philosophies of Bergson, Nietzsche, Spengler, Lages, and their followers and in the phenomenological, existential, and antiscientific school of Heidegger and his coterie, and from the midst of which there arose in various forms the sanctification of vitality and intuition, the veneration of instinct, the desire for power, the glorification of the emotional-affective life and the flowing, surging stream of subjectivity, the lavishing of extravagant praise on the Faustian type and the Dionysian personality, etc., etc., have brought complete chaos and human depravity to the world. And let the events of the present era be proof! The individual who frees himself from the rational principle and who casts off the yoke of objective thought[21] will in the end turn destructive[22] and lay waste the entire created order.[23] Therefore, it is preferable that religion should ally itself with the forces of clear, logical cognition, as uniquely exemplified in the scientific method, even though at times the two might clash with one another, rather than pledge its troth to beclouded, mysterious ideologies that grope in the dark corners of existence, unaided by the shining light of objective knowledge, and believe that they have penetrated to the secret core of the world. (141)

Halakhic Man was published when details about the Holocaust ("events of the present era") were already known, although its actual extent had not yet been internalized. *The Halakhic Mind* was also written at the same time (1944), although it was only published in 1986. R. Soloveitchik was probably aware by then of the devastation of Torah centers in Eastern Europe that had accompanied the systematic murder of the Jewish people. Both in *Halakhic Man* and in *The Halakhic Mind*, R. Soloveitchik ties philosophical viewpoints widely resonant on the eve of the twentieth century to the two world wars in general and to the dehumanization process ("human depravity") in particular.

---

[21] In the Hebrew original, R. Soloveitchik relies in this passage on several traditional expressions with wider resonances. On *porek ʿol* ("casts off the yoke"), see Genesis Rabbah 67: 40, and others.

[22] On the original Hebrew expression, "*lekatsets ba-netiʾot*," see PT Hagigah 2:1, 77b; TB Hagigah 14b–15a and others.

[23] See TB Shabbat 53b, and elsewhere.

The marginalization of rationality and the disregard of objectivity had led, in his view, to perversion and moral decline. In *The Halakhic Mind*, R. Soloveitchik presents a basis for linking philosophy to political ideologies. "A philosophical ideology should be measured not only by purely theoretical standards but by ethical ones as well."[24] R. Soloveitchik explicitly argues in this essay: "It is no mere coincidence that the most celebrated philosophers of the third Reich were outstanding disciples of Husserl."[25]

The note explicitly states that *homo religiosus* leans toward "beclouded, mysterious" ideologies. The *homo religiosus* considered here consciously rejects rationality and seeks instead feeling and ecstasy; he rejects the given and searches for the mysterious; he ignores concreteness and flees to transcendence. From a philosophical-epistemological perspective, *homo religiosus* is presented as searching for intuition and emotionality. The description in *The Halakhic Mind* thus complements the one in *Halakhic Man*. The subjective and self-seeking perception of religion presents it as an escape from the bonds of logic. The illusion that religion ensures tranquility fails to recognize it as a full-blooded epistemological alternative resting on distinctive objective criteria. In sum: religion is not a haven from logic and scientific knowledge, since it does not belong exclusively to the subjective realm; rather, religion is a type of knowledge alternative to others (philosophical, scientific, and so forth), which are also based on rationality.[26]

R. Soloveitchik connects the perception of religion *per se*, without rational-objective constraints, to the biologistic school and to phenomenology, and in *The Halakhic Mind* adds Gestalt psychology as a source of racism.[27] Vitalists claim that reason cannot penetrate natural life. Henri Bergson denies the intellect the capability "to think *evolution*, in the proper sense of the word—that is to say, the continuity of a change that is pure mobility."[28] The mind knows only geometrical order,

---

[24] *The Halakhic Mind*, 52.

[25] *The Halakhic Mind*, 53. See Eliezer Goldman, "Religion and Halakhah in the Teaching of Rabbi J. B. Soloveitchik" [Hebrew], *Daat* 42 (1999).

[26] In *Halakhic Man*, R. Soloveitchik will present a second type of *homo religiosus*, who takes rationality as his starting point, but retains a penchant for transcendence as one of his essential characteristics. See below, ch. 2.

[27] *The Halakhic Mind*, 54.

[28] Henri Bergson, *Creative Evolution*, tr. Arthur Mitchell (London: Macmillan, 1911), 171. See also Ruth Lorand, "Bergson's Concept of Order," *Journal of the History of Philosophy*, 30 (1992), 583.

but reason cannot know life as *creative activity*, or know it directly. The neglect of "pure" reason in favor of intuition is also typical of Ludwig Klages' approach. Nietzsche's Dionysian, archetypical personality is not interested in the individual who shapes history but in the a-historical, cyclical, undifferentiated course marking a return to primeval creation. The Dionysian is, in a sense, a moment radically different from theoretical reason.[29] This and other facts created within the Nazi regime an image of Nietzsche as irrational, as it were, challenging law and affirming violence.

In the long note in *Halakhic Man*, Heidegger emerges as the focus of R. Soloveitchik's sharp critique, with particular emphasis on his phenomenological roots. R. Soloveitchik seems to have viewed Heidegger as opposed to metaphysics or rationalism in favor of concrete existence. Did R. Soloveitchik have first-hand knowledge of Heidegger's writings at this time? The answer is not clear. A plausible assumption is that R. Soloveitchik viewed Heidegger as a direct successor of Husserl more than as an independent existentialist philosopher. In *The Halakhic Mind*, as noted, he directs his critique mainly against Husserl. According to Husserl's phenomenology, consciousness is intentional, meaning it exists as it relates to objects. But rather than objects with concrete-external existence, these are pneumas (objective meaning, namely, the true object of the intentional act). The study of consciousness must disregard external-sensorial existence (phenomenological reduction) and focus solely on the essences (eidetical reduction). Consciousness grasps these pure essences intuitively. These assumptions characterize Husserl's phenomenological outlook from the start. And indeed, phenomenological ethics does pose a problem: the datum is relocated in structures that are not identical to the datum itself. This casts doubt on the ability of phenomenology to create a morality of duty, of categorical imperative. Phenomenological positions are descriptive rather than normative. Husserl's thought on the question of the other reveals a tension between the perception of things as they are in reality, when the other is a subject, and the constitutive principle of intentionality as an act of human consciousness, whereby the other is an object

---

[29] See, for instance, Mircea Eliade, *The Myth of the Eternal Return*, tr. Willard R. Trask (Princeton, NJ: Princeton University Press, 1991), 22; Alexander Nehamas, *Nietzsche: Life as Literature* (Cambridge, Ma.: Harvard University Press, 1985), 146; Tracy B. Strong, *Friedrich Nietzsche and the Politics of Transfiguration* (Berkeley, Ca.: University of California Press, 1975), 141.

constituted by consciousness. R. Soloveitchik probably fears, as noted, the serious consequences of the subjectivism that derives from these philosophical doctrines or from their ethical implications.[30] Although he himself resorts to phenomenology to reconstruct the consciousness of *homo religiosus*, he supports it with a rational, neo-Kantian stance that draws on the philosophy of science and strongly relies on concrete, "objective" activity.[31]

Does R. Soloveitchik intend to claim in *Halakhic Man* that religion or, more precisely, the subjective-religious inclination lacking any rational basis, is the reason for the decline of humanity as evident in two world wars and in the Holocaust? From the context in the cited passage it appears that the biologistic, phenomenological, and existentialist currents reflect "religious" leanings. At the end of the quoted passage, R. Soloveitchik places a conjunction: "*Therefore*, it is preferable that religion should ally itself with the forces of clear, logical cognition" (141). In other words: the philosophical currents discussed previously are an expression of "religious" trends refusing to take reason and concrete activity into account. "Cognition" (rational and objective) is placed here against (subjective) "religion." In *The Halakhic Mind* as well, R. Soloveitchik presents these philosophical trends as seeking "the subjective religious experience."[32] Furthermore: R. Soloveitchik

---

[30] See Avi Sagi, "Jewish Thought Contending with Modernity" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 463–473.

[31] On reconstruction, see below, 64–65. Note that, according to Nathan Rotenstreich, the description of halakhic man in the book is distinctly phenomenological:

> The gist of Rav Soloveitchik's discussion is what could be called…the phenomenology of halakhic man, a profile of the essence of Halakhah as a certain interpretation of the place of the human being in the world, and the connection between the norms guiding human conduct and the divine entity issuing these norms, the range of norms and their constitutive source. The use of the term "phenomenology" in this context is not accidental, because Rav Soloveitchik's work is pervaded by modern philosophical approaches, including phenomenology.

See Nathan Rotenstreich, *Studies on Contemporary Jewish Thought* [Hebrew] (Tel-Aviv: Am Oved, 1978), 58. It is indeed possible to interpret R. Soloveitchik's description of halakhic man as one accomplished by "placing the world in brackets" and searching for the essence. In *The Halakhic Mind*, R. Soloveitchik himself interpreted religious consciousness relying on a phenomenological method and terminology (see below, ch. 2). Nevertheless, R. Soloveitchik's religious consciousness must be differentiated from the consciousness of halakhic man. As for halakhic man, the phenomenological description is impossible and the idealist-epistemic description is the only viable option, as discussed in the following chapters.

[32] *The Halakhic Mind*, 51. At the opening he writes: "We may be apt to believe that the omniscient 'independent' philosopher who has attained almost 'infinite' wisdom

does not view the marginalization of reason and its transformation into an entirely subjective experience as a new development. Quite the contrary, the flight to mystical opaqueness traces its sources back to medieval thought.[33] The negative element common to the religious experience in all these philosophical trends amounts to two mutually related features: (1) Subjectivity takes control of religion and pushes aside its objective-practical layer. (2) Religion is constituted on disjointed, haphazard feelings ("emotionality") and its rational-cognitive component is rejected.

The rejection of subjectivity and emotionality rests on Kantian and neo-Kantian tradition. R. Soloveitchik is also apparently influenced by Scheler's critique of Schleiermacher's philosophy of religion.[34] R. Soloveitchik adds: irrational religious subjectivity turns religion into a "barbaric, deleterious force."[35] Official and semi-official Nazi ideology was indeed supported by displays of feeling and intuition, contrary to reason.[36] The links tying Heidegger and phenomenology to the third Reich are well established, even if the justification is not often discussed.

Through these discussions, then, R. Soloveitchik lays the ground for presenting *homo religiosus* as a figure imbued with a deeply destructive negative potential. *Homo religiosus* alone, cut off from scientific-rational control mechanisms, is a type that might develop racist theories and return the world to chaos. The subjective religious experience, trailing after the mysterious and the mystical without strong objective moorings and ignoring rationality, could lead to devastation and dehumanization.

Rejecting Religion as a Haven: (2) Contents

R. Soloveitchik deals first with the grave consequences of the pragmatic-populist perception of religion as a haven from the modern world.

---

and acquired the magical faculty of intuiting the pure essences will show the way [to a true analysis of the religious experience]."

[33] *The Halakhic Mind*, 53. R. Soloveitchik mentions Meister Eckhart in this context.

[34] See Scheler, *On the Eternal in Man*, 283–283, 287–288.

[35] *The Halakhic Mind*, 80.

[36] See, for instance, Uriel Tal, "*Political Faith*" *of Nazism Prior to the Holocaust*, tr. Adi Ofir (Tel-Aviv: Tel-Aviv University, 1978), 6–10.

He then rejects this outlook as a distortion of true religious consciousness. Religion is not a tranquil refuge from the hardships of modern life. Religious consciousness reflects an existential rift, a wavering between affirmation and negation, closeness and rejection, existence and non-existence, acceptance and denial, temporality and eternity, subservience to religious law and freedom. R. Soloveitchik does favor, as noted, the dialectic structure of religious consciousness as outlined by phenomenologists of religion, and even emphasizes the suffering he considers typical of this structure.[37] This authentic presentation of *homo religiosus* does not minimize the danger of the pragmatic-populist model. Indeed, the instability typical of religious consciousness could bring devastation. The path of *homo religiosus* is "a narrow, twisting footway that threads its course along the steep mountain slope, as the terrible abyss yawns at the traveler's feet" (142).

In the note, R. Soloveitchik describes religious experience as unstable and destructive. *Homo religiosus* does not break free from this experience, and its dialectic is thus one of his essential characteristics. Only the interpretive and purposeful-creative dimensions of the existential rift—purification and repentance—neutralize the negative aspects of religious experience:

> The pangs of searching and groping, the tortures of spiritual crises and exhausting treks of the soul purify and sanctify man, cleanse his thoughts, and purge them of the husks of superficiality and the dross of vulgarity. Out of these torments there emerges a new understanding of the world, a powerful spiritual enthusiasm that shakes the very foundations of man's existence. He arises from the agonies, purged and refined, possessed of a pure heart and new spirit.[38] "It is a time of agony unto Jacob, but out of it shall he be saved" (Jeremiah 30:7)—i.e., from out of the very midst of the agony itself he will attain eternal salvation and redemption. The spiritual stature and countenance of the man of God are chiseled and formed by the pangs of redemption themselves. (143)

Here, R. Soloveitchik sets the landmarks for the theories he will eventually outline in the following sections of *Halakhic Man*. For *homo religiosus*,

---

[37] "'Out of the straits have I called, O Lord' [Psalms 118:5]. 'Out of the depths I have called unto Thee, O Lord' [Psalms 130:1]. Out of the straits of inner oppositions and incongruities, spiritual doubts and uncertainties, out of the depths of a psyche rent with antimonies and contradictions, out of the bottomless pit of a soul that struggles with its own torments I have called, I have called unto Thee, O Lord" (142).

[38] Following Psalms 51:12.

repentance is the perpetuation of the dialectic. By contrast, halakhic man shakes free from these spiritual hesitations and views repentance as a re-creation of the personality through the interpretation of the past. Repentance helps halakhic man to break loose from the dialectic clasp of *homo religiosus*. Halakhic man manages to "cleanse" his personality from the influence of *homo religiosus*, and he thereby becomes a new man, "possessed of a pure heart and new spirit."[39] The first rejection of the populist view of religion showed that rationalist cognition can restrain religious leanings. Similarly, the second rejection shows that the correct interpretation of the existentialist rift (purifying suffering) and the purposeful and creative view of repentance turn the destructive plight into redemption. R. Soloveitchik, however, explicitly admits that only very few turn this harsh experience into a constructive factor and enter the "man of God" category;[40] only a few attain serenity, "the still small voice" (142)[41] after experiencing the existentialist rift. Ideal halakhic man is indeed an exceptional type, liberated from this dialectic.

In the next note, which elaborates on his second rejection of the populist-subjective perception of religion, the reader is indirectly afforded a fleeting glimpse of halakhic man's authentic world through a teaching that R. Soloveitchik quotes from R. Hayyim of Brisk. R. Soloveitchik relates to the following *midrash*:

> R. Aha said: Thou indulgest in evasiveness too![42] Thou sayeth yesterday, "for in Isaac shall thy seed be called" (Genesis 21:12), and then retracted and told me, "Take now thy son, thy only son" (Genesis 22:2), and now thou sayeth, "Lay not thy hand upon the lad" (Genesis 22:12). Said the

[39] On repentance as a change of personality see below, ch. 12. R. Soloveitchik could not expand here on how repentance flows from the special cognition of halakhic man, since the reader is not yet acquainted with it. But even at this early stage, R. Soloveitchik intimates that halakhic man succeeds in gaining freedom from the dialectic to a point that "has never been tried by the pangs of spiritual discord" (4), obviously unlike *homo religiosus*. The reader thus understands that the wavering between religion and cognition characterizes the first stages in the development of halakhic man. This type begins as a *homo religiosus*, but successfully attains freedom when his personality crystallizes into halakhic man.

[40] The term "man of God" appears in various denotations in *Halakhic Man*. Here it reflects the highest creative aspect of halakhic man, who exceeds his bounds as a human creature to become a man of God. This aspect is the active Divine Providence. See below, ch. 13. Hence, the only one successfully released from the dialectic is halakhic man at his peak, as we will see in the following chapters.

[41] 1 Kings 19:12.

[42] Abraham, addressing God, claims divine behavior resembles human conduct.

> Holy One, blessed be He . . . I said slaughter him? No! I said, "Take him up." You have taken him up, now take him down.[43]

Following is his grandfather's teaching on this *midrash* and R. Soloveitchik's conclusion:

> I once heard from my father [R. Moses Soloveitchik] in the name of our great master, R. Hayyim of Brisk [R. Soloveitchik's paternal grandfather], that as long as the third harmonizing verse had not yet been revealed, Abraham had no right to question God's word, and for this reason he contained himself until the end of the epic. The pangs of consciousness of the man of God and the towering and awesome strength of this self-restraint shine forth here in a clear and pure light. (143)

According to the *midrash*, Abraham presented two scriptural quotes that appeared mutually contradictory. The Holy One, blessed be He, promised Abraham the continuity of his progeny on the one hand, but asked him to sacrifice his only son on the other hand. R. Hayyim's careful probing detected that only after the command "Lay not thy hand" did Abraham express astonishment (according to the *midrash*). He therefore concluded that a contradiction can only be presented after it has been solved. R. Soloveitchik is already concerned at this time with the problematic of conflicts and their solution or balancing as evident, for instance, in "From Thence You Shall Seek." But the teaching cited by R. Soloveitchik claims that one must deny, as it were, the inner contradiction, and show restraint until it is finally resolved. This viewpoint does not appear in other articles R. Soloveitchik wrote at the time. Why is he concerned with this teaching, and why does he cite it to conclude his indirect discussion of halakhic man's future characteristics?

The answer is evident from the concluding remark, although R. Soloveitchik does not formulate it systematically: halakhic man overcomes the "antinomian and antithetical" religious experience and applies, so to speak, repression mechanisms against it. The human penchant for the mysterious, for incongruities and contradictions, for the hidden and for alternative reality is a fact of consciousness. The power of halakhic man lies in restraint, in moderation, and in the ability to vanquish the natural yearning for transcendence. For halakhic man, repressing the existential rift is almost a religious obligation ("Abraham had no right to question"). Halakhic man does not submit to the split between the

---

[43] Genesis Rabbah 56:12.

two different divine messages. Mentioning the teaching of R. Hayyim of Brisk, the prototypical halakhic man for R. Soloveitchik, hints at halakhic man's conscious structure and, even more so, at his wondrous and super-human capacity for self-control.[44] Indeed, according to the present interpretation of the *midrash*, Abraham does not deal with the contradiction in the divine command ("two mutually contradictory passages of scripture") as an existential fact, since the contradiction has actually been resolved. The Holy One, blessed be He, prevented him from slaughtering his son, and it then becomes clear that no such command had been issued in the first place. The sole motive behind the discussion about the contradiction was an "academic" epistemic concern with the ways of Divine Providence and the concomitant religious and halakhic obligations. One significant fact about the personality structure of halakhic man emerging here is that pure cognition must not be mixed with emotions and subjectivity. "Intrusions" of this type are antithetical to the way of halakhic man.[45] Abraham's reaction is thus an example of halakhic man's perspective on concrete events from two angles:

1. Boundless self-restraint.
2. Framing the event in analytical-scholarly (or "halakhic," in the meaning R. Soloveitchik ascribed to the term) categories.

R. Soloveitchik further hints between the lines that halakhic man's consciousness is solely concerned with a system of analytical principles, and external reality is merely a trigger for it. *Halakhic Man* deals with other abstract conceptual issues as well, such as Divine Providence and prophecy,[46] which for halakhic man are an object of pure halakhic analysis. For halakhic man, philosophical domains exist as long as they are located within ideal halakhic categories.[47] My intention at this point is to show that R. Soloveitchik contrasts halakhic man with *homo religiosus* from the beginning of the essay, and that the swaying between these types characterizes only the early stages of halakhic man's course.

---

[44] In ch. 9 below, I deal at length with the personality of halakhic man, to which R. Soloveitchik hints here.

[45] Halakhic man's cognition is thus coextensive with Hermann Cohen's cognition, as shown in chs. 2 and 4 below. See *Das reine Denken*, 18.

[46] See ch. 13 below.

[47] These issues are discussed extensively below. See chs. 5 and 6.

The Background to Esotericism

Through these two notes, R. Soloveitchik discloses his future modes of discourse in *Halakhic Man*. In the text, he highlights the apparently essential role of *homo religiosus* in the figure of halakhic man; in the notes, he clarifies the problematic nature of *homo religiosus* and his negative aspects, particularly his disregard of reason and logic. The contrast between the text and the notes is settled at the end of Note Five (143): R. Soloveitchik intimates, in the teaching he cites from R. Hayyim of Brisk, that halakhic man struggles with the presence of *homo religiosus* within his own consciousness and ultimately vanquishes him. Mature halakhic man is not a dialectic type. In other words, R. Soloveitchik deliberately endorses contrary messages in the text and in the notes, and the discerning reader will know how to resolve the tension through the knowledge gained from other sections of the essay. The discussion has elitist overtones, since only the isolated few will truly succeed in disengaging from the existential rift characterizing *homo religiosus* to reach the rank of halakhic man at the peak of his creativity ("man of God"). The outstanding scholars and *yeshivah* heads of the Brisk dynasty are a minority.

The next chapter shows that R. Soloveitchik presumed at least two variations of *homo religiosus*, and only the first is discussed in the long note, marking the beginning of the tension that accompanies homo *religiosus* throughout *Halakhic Man*. The motivation behind the style of the essay, therefore, complicated and pervaded by deliberate contradictions, deserves consideration already at this point.

The textual incongruities can be explained as reflecting a genuine dilemma confronting R. Soloveitchik: he finds the religious figure attractive, in all its inner contradictions, but he also shies away from its dangers. He is aware of the historical and biographical fact: halakhic men had rejected the model of *homo religiosus*. R. Soloveitchik's personal link to the figure of *homo religiosus* may have prompted him to include the latter's characteristics, although essentially alien, in the figure of halakhic man. The epistemic and conscious structure of halakhic man fits the parallel structure in Hermann Cohen's idealist philosophy.[48]

[48] The current work follows the parallels between them step by step. For previous attempts to follow this course, see Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996); Almut S. Bruckstein, "Halakhic Epistemology in neo-Kantian Garb: J. B. Soloveitchik's

Cohen's system leaves no room for religious experience as an objective-epistemic element and, insofar as this experience exists at all, it is relegated to the ethical and aesthetic realms. Objective reality is the product of pure knowledge, and religious consciousness is not included in this category. A clear line separates the cognitive from the subjective and the emotional. Cohen himself writes a well-known letter in this regard: "You know how much I . . . am involved in the inner life of our religion, but here, too, abstraction is my destiny."[49] For R. Soloveitchik, the consciousness of halakhic man is characterized by epistemological and realistic-objective fullness, and the religious-experiential dimension is relegated to the realm of morality, emotions, and aesthetics. Cohen's deep influence on R. Soloveitchik, then, is not confined to the epistemic idealism so distinctive of halakhic man (who is not coextensive with R. Soloveitchik),[50] but is also evident in the implications of halakhic idealism for halakhic man's personality. The entry of *homo religiosus* into the discussion can be explained as the entry of R. Soloveitchik's personality into the realm of halakhic man's abstract knowledge. The writer thus tried to merge with the object of his study, but failed.

The essay's incongruities can similarly be explained in light of a deliberate writing style that takes into account his readership's social background: modern American Jews presented with leaders of Eastern European *yeshivot* (Volozhin, Brisk, and others). R. Soloveitchik correctly perceives the Brisk school as elitist,[51] and may even have feared that the Jewish-American public would view it as archaic. The methodological constants and the analytical process of ideal halakhic thought are hardly accessible to a wide audience, but R. Soloveitchik is bent

---

Philosophical Writings Revisited," *Jewish Studies Quarterly* 5 (1984), 346–368. The attempt to read *The Halakhic Mind* in terms of idealist-epistemic philosophy, however, has not proved successful.

[49] Cited in Heinz Moshe Graupe, *The Rise of Modern Judaism: An Intellectual History of German Jewry, 1650–1942*, tr. John Robinson (Huntington, N.Y.: Robert E. Krieger, 1978), 244. See also Rivka Horowitz, "Hermann Cohen and Franz Rosenzweig" [Hebrew], *Jerusalem Studies in Jewish Thought* 4 (1985), 303–326. The study considers whether Cohen's *Religion of Reason Out of the Sources of Judaism* belongs in this category. This work, although he does not mention it in his dissertation, is an important source for the understanding of R. Soloveitchik's approach.

[50] R. Soloveitchik holds that, beside the halakhic-idealist cognition there is a religious cognition, which has a subjective layer that includes feelings. See below, ch. 2. A true halakhic man, however, such as R. Hayyim of Brisk for instance, cannot sustain different forms of cognition and, for him, the only cognition possible is halakhic.

[51] See below, 155–162.

on perpetuating "the image of his father" within the wider public.[52] Furthermore, the historical leaders of the Brisk school tended to be extremely self-restrained, and this characteristic is also sharply depicted elsewhere in *Halakhic Man*.[53] This self-control is not easily reconciled with a subjective, mystical, and ecstatic religious experience. R. Soloveitchik, however, thinks it is important to bring the Brisk school closer to the model of *homo religiosus* and his experiences or, more precisely, wishes to avoid a public perception of Brisk men as lacking a classic religious experience. A "frozen" and rigid religious image could evoke inappropriate interpretations and even act as a deterrent in the modern world in general and particularly in the United States, where religion must "market" itself as an attractive alternative.[54]

What, then, is the sociological, apologetic, and even political background of the esoteric writing style characterizing *Halakhic Man*? Does this essay fit into the tradition of esoteric Jewish writing and, if so, how?[55] Several issues require attention:

1. *Distinguishing the Text from the Writer*

According to Leo Strauss' interpretation of *The Kuzari*, the Rabbi who represents Judaism in the book is not to be identified with Judah Halevi the author.[56] Julius Guttmann's factual controversy with Strauss during

---

[52] As suggested by David Singer and Moshe Sokol, "Joseph Soloveitchik: Lonely Man of Faith," *Modern Judaism* 2 (1982), 227–272; Moshe Sokol, "Master or Slave? On Human Autonomy vis-à-vis God in the Thought of Rav Joseph Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 418.

[53] See, for instance, *Halakhic Man*, 76–78, and chs. 9 and 10 below.

[54] According to Peter Berger's terminology. See, for instance, *The Heretical Imperative: Contemporary Possibilities of Religious Affirmation* (Garden City, NY: Anchor Press, 1979).

[55] I assume that, as a young man versed in talmudic sources who goes to study philosophy in Berlin, R. Soloveitchik would have been interested in a work such as Maimonides' *Guide of the Perplexed* or at least knew of it, although he may not have studied it in his youth. Esoteric-Jewish tradition, then, was no less familiar to him than other styles of philosophic writing, let us say Hermann Cohen's. Compare Aaron Lichtenstein, "Joseph Soloveitchik," in *Great Jewish Thinkers of the Twentieth Century*, ed. Simon Noveck (Clinton, Ma.: Bnei Brith, 1963), 263–264.

[56] Leo Strauss, "The Law of Reason in *The Kuzari*," in *Persecution and the Art of Writing* (Chicago: University of Chicago Press, 1988), 101. See also Dov Schwartz, *Contradiction and Concealment in Medieval Jewish Thought* [Hebrew] (Ramat Gan: Bar Ilan University Press, 2002), ch. 2.

the 1940s is well known.[57] Possibly, R. Soloveitchik knew chapters from Strauss' controversial book on esoteric writing.[58] In this essay, Strauss competently analyzes the formal aspect of *The Kuzari* and how the literary-dialogical form reflects content. He argues that the book does not truly contend with philosophy, but rather clarifies the intellectual principles supporting belief in revelation. Hence, the Rabbi does not always represent the author's worldview. Similarly, *Halakhic Man* does not represent R. Soloveitchik's authentic views about the proper existence of the religious person,[59] since in his other essays (*The Halakhic Mind*, "From Thence You Shall Seek") he identifies with the *homo religiosus* who relies on independent cognition, logic, rationality, and the law.

2. *The Relationship between the Writer and the Readership*

According to the interpretation of *Halakhic Man* offered here, R. Soloveitchik tries to create a link between modern man (particularly in the United States toward the end of WWII) and the elites of Eastern European *yeshivot*, not only as a memorial to a lost word but also in a search for continuity and renewal. Possibly, through *Halakhic Man*, R. Soloveitchik seeks to pave the way for the continuation of Lithuanian yeshivot through Holocaust survivors and through American Jews. Fundamentally, R. Soloveitchik wants to bring the modern-pragmatic reader closer to the ideological climate of halakhic men (namely,

---

[57] See Julius Guttmann, "Philosophy of Religion or Philosophy of Law," *Proceedings of the Israel Academy of Sciences and Humanities* 5 (1975), 188–207; Moshe Schwarcz, "The Enlightenment and its Implications for Jewish Philosophy in the Modern Period" [Hebrew], *Daat* 1 (1978), 7–16; Eliezer Schweid, "Religion and Philosophy: the Scholarly-Theological Debate between Julius Guttmann and Leo Strauss," *Maimonidean Studies* 1 (1990), 163–195. Many scholars have addressed the development of Strauss' ideas, even until recently. See, for instance, Kenneth Hart Green, *Jew and Philosopher: The Return to Maimonides in the Jewish Thought of Leo Strauss* (Albany, NY: SUNY, 1993), 6–7; Michael L. Morgan, "Teaching Leo Strauss as a Jewish and General Philosopher," in *Jewish Philosophy and the Academy*, ed. Emil L. Fackenheim and Raphael Jospe (Madison: Fairleigh Dickinson University Press, 1996), 176–177; Schwartz, *Contradiction and Concealment*, 18–24.

[58] Strauss' chapter on *The Kuzari* was first published in 1943 in *Proceedings of the American Academy for Jewish Research*.

[59] This hypothesis was also suggested concerning the attitude to science as a non-halakhic domain. See David Shatz, "Science and Religious Consciousness in Rav Soloveitchik's Thought" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 312.

the heads of *yeshivot* who had led the world of Torah in Eastern Europe),[60] seeking to bridge the rift between them through various literary and didactic techniques.

3. *Apologetics*

R. Soloveitchik also seeks to protect the figure of halakhic man. At the end of *Halakhic Man*, he writes:

> But it is revealed and known before Him who created the world, that my sole intention was to defend the honor of the Halakhah and halakhic men, for both it and they have oftentimes been attacked by those who have not penetrated into the essence of Halakhah and have failed to understand the halakhic personality. And if I have erred, may God, in His goodness, forgive me.[61]

The apologetic nature of the essay also requires a special writing style, highlighting the relevant positive aspects. R. Soloveitchik apparently knows that the apologetic writing style he adopts does at times require departures from absolute truth, such as the artificial implant of features from *homo religiosus* into the figure of halakhic man.

The social, historical, and political background of the mid-twentieth century is thus important for an understanding of the literary character of *Halakhic Man*. Note that, during the Holocaust, Agudat Israel and the Mizrahi mobilized to save the remnant of European Jewry,[62] but also to enrich religious education in the United States as a substitute, as it were, for the Torah world destroyed in Europe. Leon Gelman, the president of the American Mizrahi, adopted Theodor Herzl's style in his formulation: "Not only to save Jews but to save Judaism."

---

[60] See, for instance, Gedaliah Alon, "Yeshivot in Lithuania" [Hebrew] *Knesset* 8 (1943–1944); Shaul Stampfer, *The Lithuanian Yeshiva* [Hebrew] (Jerusalem: Zalman Shazar Center for Jewish History, 1995); Moshe Avigdor Shulwass, "Torah Study in Poland and Lithuania [Hebrew], in *The Broken Chain: Polish Jewry Through the Ages*, ed. Israel Bartal and Israel Gutman (Jerusalem: Zalman Shazar Center for Jewish History, 2001), 33–68.

[61] Compare David Hartman, *Love and Terror in the God Encounter: The Theological Legacy of Rabbi Joseph B. Soloveitchik*, vol. 1 (Woodstock, Vt.: Jewish Lights, 2001), 28–35.

[62] See, for instance, Ephraim Zuroff, "Rescue Priority and Fund Raising as Issues during the Holocaust: A Case Study of the Relations between the *Va'ad ha-Hatsalah* and the Joint, 1939–1941" in *American Jewish History*, ed. Jeffrey S. Gurock, vol. 7, *America, American Jews and the Holocaust* (New York: Routledge, 1988), 405–426; Idem, *The Response of Orthodox Jewry in the United States to the Holocaust* (Hoboken, NJ: Ktav, 2000).

Another Zionist intellectual from Cincinnati and Chicago, Meir Waxman, writes in 1944:

> We believe that American Jewry will develop to become a kind of spiritual center in the Diaspora or, at least, a significant element in the spiritual life of the Hebrew nation. In these ominous times, when sorrow and pain have befallen Eastern European Jewry due to the war, many have adopted this belief.[63]

Waxman hints at a perception of the United States as a spiritual center *à la* Ahad Haam. This approach reflects a view prevalent among American Jews, whereby the United States is not a place of exile. America is a legitimate physical and spiritual center, equivalent to the center in the Land of Israel. This statement applies to American Zionists, and it is only natural for the world of Torah to develop and gain a foothold there.[64] Agudat Israel and the Mizrahi tried to establish in every Jewish population center educational institutions combining general and Torah studies ("*yeshivah ketanah*"), although many viewed this as an inappropriate form of isolationism from mainstream American education. When R. Soloveitchik was writing *Halakhic Man*, American Jewry was to some extent wavering between a struggle to revive the world of Torah and the fear that the immigration of rabbis and yeshivah students to the United States could arouse anti-Semitism. For R. Soloveitchik, the renaissance of the Torah world across the ocean was undoubtedly the sole and supreme interest.

Summary

R. Soloveitchik was probably aware of the urgent task of saving and perpetuating the Torah world when, in the course of searching for his religious-political identity within Orthodox American trends, he shifted his loyalty from Agudat Israel to the Mizrahi.[65] *Halakhic Man* is, in many

---

[63] Meyer Waxman, *Selected Writings* [Hebrew] (New York: Betsaron, 1944). See also Lloyd P. Gartner, *The Midpassage of American Jewry 1929–1945* (Cincinnati: Feinberg Memorial Lecture, 1982); Henry Feingold, "Who Shall Bear Guilt for the Holocaust? The Human Dilemma," *American Jewish History* 68 (1979). 261–282.

[64] See Allon Gal, "The American Diaspora: Is it Unique?" [Hebrew], in *Following Columbus: America 1492–1992*, ed. Miriam Eliav-Feldon (Jerusalem: Zalman Shazar Center for Jewish History, 1996), 528–529.

[65] On R. Soloveitchik's attitude to Zionism at the time, see below, 339–341.

ways, a fitting expression of this awareness. The essay is a memorial to the *yeshivot* razed in the Holocaust, as well as a literary work documenting the efforts to revive *yeshivah* scholarship in the United States. The text could thus be viewed as the answer to a concrete existential need that arose during its writing, and its literary style as directly serving this answer.

This chapter showed how Soloveitchik resorted to a writing style that cannot be exhausted by the reading of its overt, literal layer. Various shades appear, even contradictory. While openly speaking of a fusion between cognitive man and *homo religiosus, homo religiosus* relegates cognitive man to the margins and the dialogue between the writer and his character focuses, as it were, only on *homo religiosus*. Whereas the text describes the positive and constructive features of *homo religiosus*, the notes blatantly highlight his negative aspects. In the first sections of the essay, R. Soloveitchik deals only with *homo religiosus*. When he introduces halakhic man in section v, cognitive man also disappears.

CHAPTER TWO

HOMO RELIGIOSUS: BETWEEN RELIGION AND COGNITION

Halakhic Man opens by focusing closely on the dialectic character of *homo religiosus*. The purportedly balanced presentation of cognitive man and *homo religiosus* in section ii of *Halakhic Man*, as opposed to the presentation in section i that places cognitive man in the shade, was noted above,[1] as was R. Soloveitchik's highly critical view of *homo religiosus* as detached from reason. According to R. Soloveitchik, when philosophical thought involves "religious" associations and thinkers are swept by subjective religious experiences lacking objective moorings and rational boundaries, the result is chaos. *Homo religiosus* thus enters the picture as a distinctively negative figure.

The positive dimension will now be considered in greater detail: How does *homo religiosus* appear in R. Soloveitchik's early writings? Is he a homogeneous type? And what is the relationship between *homo religiosus* and cognitive man? Are they entirely different or are they perhaps composite, complex models?

Revealing and Concealing

"How radically different is the approach of *homo religiosus* to God's world from that of cognitive man!" (5) This sentence, which opens section ii of *Halakhic Man*, makes two statements concerning cognitive man:

1. Just as cognitive man has a unique, specific approach to "God's world," so does *homo religiosus*, as R. Soloveitchik shows at length in *The Halakhic Mind*.
2. Cognitive man is not predicated on a specific preliminary approach to religion. He could be like Aristotle, who does not acknowledge a personal God or a religious system of laws as absolutely binding, or he could be a theologian like Newton. Both study "God's world."

[1] See above, 14–15.

Cognitive man seeks to understand the order of the world, the laws of nature. Ancient Greeks had also thought that accidental and temporal reality was inferior to the general and eternal essence (idea, form). The cognition of cognitive man is characterized by systematic order:

> Cognitive man's desire is to uncover the secret of the world and to unravel the problems of existence. When theoretical and scientific man peers into the cosmos,[2] he is filled with one exceedingly powerful yearning, which is to search for clarity and understanding, for solutions and resolutions. Cognitive man aims to solve the problems of cognition vis-à-vis reality and longs to disperse the cloud of mystery which hangs darkly over the order of phenomena and events.
>
> Cognitive man does not tolerate any obscurity, any oblique allusions and encoded secrets in existence. He desires to establish fixed principles,[3] to create laws and judgments,[4] to negate the unforeseen and the incomprehensible, to understand the wondrous and the sudden in existence. (5)

In this passage, R. Soloveitchik hints at a link between the cognition of the scientist and that of halakhic man. In his view, the scientific attitude of cognitive man is relevant at the normative level as well, as evident from his reliance on traditional formulations ("fixed principles," "laws and judgments"). Both deal not only with acts of explication and formulation but also with the creation of new structures ("*create* laws and judgments").[5] *Halakhic Man* indeed shows that the characteristics describing cognitive man are essential to the description of halakhic man, and the only ones used in his portrayal. Two features in the personality of cognitive man emerge from R. Soloveitchik's description, as two sides of the same coin:

1. The sole impulse driving the personality and the action of cognitive man is "the search for the ordered and fixed in existence" (6).
2. Cognitive man is indifferent to, and even rejects, anything that fails to fit the framework of the set scientific order: "The attitude of disdain and contempt to that which is not fixed, not lawful . . . is the eternal Greek legacy to all cognitive and scientific men" (ibid.).

Cognitive man is thus a one-dimensional figure, his consciousness fully embedded in the foundations of scientific laws. The following chapters

---

[2] In the original, *le-tokh birah zu*, according to Genesis Rabbah 39: 1.

[3] In the original, *masmerim la-Halakhah*, according to TB Shabbat 58b, 81a; Bava Bathra 7b, and others.

[4] According to Deuteronomy 4: 5, 8, 14, and elsewhere.

[5] See below, ch. 5.

will show that these two characteristics of cognitive man match halakhic man's personality perfectly in every respect: both have only an a priori system of laws, which their cognition reduces it to its components. The difference between them is that cognitive man acknowledges the scientific order, whereas halakhic man acknowledges mainly the normative rules of Halakhah. In the following chapters, I will argue that R. Soloveitchik seeks to reduce this difference to a minimum.

What are the differences between cognitive man and *homo religiosus*? The answer to this question includes several dimensions:

1. *Cognition*. Cognitive man aspires to know the cosmos as given. His cognition is entirely attuned to the laws of nature and to the mathematical-physical structures that clarify it; it is scientific and "closed," and does not transcend these parameters. Deciphering the mathematical-physical structure of the cosmos as given, then, is the only task incumbent on cognitive man. By contrast, the cognition of *homo religiosus* seeks to expand to hidden spiritual dimensions, unconfined to the surrounding world. *Homo religiosus*, however, has no wish to clarify the nature of these transcendent realms and to provide a plausible causal explanation of their structure; he merely wants to describe them and experience them. *Homo religiosus* "gazes at that which is obscure without the intent of explaining it and inquires into that which is concealed without the intent of receiving the reward of clear understanding" (7)."[6]
2. *Personality*. Whereas cognitive man is a simple, structured figure, whose only concern is to determine and formulate the fixed and rhythmic order of the cosmos, *homo religiosus* is a far more complex type, described as an entangled and torn character beset by inner contradictions. The conflicts described in phenomenological and in existential-religious writings are usually confined to self-affirmation and self-negation and to the problematic links between love and awe, ebb and flow, and so forth.

In section ii of *Halakhic Man*, R. Soloveitchik focuses on dialectic-epistemic aspects in the personality of *homo religiosus*. The search for transcendence is an essential feature of *homo religiosus* he discusses

[6] "That which is obscure" is a translation of "*ba-mufla*" and "that which is concealed" is a translation of "*ba-mekhuseh*," according to the injunction in TB Hagigah 13a; Genesis Rabbah 8:2. On the distinction between description (*Beshcheibung*) and explanation (*Erklärung*) see below, 67–70.

at length in the book, but it is not the only aspect of his cognition. R. Soloveitchik argues that the cognition of *homo religiosus* is unique. The epistemological characteristics of cognitive man appear as *one of the epistemic poles* between which *homo religiosus* wavers: cognition of the scientific-rational law on one hand, and the transcendent, the mysterious, and the obscure on the other. *Homo religiosus*, as discussed here, does not shun ordered scientific law. To the contrary: he too strives to understand the cosmos as given. At the same time, however, he seeks cognition of the transcendent. In fact, it is precisely the discovery of the scientific law that is at the focus of the dialectic process unfolding in the personality and the cognition of *homo religiosus*. Not only does the revealed fail to disperse the concealed, but it actually leads to a greater mystery. R. Soloveitchik describes this fluctuation as follows:

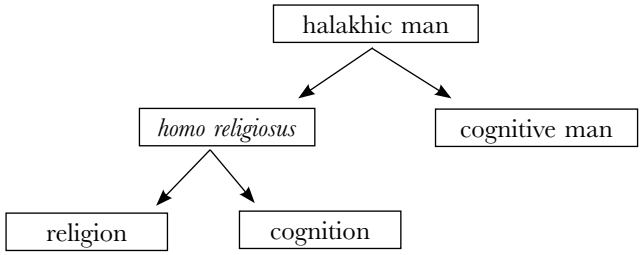
> This is not to say that *homo religiosus* prefers the chaos and the void to the structured cosmos or that he would choose to undo the act of creation and introduce confusion into reality. Heaven forbid! *Homo religiosus*, like cognitive man, seeks the lawful and the ordered, the fixed and the necessary. But for the former, unlike the latter, the revelation of the law and the comprehension of the order and interconnectedness of existence only intensifies and deepens the question and the problem. For while cognitive man discharges his obligation by establishing the reign of a causal structure of lawfulness in nature, *homo religiosus* is not satisfied with the perfection of the world under the dominion of the law.[7] For to him the concept of lawfulness is in itself the deepest of mysteries.
>
> Cognition, according to the world view of the man of God, consists in the discovery of the wondrous and miraculous quality of the very laws of nature themselves. The mystery of the world is to be encountered precisely in the understanding of the functional relationship in effect between the phenomena of this world . . . the cognitive act of *homo religiosus* is one of concealment and hiding. (7)

In the dialectic of *homo religiosus*, as noted, the scientifically revealed turns into the concealed. This dialectic exposes his unique epistemological course, his epistemic approach to "God's world." The cognition of *homo religiosus* rests on this principle: scientific law is for him a clue to the great riddle of God's presence in the natural world, a guideline to an understanding of the concealed and the miraculous at the bedrock of the cosmic order.

---

[7] In the original, *be-tikun ha-ʿolam be-malkhut ha-hok*, according to the *ʿAleinu* prayer.

Unlike cognitive man, who converts vagueness into clarity and turns the dark and mysterious into the revealed,[8] *homo religiosus* turns clarity into vagueness and the concealed into the revealed. *Homo religiosus* thus oscillates between scientific cognition, which creates and reveals, and the emotion and cognition seeking the hidden. In R. Soloveitchik's terms, the fluctuation is between two types of cognition: cognition of the scientific law and cognition of the concealed, or an attempt to strive for it. The cognition of *homo religiosus* seeks the miraculous structures underlying the natural cosmos. At the opening, as noted, R. Soloveitchik presents halakhic man as a fusion of cognitive man and *homo religiosus*. He tries at all costs to create the impression of a fluctuation between religion and cognition. The complex dialectic status of *homo religiosus* and his status vis-à-vis halakhic man in R. Soloveitchik's perception is presented in the following scheme:



A new type of halakhic man now emerges. Contrary to the *homo religiosus* oblivious to cognition at the focus of my critique in the previous chapter, the *homo religiosus* described here relies on rational theories. He thinks rationally, but his epistemic approach is different and unique. *Homo religiosus* has his own "cognitive act." Just as the scientist has a cognitive mode through which he comes to know the world, so does *homo religiosus* have a different, legitimate epistemic approach. R. Soloveitchik notes in *The Halakhic Mind* that the principle of epistemic pluralism, which he wholeheartedly supports, "has not abandoned the realm of logic. It says only that reason itself leads the physicist, psychologist, philosopher, and *homo religiosus* to a pluralism of viewpoints."[9]

[8] Cognitive man "longs to disperse the cloud of mystery which hangs darkly over the order of phenomena and events" (5).

[9] *The Halakhic Mind*, 56.

Homo religiosus is described in both essays (*The Halakhic Mind, Halakhic Man*) as relying on logic and on scientific law, but striving for independent cognition of the world.

The Right to Cognition

The claim that *homo religiosus* has a unique epistemological approach to the cosmos, noted in *Halakhic Man*, is indeed compatible with the theory of cognitive pluralism that R. Soloveitchik develops in *The Halakhic Mind*.[10] Any discussion of the characteristics and appearances of *homo religiosus* in *Halakhic Man* must contend with the following questions:

1. Why does R. Soloveitchik consider it necessary to suggest this ideal type?
2. What methods does he use to fashion his *homo religiosus*?

Answers to these questions appear in *The Halakhic Mind*. Right at the opening of this essay, R. Soloveitchik claims that when philosophy and science are united in their modes of thought, religion is pushed into a defensive position (as in medieval scholastics). Religion is then forced to acknowledge agnosticism (as was the case, for instance, among some of the Church Fathers), or to engage in a counterattack against reason (through mystical positions). But when, as today, philosophy and science go their separate ways, *homo religiosus* "seeks his own path to full cognition of the world."[11]

R. Soloveitchik further clarifies that, contrary to the medieval widespread tension between religion and science, modern *homo religiosus* does not challenge the scientific view of the world. The centuries-old confrontation is replaced by epistemic pluralism: according to R. Soloveitchik,

---

[10] See Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1987); Jonathan Sacks, "Rabbi J. B. Soloveitchik's Early Epistemology: A Review of *The Halakhic Mind*," *Tradition* 23 (1988); Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 53–54. Munk's main contribution was to present the critique of Hermann Cohen that R. Soloveitchik formulates in his dissertation, and an analysis of *The Halakhic Mind*. Parts of Munk's essay were published in Reinier Munk, "Joseph B. Soloveitchik on Hermann Cohen's *Logic der reinen Erkenntnis*," in *Torah and Wisdom: Studies in Jewish Philosophy, Kabbalah, and Halakhah. Essays in Honor of Arthur Hyman*, ed. Ruth Link-Salinger (New York: Shengold Publishers, 1992), 147–163.

[11] *The Halakhic Mind*, 4.

cognition is not within the exclusive purview of scientists. *Homo religiosus* is "a cognitive type, desiring both to understand and to interpret."[12] R. Soloveitchik is influenced in this essay by a combination of two separate philosophical traditions. The first is that of Ernst Cassirer, who leaves room for a mythical world view beside scientific cognition.[13] Second, R. Soloveitchik is directly influenced by Max Scheler, who holds that religious acts are "noetic" rather than psychological. Scheler adds that these acts are not a random combination of other groups of "noetic and intentional" activities (logical, ethical, or aesthetic), although they could be subject to logical, ethical, or aesthetic criticism; religious acts include the epistemic realm per se.[14] In his terms: "For religion is as fundamentally religious cognition and thought as it is also a special kind of (value-)feeling, of (regulated) expression (in religious language, prayer and liturgy) and of volition and conduct (in the service of God and religious morality)."[15]

In *The Halakhic Mind*, R. Soloveitchik confronts modern continental philosophies that locate religion within ethics or emotion, precluding its development as a separate epistemic outlook. Modern *homo religiosus* struggles for the right to know reality independently. In *Halakhic Man* as well, R. Soloveitchik stresses that *homo religiosus* is not drawn into an agnostic stance but possesses a cognition and consciousness of his own, based on his unique epistemic modes: "Cognition, according to the world view of the man of God, consists in the discovery of the wondrous and miraculous quality of the very laws of nature themselves" (7);

---

[12] *The Halakhic Mind*, 40. In R. Soloveitchik's terminology, the "epistemic type" reflects, above all, scientific cognition. As shown below, this characterization ("epistemic") indicates that cognitive man begins from the sensorial-concrete realm. R. Soloveitchik explicitly acknowledges the influence of conventionalist approaches toward the philosophy of science (see below, ch. 5). Hence, cognitive man is described as an epistemic type, but without necessarily implying that *homo religiosus* has no cognition of his own, which is not scientific. Indeed, this is precisely how R. Soloveitchik describes him in *Halakhic Man*. The cognition of *homo religiosus* is that of the supernatural element on which the cosmic natural order rests or, in other words, cognition of the miracle. The description of cognitive man is thus clarified in light of *The Halakhic Mind*, which presents him as aspiring to take control of cognition and present it as exclusive (although the development of both science and philosophy prevent this). *Homo religiosus* must struggle against this exclusivity. The tension between *homo religiosus* and cognitive man, which verges on a struggle, is evident in *The Halakhic Mind*.

[13] *The Halakhic Mind*, 21–22. For further discussion, see below, ch. 8.

[14] Max Scheler, *On the Eternal in Man*, trans. by Bernard Noble (Hamden, Conn.: Archon Books, 1960), 248–249.

[15] Ibid., 249.

"the riddle adorns and embellishes cognition, bestowing upon it the splendor of eternity" (11). Consequently, he argues, it is precisely in our time that *homo religiosus* and his characteristics must be exposed. The question concerning the methods adopted to achieve this purpose is more complex, and is my concern below.

The Phenomenological Method and the Scientific-Idealistic Method

Although R. Soloveitchik deals at length with *homo religiosus* in the first sections of *Halakhic Man*, he does not enter into any discussion of the methodology used to expose his consciousness and concentrates only on the following characteristics: (1) Dialectics, namely, the fluctuation between opposite poles; (2) Cognition, which discloses the miraculous and the wondrous through a fundamental understanding of the natural order; (3) Transcendence, involving a search for the supernal worlds intimated in the concrete reality and its order. This feature is largely a different formulation of the previous one, with both describing the contents that characterize the cognition of *homo religiosus*. In *The Halakhic Mind*, by contrast, R. Soloveitchik traces ways of exposing the elements of religious cognition. He argues that the cognition of *homo religiosus* addresses reality itself rather than the ideal and abstract structures characterizing cognition among scientists and philosophers. R. Soloveitchik then asks: how do we know that religion has a unique epistemic aspect? Epistemic pluralism does not compel a separate religious cognition. Answering this question, claims R. Soloveitchik, requires an examination of religion's rational-epistemic component: "The noetic component of the religious experience must be independently examined. If and when an eidetic analysis discerns cognitive components in the religious act, then the theory of cognitive pluralism will substantiate the claim of religion to theoretical interpretation."[16]

Essentially, then, R. Soloveitchik's method is phenomenological. According to Husserl, the phenomenological analysis of our ideas about the sensorial world contends not only with real individual objects but also with these objects as an expression of general laws ("essences"). Essences are not always available in isolation from sensorial experience and, in order to separate them, Husserl offers the notion of eidetic

[16] *The Halakhic Mind*, 41.

reduction.[17] The reduction enables an intuitive grasp of the essential ("eidetic") structure of facts and objects. The non-sensorial intuition of essences is concretized through the eidetic reduction. R. Soloveitchik, therefore, seeks to isolate the essential component of religion from the flow of concrete "facts" (for instance, religious norms and the religious ethos) to discover their subjective dimensions. Such an analysis would show that religion has an independent epistemic structure, which can be isolated from religious life in the concrete world. He is definitely influenced by the phenomenological analysis of religion in the writings of such thinkers as Otto and Scheler, while he emphasizes the objective stratum of religion as both an essential and practical experience.[18] Note that R. Soloveitchik does not entirely reject intuitive thought that, in Husserl's phenomenology, assumes a unique meaning.[19]

R. Soloveitchik relies on the phenomenological principle of intentionality.[20] According to this principle, acts of consciousness are synchronized with (directed toward) the object, and also constitute it.[21] Phenomenology relates to the complex simultaneous appearance of subject and object. The choice of phenomenology as a method follows directly from the intentionality principle since, according to R. Soloveitchik, subjective religious consciousness should not be detached from the normative-practical-objective stratum of religion, as shown below. The subject always relates to the object. Husserl paves the ground for the statement that subjectivity is not exhausted by being a source of logical and scientific-mathematical principles, as in the Kantian tradition of the structure of knowledge. The subjective dimension of cognition is also built by the experience of a concrete world that is temporal, finite, and material.[22] Sensorial experience is indeed a narrow,

---

[17] See Jaakko Hintikka, "The Phenomenological Dimension," in Barry Smith and David Woodruff Smith, eds., *The Cambridge Companion to Husserl* (Cambridge: Cambridge University Press, 1995), 101–102.

[18] Compare *The Halakhic Mind*, 99–100. See also, for instance, Joseph Ben-Shlomo, "The Rational and the Irrational in Rudolf Otto's Philosophy of Religion" [Hebrew], in *The Rational and the Irrational*, ed. Marcelo Dascal and Adi Parush (Beer Sheva: Ben Gurion University, 1975), 78–87.

[19] R. Soloveitchik negates intuition as emotionalism. See Munk, *The Rationale of Halakhic Man*, 60.

[20] *The Halakhic Mind*, 41–42.

[21] See, for instance, Avraham Zvi Bar-On, *Philosophers Then and Now* [Hebrew] (Jerusalem: Magnes Press, 1987), 115.

[22] J. N. Mohanty, "Husserlian Transcendental Phenomenology: Some Aspects," in *Edmond Husserl and the Phenomenological Tradition*, ed. Robert Sokolowski (Washington DC: Catholic University of America Press, 1988), 177.

limited segment out of the general concept of experience; phenomenologists, however, state that the concrete-sensorial experience is also subject to phenomenological analysis.[23]

According to R. Soloveitchik, however, the phenomenological method may pose problems since it can easily lead to a concern with essences that becomes "movement in a vacuum," detached from the sensorial world or, more precisely, from praxis. Phenomenological analysis may overlook the individual-objective element, which dissolves and disappears in the course of its concern with experience. According to R. Soloveitchik, Scheler's religious phenomenology endorses the right approach to the study of religious cognition, but its flaw is the absence of "objective order" in the essentialist analysis.[24] R. Soloveitchik hints at this difficulty in his critique of the phenomenologists' pretense to attain the absolute while relying on the methods of the humanities:

> Indeed, all claims of the modern metaphysician to have discovered a new method of interpreting "the unknown' are without foundation. The phenomenologist will, of course, object strenuously to such a reproach. He will assert that his method of apprehending the *essentiae* (*Wesensschau*) is both original and autonomous, he will point to the fact that he considers the Absolute as essences, universal and immutable, resembling in these characteristics the basic magnitudes of the scientific world-structure. Yet, a careful scrutiny of his methodology will lead us to the conclusion that his approach is similar to that of the humanist in two fundamental features. Both the ideas of "wholeness"[25] and whatness"[26] reign supreme in phenomenological philosophy. *Wesensschau* is nothing but the act of intuiting the essence under the aspect of the "whole" and the "what." Modern metaphysicians have merely borrowed the method of the humanistic sciences and applied it in the realm of the Absolute.[27]

---

[23] See Max Scheler, *Selected Philosophical Essays* (Evanston, Ill: Northwestern University Press, 1973), 140–141.

[24] *The Halakhic Mind*, 120, n. 62.

[25] According to R. Soloveitchik, physicists (who represent the mathematical natural sciences) begin by focusing on the unknown as the particular, namely, as composed of simple and discrete elements that make up the whole. By contrast, the humanities, influenced by modern psychology, seek to develop general concepts and constructs.

[26] In other words, focusing on the essences. According to R. Soloveitchik, physicists are not concerned with content but with form. They do not study objects as such but the interdependence between them, whereas the humanities strive to investigate the object *per se*. "The methodologist of the human sciences is not interested in the genetic or historical problem of the 'why' or 'how' but in the functional problem of 'what.'" (*The Halakhic Mind*, 34).

[27] *The Halakhic Mind*, 35–36.

Intuition and eidetic reduction became the tools of the phenomenologist-"metaphysician" in his strive to reach the *mysterium magnum* of the spirit, the realm that is beyond the natural. R. Soloveitchik counts Husserl and Scheler among the "modern metaphysicians."[28] In his view, phenomenology as such is not sufficient to constitute a modern philosophy of religion because it can easily be dragged into the "metaphysical"-spiritual realm and abandon the "objective order" of essences.

Consequently, R. Soloveitchik adds to the phenomenological method a principle taken from the conventionalist tradition of the philosophy of science and from the work of Paul Natorp—the principle of reconstructionism. Scientific tradition presents this principle as follows: scientists first come into sensorial and immediate contact with an unorganized plethora of qualities. They then proceed to describe similar qualities in different objects and to create structural-mathematical models and patterns that enable an ordered description of the qualitative findings. The model the scientist chooses is not "truer" than other models, only more convenient. When creating mathematical models and structures, scientists reconstruct models and constructs out of the "atomic" data collected during the first stage.[29]

R. Soloveitchik explains the unity of thought in Natorp's system as follows: the various scientific objects are the starting point. These objects "move from the periphery to the center," to the unity of thought. Thought searches for the unifying element of scientific laws. Unified reason is thus a reconstruction that starts from objective scientific details. R. Soloveitchik argues that the difference between Cohen and Natorp lies in their understanding of the task incumbent on reason. Cohen supports constituting scientific objects by building the concepts of science and culture out of their origin (objectification), whereas Natorp supports the reconstruction of the unified origin out of the objects.[30]

---

[28] Ibid., 29–30.

[29] Ibid., 59–60. On the conventionalist description of halakhic man's cognition, see below, 96–99. In fact, reconstruction is also a basic method in regressive phenomenology, namely, as "genetic" models underlying everyday experience. R. Soloveitchik, however, prefers to rely on the philosophy of science and on Natorp's thought as sources of reconstruction.

[30] *Das reine Denken*, 49. R. Soloveitchik emphasizes that, unlike Natorp, who views the process as moving from object to thought, Cohen assumes that the vector moves from thought to object (ibid.). Helmut Holzhey criticizes R. Soloveitchik interpretation, and states that the difference between Cohen and Natorp is deeper. In his view, Natorp's opposition focuses on Cohen's principle of origin and on the logical-methodological

According to Natorp, "there is a concept of task that is entirely rooted in the realm of logic, and there is a second concept embedded in psychology as a science of the subjective."[31] The second dimension of the task is Natorp's addition to Cohen's approach. R. Soloveitchik interprets the subjective sense of the task psychologically. Hence, influenced by Natorp, he formulates the task of reconstruction as related to the subjective consciousness reconstructed out of the objects.

R. Soloveitchik holds that the reconstruction principle should be applied to the philosophy of religion. This principle guarantees the preservation of the "objective" layer of religion, namely, the praxis and the norms (the commandments). As the scientist experiences the concrete qualities at the first stage of the research process, the philosophy of religion compels the assumption of its objective manifestations. The exposure of religion's subjective consciousness is only possible by relying on the "objective order." From another perspective, reconstruction is the barrier preventing a final takeover by religious subjectivism. As noted, R. Soloveitchik ascribes humanity's decline in the twentieth century to the marginalization of the objective-religious dimension in favor of religious subjectivity.[32]

Obviously, Marburgian idealism cannot effectively reconstruct subjective religious consciousness while simultaneously preserving the objective dimension of the religious experience. In this sense, Cohen is no different from Natorp. The "reconstruction" principle as such is not problematic; to the contrary, neo-Kantianism is also based on ideal reconstructed structures, as Natorp emphasizes.[33] The phenomenological

---

aspect of his outlook. See Helmut Holzhey, *Cohen und Natorp*, vol. 1 (Basel: Schwabel, 1986), 73–75. "Reconstruction" is one aspect of the task (*Aufgabe*) in Natorp's thought, and the concept of *Aufgabe* is discussed at length below, 75–77. Moreover, whereas R. Soloveitchik draws meticulous distinctions between Cohen and Natorp, students of the neo-Kantian Marburg school characterize the whole school through the concept of "reconstruction," since the philosophical interest of Cohen and his disciples was to reconstruct scientific foundations out of experience. Although the Marburg school adopts an "architectural" perspective, R. Soloveitchik defines only Natorp's approach as "reconstructionist" in an attempt to exclude Cohen's thought from the discussion about religious consciousness. See, for instance, Fritz Kaufmann, "Cassirer, Neo-Kantianism, and Phenomenology," in Paul A. Schilpp, ed., *The Philosophy of Ernst Cassirer* (Evanston, Ill: Library of Living Philosophers, 1949), 812–813.

[31] *Das reine Denken*, 74.

[32] See ch. 1 above.

[33] See *The Halakhic Mind*, 126, n. 75; William Kolbrener, "Towards a Genuine Jewish Philosophy: *Halakhic Mind*'s New Philosophy of Religion," in Marc D. Angel, ed., *Exploring the Thought of Rabbi Joseph B. Soloveitchik* (Hoboken, NJ: Ktav, 1997), 190–191; Munk, *The Rationale of Halakhic Man*, 60.

basis, however, requires the reconstruction of the subjective dimension of consciousness, whereas the neo-Kantians deny thought (*Denken*) any subjective (psychological, emotional) dimension. According to R. Soloveitchik, the reconstructed dimension of the philosophy of religion includes emotions, intellectual apprehension, and experience of the transcendent, that is, mutuality in the divine-human relationship (closeness and remoteness, love and fear, and so forth). The philosophical system that will emerge as the only efficient tool for describing the cognition of halakhic man,[34] Cohen's idealism, is excluded from the phenomenological description of the cognition of *homo religiosus*. Cohen's "strictly" idealist scheme[35] does not ascribe too much importance to the realm beyond cognition, namely, to the sense and the phenomena that concern psychology and phenomenology. The reasons for excluding Cohen's philosophy from the philosophy of religion are precisely the reasons that led to the rivalry between neo-Kantians and phenomenologists. According to the neo-Kantians, the world's objectivity is not founded on subjective consciousness but on principles and scientific laws. In their view, Husserl deals with muddled psychology rather than with genuine transcendental philosophy.[36] For their part, Husserl and the phenomenologists argue that the mathematization of the world that becomes the experience of cognition in the natural sciences and was the foundation of neo-Kantian thought, ignores the given world that is perceived through the senses and through intuition.[37] According to Husserl, the world far exceeds whatever can be restricted within the confines of time and space, namely, within the boundaries of scientific laws.

In *The Halakhic Mind*, R. Soloveitchik recurrently criticizes Kantianism and the neo-Kantians of the Marburg school, presenting them as opposed to his own epistemic-pluralist outlook. In his view, these approaches separate "the theoretical reason from the practical," giving

---

[34] See below, ch. 5.

[35] In R. Soloveitchik's definition (*Das reine Denken*, 67). For Cohen's outlook on the role of senses in the epistemic process, see below.

[36] See *Das reine Denken*, 14. On psychology as a factor threatening to disturb pure thought see, for instance, Hermann Cohen, *System der Philosophie*, Bd 1, *Logik der reinen Erkenntnis*, dritte auflage (Berlin: Bruno Cassirer Verlag), 62 (henceforth *Logik der reinen Erkenntnis*).

[37] See David Carr, *Phenomenology and the Problem of History: A Study of Husserl's Transcendental Philosophy*, (Evanston, Ill: Northwestern University Press, 1974), 123–124. On mathematical thinking and the mathematization of nature in Marburg philosophy, see below, 99–106.

the philosopher "no comfort."[38] In particular, R. Soloveitchik attacks the perception of the mathematical-physical sciences as the only objective elements of cognition. Relying on Werner Heisenberg's principle of indeterminacy, R. Soloveitchik unequivocally states: "the claim of the natural sciences to absolute objectivity must undergo a thorough revision."[39] Hence, support for Kantian and neo-Kantian approaches is waning, since there is no reason for granting the mathematical natural sciences any primacy over creativity.[40]

In sum: Marburgian neo-Kantianism was excluded from R. Soloveitchik's philosophy of religion, namely, from the phenomenological description of subjective and objective religious consciousness, on several grounds:

1. *The Datum*. Whether according to Kant or according to Cohen, science formulates its laws by applying thought categories to "the datum" (*das Gegebene*), which originates in the extra-epistemic realm as a "preliminary assumption of the senses and of representation."[41] Cohen, however, restricts the place of the datum to a minimum, indeed claiming that the assumption that thought can acquire anything that is not generated within itself is mistaken.[42] According to Cohen, reason not only orders, classifies, and unifies;[43] rather, reason creates its objects from their infinitesimal beginning until they appear as objects in cognition. The objects' concrete manifestation outside cognition has no objective existence, which is only pertinent to thought. This is a kind of "Platonic" interpretation of Kant, as Cohen himself defined it. In R. Soloveitchik's philosophy of religion, however, the objective realm that transcends consciousness fulfills a necessary role.
2. *Reconstruction*. Cohen's approach, as noted, involves a reconstruction of scientific objects after quantity is reduced to the infinitesimal and aided by cognitive judgments (*Urteil*). According to Cohen, the layer

---

[38] *The Halakhic Mind*, 19.
[39] Ibid., 25.
[40] Ibid., 27.
[41] *Logic der reinen Erkenntnis*, 587.
[42] Ibid., 81. On this question, see the fine description in Hans Georg Gadamer, "A New Epoch in the History of the World Begins Here and Now," in Richard Kennington, ed., *The Philosophy of Immanuel Kant* (Washington, DC: Catholic University of America Press, 1985), 7–11
[43] *Logic der reinen Erkenntnis*, 53.

reconstructed by cognition is identical to the laws of mathematics, geometry, and so forth, and to the mathematical natural sciences ("the fact of science"). By contrast, in the philosophy of religion, the reconstructed layer is subjective. Cohen's view leaves no room for founding cognition on constructs of acts and states, closeness and remoteness, love and fear, revelation and concealment, all of them expressions of the content that R. Soloveitchik pours into the subjective layer of religious consciousness.

3. *Subjectivity*. Aided by phenomenological analysis, reconstruction aims to expose the important (even if partial) role of practical-normative action (halakhic acts and systems, such as observance) as an "objective" expression[44] of religious consciousness. Some kind of continuity is evident here between the object (the exo-epistemic experience) and the subject (the inner subjective consciousness, the individual emotions) reconstructed from it. By contrast, the neo-Kantians create an absolute polarity between object and subject.[45] R. Soloveitchik notes that, according to Cohen, the existence of objects is absolutely identical to their manifestation as objects of cognition. Subjectivity is not an object of cognition, since cognition deals only with objects.[46] Cohen also leaves psychology out of logical thought and builds an independent realm for it seeking, according to R. Soloveitchik, to protect himself from subjectivity.[47] According to Cohen, purity (*reine*) of thought has four meanings:
   a. Thought is autonomous in its methodology of knowledge.
   b. Thought is free from any psychological impact.

---

[44] Obviously, the neo-Kantian meaning of "objective" and the meaning that R. Soloveitchik ascribes to this term in *The Halakhic Mind* are radically different. For the neo-Kantians, "objective" is an intra-epistemic characteristic of the scientific object existing in time and space. By contrast, in *The Halakhic Mind*, R. Soloveitchik ascribes to this term the exo-epistemic meaning of activity in the real world.

[45] "Subject" refer both to the individual thinker and to psychology's subject matter. See, for instance, Allan Megill, *Prophets of Extremity: Nietzsche, Heidegger, Foucault, Derrida* (Berkeley, Ca.: University of California Press, 1985), 154–155. Sensorial experience as "acts" (halakhic observance) has no parallel in Cohen's cognitive structure, and the correspondence between halakhic thought and Cohen's thought is thus not optimal.

[46] *Das reine Denken*, 13.

[47] Ibid., 14. Cohen explicitly notes that psychology is a "danger" to logic and added: "Thought should not slide into representation" (*Logic der reinen Erkenntnis*, 53). See also ibid., 597.

c. Thought is self-generated and a priori by nature.
d. Thought is a pure activity, unconnected to a subject.[48]

Soloveitchik claims that Cohen rejects the concept of the subject in its theoretical-epistemic meaning as well. R. Soloveitchik draws a distinction between Cohen and Fichte, stating that Fichte perceives the "self" as a subject and as self-consciousness (*Selbstbewusstsein*), whereas Cohen removes the concept of the subject from cognition. For Cohen, cognition is not self-cognition but cognition of the thought objects.[49] In sum, thought is a pure activity that "relates to itself." Finally, transferring the "facts of the soul" (*die seelischen Tatsachen*) to the realm of ethics in the Marburgian interpretation of Kant, conclusively separates the subject from the rational object and locates them in two different realms.[50]

The phenomenology of religion is thus the realm where the subjective and essential structure of religion is in perfect correlation with its objective structure. The phenomenological study of religion is not confined to the eidetic description of the subjective and objective layers per se, but is also concerned with the first manifestation of the unity between them.[51] For R. Soloveitchik, the phenomenological method combined with the principle of reconstruction is the most efficient tool for disclosing the religious-subjective consciousness (analogous to the essences in Husserl's phenomenology), beside the preservation of the objective-normative layer. R. Soloveitchik does not address the question of whether, in light of the reconstruction principle, the boundaries of phenomenology can still be preserved. Modern trends in the phenomenology of religion do not shun recourse to the qualitative objective-concrete world that, *prima facie*, mars the purity of essences. According to these trends, phenomenological analysis applies to reality as well, namely, to the qualitative world.

---

[48] *Das reine Denken*, 51. An analysis of the four meanings appears in Munk, *The Rationale of Halakhic Man*. It is pure because it is a source; the source of thought is within itself. In addition, it also has the Kantian denotation of opposed to empirical. See Eliezer Schweid, "Foundations of Hermann Cohen's Religious Philosophy," *Jerusalem Studies in Jewish Thought* 2 (1983), 267–270; Holzhey, *Cohen und Natorp*, vol. 1, 176; Andrea Poma, *The Critical Philosophy of Hermann Cohen*, translated by John Denton (Albany, NY: SUNY Press, 1997), 80, 86.

[49] *Das reine Denken*, 56. See also Poma, *The Critical Philosophy of Hermann Cohen*, 73–75.

[50] *Das reine Denken*, 18.

[51] See Daniel Guerriére, "The Truth, The Nontruth, and the Untruth Proper to Religion," in *Phenomenology of the Truth Proper to Religion* (Albany, NY: SUNY, 1990), 75–101.

Finally, in *The Halakhic Mind*, R. Soloveitchik avoids the methods of Marburgian idealism because they also deny the existence of an independent religious consciousness. According to both Kant and Cohen, religion consists of commandments rather than cognition.[52] The claim that the criteria of Cohen's thought are not relevant to *homo religiosus* and his phenomenological approach is discussed below in detail.[53] At the same time, Cohen's scientific-legal idealism will emerge as the only relevant perspective on halakhic man's consciousness.

From Process to Datum: Between The Halakhic Mind *and* Halakhic Man

In light of the preceding analysis, I see no reason for assuming any difference or conflict between the *homo religiosus* of *The Halakhic Mind* and the *homo religiosus* of *Halakhic Man*, or between both of them and "From Thence You Shall Seek," which is devoted to *homo religiosus*.[54] To the contrary: all three fit perfectly well if *Halakhic Man* documents a figure with which R. Soloveitchik does not necessarily fully identify, although he is closely linked to it through his own biography. Two issues are worth noting in this context:

1. In all three essays, *homo religiosus* assumes an easy and non-apologetic attitude toward science and scientific cognition (particularly according to the conventionalist outlook). He does not view scientific cognition as the final word but only as an alternative, and at times also as the starting point of religious consciousness or of the religious experience.
2. In all three essays, *homo religiosus* is presented as autonomous, independent of either scientific or any other type of cognition.

What, then, are the differences between these essays? Are they perhaps mutually complementary? In *The Halakhic Mind*, R. Soloveitchik painstakingly clarifies the need for describing anew the complex structure of *homo religiosus*' consciousness, focusing on specific methodological

---

[52] See Nathan Rotenstreich, *Contemporary Jewish Thought* [Hebrew], vol. 2 (Tel-Aviv: Am Oved, 1966), 54.

[53] See below, ch. 5.

[54] Thereby challenging, to some extent, the view of Sacks, "Rabbi J. B. Soloveitchik's Early Epistemology," 81.

problems.[55] This essay exposes the intricate structure of the consciousness of *homo religiosus* in general, concentrating on the process and the method of exposure. By contrast, in "From Thence You Shall Seek," R. Soloveitchik describes the experiential dimension of *homo religiosus* in Judaism and the links between his "consciousness" and the divine. The figure of the Jewish *homo religiosus* begins to take shape in front of the readers, since the author allows them to peek at its process of inception. "From Thence You Shall Seek" is a detailed application of the methodology postulated in *The Halakhic Mind*, with the stages of religious consciousness materializing before the readers. By contrast, the *homo religiosus* of *Halakhic Man* is a fully fledged and all-rounded character, which is contrasted with halakhic man. From the perspective of halakhic man, *homo religiosus* is presented as a problematic and negative element involved in a bitter confrontation with halakhic man.[56] In this essay, R. Soloveitchik represents a consciousness entirely different from that of *homo religiosus*. He enters the figure of halakhic man and, in order to portray it, internalizes the attitude of halakhic men who strongly rejected *homi religiosi.* In *Halakhic Man, homo religiosus* is presented from an extremely negative and critical perspective, stressing his potential danger and destructiveness. In this sense, *Halakhic Man* also outlines an entirely negative aspect in the personality of *homo religiosus*. The three essays, then, mark different stages in the conceptual and descriptive development of *homo religiosus* and in the analysis of his consciousness. In this sense, these essays are mutually complementary, despite the mutual tensions between the types they describe.

Since *homo religiosus* in *Halakhic Man* is a given, and since the opposition of halakhic man to *homo religiosus* follows directly from the full and special ideal cognition he has been granted, *Halakhic Man* highlights the negative elements of *homo religiosus*. The cognition of halakhic man rests on the rigorous idealism of Hermann Cohen, with certain changes discussed below. After opening *Halakhic Man* with this theoretical analysis of *homo religiosus*, R. Soloveitchik shifts his focus to concrete examples.

---

[55] Although R. Soloveitchik wrote this essay to defend the normative-practical structure of Judaism, in reality it deals with philosophy of religion in general.

[56] See below, ch. 7.

Homo Religiosus: *Two Types*

The development of the discussion in *Halakhic Man* so far suggests that R. Soloveitchik presents two ideal types of *homo religiosus* or, at least, seeks to create the impression that there are two such types, as follows:

1. A *homo religiosus* who relies only on emotions and intuitions and rejects rational considerations. His religious experience is entirely subjective, and thus completely detached from the rational realm and from "objective" action.
2. A *homo religiosus* who relies on scientific-rational thought.[57] His religious experience, predicated on a rational sphere, strives for its hidden-transcendent elements.

As noted, R. Soloveitchik is highly critical of the first type, presenting him as potentially disastrous and as a source of racist ideologies. The partner to the hidden dialogue he ostensibly conducts in the opening pages of *Halakhic Man* is only the second type of *homo religiosus*. At this stage, three significant facts that will become clearer in the course of the discussion are already worth noting:

1. According to halakhic man, the first type of *homo religiosus* is a constant and threatening presence within the second type. By definition, then, *homo religiosus* tends to slide into non-rational emotionality.[58]
2. "From Thence You Shall Seek" and *The Halakhic Mind* are largely concerned with the second type of *homo religiosus*. Particularly in "From Thence You Shall Seek," the first type of *homo religiosus* is present within the second type, though this time from a positive and optimistic perspective.[59]
3. "From Thence You Shall Seek," which represents R. Soloveitchik's own world, represents a genuine synthesis between halakhic man's method of study and the characteristics of *homo religiosus*. Such a synthesis is impossible according to epistemological idealism, since the description of halakhic man's cognition as an ideal cognition in Cohen's terms precludes the phenomenological option, as noted. Although R. Soloveitchik holds that this synthesis is

[57] On the split of this type into two, see ch. 3 below.
[58] See below, ch. 7.
[59] I will deal with this issue elsewhere.

indeed possible, pure halakhic men (such as Hayyim Soloveitchik, R. Soloveitchik's grandfather) reject *homo religiosus* altogether.

These facts make *Halakhic Man* a complex and intricate work, even if still fully explainable in light of the various trends in the other essays that, as noted, are mutually complementary. For the time being, however, my endeavor is to trace the course of R. Soloveitchik's ideas as he attempts to clarify them to the reader of *Halakhic Man*, focusing exclusively on this work's view of the second type of *homo religiosus*, which halakhic man will also ultimately reject. The attitude to *homo religiosus* thus determines the esoteric writing style that R. Soloveitchik adopts in the essay.

The second type of *homo religiosus* present in *Halakhic Man* is strengthened in light of two facts:

1. *Epistemological Uniqueness*. *Homo religiosus* has an independent mode of cognition, comparable to the "discovery of the wondrous and miraculous quality of the very laws of nature" (7). This type of cognition could be called "dialectic," although it is an autonomous cognition that relies also on scientific data.
2. *Transcendent Correspondence* (exo-epistemic). The cognition of *homo religiosus*, namely, the quest for the concealed through knowledge of the revealed (the scientific laws) is anchored in the nature of external reality:

   Reality possesses two faces. On the one hand, she presents us with a bright, happy, smiling face; she greets us with a cheerful countenance and reveals to us something of her essence… On the other hand, however, reality is possessed of an extreme modesty; at times she conceals herself in her inner-most chamber and disappears from the view of the scholar and investigator. (8)

The study of nature's laws shows that revelation leads to a greater riddle. As scientific discoveries expand, so do new problems, so far insoluble: "in the midst of contemplation the riddle gains new strength" (9). Although R. Soloveitchik tries to show that the universe is adapted to the dialectic of religion and cognition, in actual fact it fits *homo religiosus*. The dialectic strengthens religious cognition, since it is not detached from the external world.

R. Soloveitchik points out at the opening of the essay that halakhic man is a composite, incorporating the features and the personality of *homo religiosus* and of cognitive man. But the relationship between these

two figures (*homo religiosus* [of the second type] and cognitive man) is not symmetrical, since the consciousness of *homo religiosus* itself rests on the scientific law that is exposed through the mathematical natural sciences.[60]

Homo Religiosus *and Halakhic Man*

My aim in the following chapters is to consider whether the independent cognitive course of religion, as clarified in *The Halakhic Mind* and *Halakhic Man*, is compatible with the ideal figure of halakhic man, or whether religious philosophy and the features typical of *homo religiosus* should play no role in the description of this ideal figure. Indeed, the question of the link between *homo religiosus* and halakhic man is one of the most complicated and intricate issues in *Halakhic Man*. This link, as noted, can be described in two ways: (1) In the mature and full-fledged halakhic man, it is only apparent and actually unfounded. (2) During the first stages of halakhic man's development, it exists as a starting point, as a necessary personality trait from which halakhic man attempts to detach.[61] The discussion below will also adduce further evidence for this view.[62]

In this sense, halakhic man relates to religion as Judah Halevi relates to philosophy and philosophers in *The Kuzari*.[63] Ostensibly, *The Kuzari* describes a dialogue and mutual links with philosophical theories. Judah Halevi discusses philosophical issues and even gives his views on them. But when one considers the trends actually dominant in *The Kuzari*, the obvious aim of the purported dialogue is to demolish philosophy: Judah Halevi wrote his book to preclude the option of a religious philosophy. Similarly, halakhic man is in a mutual relationship with *homo religiosus*, and *Halakhic Man* often resorts to *homo religiosus*, who takes up a considerable part of the discussions in this essay.

---

[60] The innovation is not in the fact that *homo religiosus* acknowledges the achievements of science. In *The Halakhic Mind*, R. Soloveitchik explicitly argues that modern philosophy no longer challenges scientific data (*The Halakhic Mind*, 5 ff.). Rather, the innovation is that scientific law serves *homo religiosus* as a basis for developing his own cognition, which differs from scientific cognition.

[61] See above, 26–27.

[62] See below, ch. 7.

[63] Similarities in the writing style of *Halakhic Man* and *The Kuzari* were discussed at the end of ch. 1 above.

But halakhic man categorically rejects *homo religiosus*, and denies him any share in religious consciousness. The cognitive structure of halakhic man leaves no room whatsoever for *homo religiosus*, who is perceived as a risk to be attacked and eliminated. The discussion of this issue will be preceded by an analysis of the various examples of concrete *homi religiosi* in *Halakhic Man*.

CHAPTER THREE

THE FIRST PARADIGM OF *HOMO RELIGIOSUS*: MAIMONIDES

At the opening of *Halakhic Man*, R. Soloveitchik presents the eponymous figure as a combination of cognitive man and *homo religiosus*. In religious thought in general, and in R. Soloveitchik's thought in particular, ideas are often clarified through their representation in concrete, typical figures. The concept of "prophecy" is at times clarified in the history of religions through a description and analysis of specific prophets, the notion of redemption through the messiah's personality, and so forth.[1] In *Halakhic Man*, R. Soloveitchik uses a dual personification: influenced by Spranger, he conveys the idea of halakhic cognition through a pure type of halakhic man, and then draws this ideal type through a series of concrete historical personalities (the Gaon of Vilna, R. Hayyim of Volozhin, R. Hayyim Soloveitchik of Brisk, and R. Elijah of Pruzhan). Discussions in *Halakhic Man* are often tied to stories from the lives of these sages, who are mentioned as personifications of an ideal epistemic structure and its implications for character and for the moral-practical ethos.

In this work, R. Soloveitchik makes a far more complex typological move, applying this combination of cognitive man and *homo religiosus* to concrete figures, even before embarking into a deep analysis of halakhic man himself. After offering a theoretical description of the second type of *homo religiosus*, who combines religion and cognition, he proceeds to describe actual historical figures. In two successive discussions in sections iii and iv, R. Soloveitchik traces two figures who harmonize cognition and religion. Whereas his recourse to one of them—Maimonides—is rather obvious, his use of the other—Immanuel Kant—is quite surprising if *Halakhic Man* is read as a standard, transparent text. This chapter will focus on Maimonides as a pure type of *homo religiosus*. The figure

[1] In a 1960 article, R. Soloveitchik explicitly states his reservations from abstractions and his support for real types. A concrete messiah, rather than messianism, is the subject of the discussion. See Joseph Soloveitchik, *Divrei Hashkafah* (Jerusalem: WZO, 1995), 203.

of Kant as a paradigm of *homo religiosus* is the topic of the next chapter, since the development of this figure is an important preliminary stage toward the description of halakhic man. Finally, the discussion will turn to the central distinction between Maimonides and Kant as typical *homi religiosi*.

The Literary Aspect

The complex and convoluted literary structure of the personal descriptions in sections iii and iv of *Halakhic Man*, which fits the writing style of *Halakhic Man* in general, is worth considering at this point. The concrete personification of the ideal figure is presented in a complex, chiastic picture, as follows:

1. *Kant*: When R. Soloveitchik presents the exo-conscious parallel of *homo religiosus* (or hidden side of being), he concludes with a note that is a critique of Kant (9).
2. *Maimonides*: Then, when he deals with Job as a model of *homo religiosus*, R. Soloveitchik adds a note on Maimonides and compares him to Hermann Cohen (10).
3. *Maimonides*: R. Soloveitchik presents Maimonides as a *homo religiosus* of the second type, who combines scientific cognition and transcendent religion (11–13).
4. *Kant*: Kant is presented as a *homo religiosus* of the second type, who requires a special discussion (13–15).

This seemingly puzzling literary structure is discussed at length below. My next concern is the presentation of Maimonides as a composite—a *homo religiosus* who relies on cognition in the experience of concealment. Several differences and distinctions between *Halakhic Man* and *The Halakhic Mind*, including the reasons for them, will also be addressed.

Job: From Cognition to Religion

In section iii of *Halakhic Man*, R. Soloveitchik again breaks the literary proportions of the description. This section, as noted, is devoted to a presentation of the dual nature of the cosmos and their parallels in cognitive man and in *homo religiosus*. On the one hand, nature "allows" scientists to discover its laws; it consents, as it were, to the human goal

of subduing it and subjecting it to set, fixed, and regular patterns and to physical-mathematical models (this is the meaning of the term *cognition* as the defining feature of cognitive man). On the other hand, the cosmos simultaneously appears as refusing exposure, posing unsolved problems, and eluding the scientists' limited sensorial perceptions (as *homo religiosus* emphasizes). In fact, the cosmos is built according to the second type of *homo religiosus*, since both dimensions of reality coalesce in this figure: the revealed and the concealed. It is thus clear why, after discussing this duality, R. Soloveitchik deals only with *homo religiosus* and presents the two paradigms of this type: Job (9–10) and Maimonides (11–12). R. Soloveitchik writes on Job:

> And Job, who had raged against heaven because he had sought to render an accounting of the world and erred, accepts upon himself the divine judgment: "Who is it that hideth counsel without knowledge? Therefore have I uttered that which I understood not, things too wonderful for me, which I knew not" (Job 42: 3). He sinned with his proud and overly bold venture to grasp and comprehend the secret of the cosmos; he confesses and returns to God with the discovery of the mystery in the created world and of his inability to understand that mystery. (10)

What was Job's sin? Does not every *homo religiosus* seek to reach the concealed? Job began as a *homo religiosus*. Of him, it is said: "He scans reality and is overcome with wonder" (10) and also, he is "eager to cognize natural phenomena and understand them" (11). The conclusion, then, is that Job held that scientific knowledge can be expanded and applied to the concealed; in that he erred, since this is impossible by definition. Alternatively, Job failed to internalize the dialectic consciousness of *homo religiosus*, "a strange polarity of disclosure and hiding, revealing and concealing." *Homo religiosus*, fluctuating between poles, is no less than "the man of God" (10). R. Soloveitchik teaches a crucial lesson here: a man who is by nature a *homo religiosus* and seeks to assume the personality of cognitive man, is presumptuous. A *homo religiosus* such as Job must accept the dialectic that postulates the concealed. In sum, knowledge of the concealed differs from scientific knowledge. The blurring of borders leads to hubris.

The cognition of cognitive man is structured according to Cohen's idealism: there are no realms beyond it. Cohen's epistemic idealism denies metaphysics. Cognitive man does not admit any form of concealment and hiding or any other type of knowledge (knowledge of the concealed). True, *homo religiosus* cannot adopt this type of consciousness, but the description of halakhic man's cognition and consciousness rests

on epistemic idealism.[2] *Homo religiosus* accepts the concealed as one pole in his sway, whereas cognitive man denies it.[3] Job, who turned from cognitive man into *homo religiosus*, becomes "a man of God" when he admits the existence of a non-scientific realm of knowledge. But although Job is an important figure for R. Soloveitchik, his full attention is given to Maimonides, and for good reason.

A Successful Reconstruction: Maimonides on the Attributes

My focus is now on Maimonides as the archetype of *homo religiosus*. Maimonides' *Code* is a mainstay of Brisk scholarship and, as many studies show, Maimonides and his philosophy are essential to the understanding of R. Soloveitchik.[4] How does Maimonides fit the complex model of *homo religiosus*? R. Soloveitchik answers by arguing that, on the one hand, Maimonides makes knowledge of God a commandment in his halakhic philosophy (*The Book of Commandments*). On the other, Maimonides recurrently claims in the *Guide of the Perplexed* that positive knowledge of God is unattainable and upholds the negative attributes, which parallel the concealment and the hidden in *homo religiosus*. R. Soloveitchik asks:

> Are there two greater opposites than these? Nevertheless! Maimonides himself struggled with this antinomy and devoted two chapters of the *Guide of the Perplexed* (I: 59–60) to it. The substance of his answer is that negative cognition does not forfeit its status as cognition. However, we know that the entire phenomenon of negative cognition is only possible against a backdrop of affirmative cognition. For we negate with respect

---

[2] See below, ch. 5.

[3] This is why genuine cognitive man rejects *homi religiosi*. The tension between halakhic man and *homo religiosus*, a leit-motif of *Halakhic Man*, confirms this dichotomous distinction. The dichotomy, however, is one-sided: halakhic men do not recognize the consciousness of *homo religiosus* and utterly reject it, while *homi religiosi* are willing to accept an ideal halakhic consciousness. This is also true for R. Soloveitchik himself: a *homo religiosus*, for whom one of the poles in his fluctuation is halakhic consciousness. They, however, are not the subjects of the present work: R. Hayyim of Brisk and others like him reject *homo religiosus*. *Halakhic Man*, then, is not about R. Soloveitchik, as noted.

[4] See, for instance, Aviezer Ravitzky, "Rabbi J. B. Soloveitchik on Human Knowledge: Between Maimonidean and Neo-Kantian Philosophy," *Modern Judaism* 6 (1986), 157–188; Zeev Harvey, "Notes on Rav Soloveitchik and Maimonidean Philosophy," in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 95–107. Maimonides is several times presented as a classic *homo religiosus* in "From Thence You Shall Seek." See, for instance, ibid., 175–176, note.

> to the Creator all of the attributes that we have affirmed with respect to created beings. Therefore, in order to arrive at the negation, we must engage in an act of affirmation. The act of negation is reconstructed out of the very substance of affirmation. And what constitutes affirmative cognition if not the cognition of the cosmos—the attributes of action? Moses prayed that these attributes be communicated to him, and his petition was granted. Indeed, we are all commanded to occupy ourselves with the understanding in depth of these attributes, for they bring us to the love and fear of God, as Maimonides explains in the *Laws of the Foundations of the Torah* (2: 2). First we cognize in positive categories God's great and exalted world, and afterward we negate the attributes of created beings from the Creator. This solution accords well with the ontological approach of the man of God: cognition for the sake of grasping the eternal riddle, revealing for the sake of concealing, comprehending for the sake of laying bare the incomprehensible in all its glorious mystery and terror. (12)

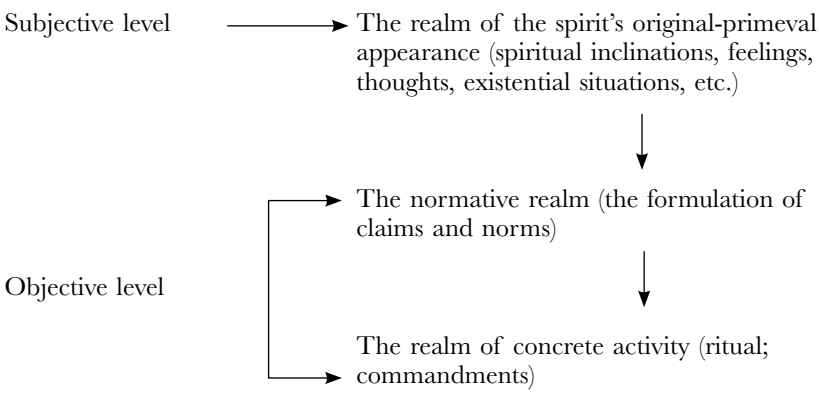
According to Maimonides, knowledge of God's attributes of action is synonymous with scientific knowledge of the cosmos, namely, with the systematic acquisition of the natural sciences, as was true of Moses.[5] R. Soloveitchik interprets the commandment to know God in *The Book of the Commandments* as reflecting the norm of studying the cosmic order, since this knowledge leads to knowledge of God. The commandment is knowledge: the norm is the value of study. Knowledge of the laws of nature—which is positive knowledge—enables the theological conception of negative attributes, whereby the revealed (the objective) is the basis of the concealed (the undefined subjective).

Understanding why R. Soloveitchik turns Maimonides into the paradigm of *homo religiosus* leads to *The Halakhic Mind*. In this work, R. Soloveitchik claims that the aim of philosophy of religion is to track the subjective dimension ("the spirit," thought, and consciousness) underlying the objective one (religious norms and deeds). The philosophy of religion traces the subjectivization process of religion's objective dimension. As scholars have shown, R. Soloveitchik creates a triangular structure to describe the hierarchy between subjective and objective:[6]

---

[5] See Dov Schwartz, *Contradiction and Concealment in Medieval Jewish Thought* [Hebrew] (Ramat Gan: Bar Ilan University Press, 2002), 72.

[6] See Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 63; Eliezer Goldman, "Religion and Halakhah in the Teaching of Rabbi J. B. Soloveitchik" [Hebrew], *Daat* 42 (1999), 126–127. In my view, R. Soloveitchik was formally influenced by Maimonides'



The philosophy of religion focuses on the gradual exposure and reconstruction of the subjective realm (love and fear, closeness and distance, and so forth) out of the objective dimensions. R. Soloveitchik rejects scientific causality within the philosophy of religion. "As we have seen, when the scientist states that A is the cause of B, he is unconcerned with the subjective correlates A_1 and B_1."[7] For instance, the classic scientific causality underlying the law of conservation of energy is not applicable to spiritual and religious realms, of which R. Soloveitchik writes: "If A[8] and B are not directly coordinated and must be reconverted first into their subjective aspects A_1 and B_1, then it is apparent that such a relationship is non-existent."[9]

And he illustrates: modern psychology teaches that non-significant events may have a revolutionary impact on a person's inner world, while significant events may leave no mark. The subjective dimension of the religious act cannot be revealed through the usual course of tracing cause from effect, through causal analysis, or even through the constructions of classical physics. Instead, an act of reconstruction is

---

psychological-ethical model in *Eight Chapters*, ch. 4. In this work, Maimonides argues for a triangular moral-psychological model: a disposition, a virtue (such as meanness, generosity, or wastefulness), and action (charity, in this instance). The disposition is deterministic, whereas the moral quality can be changed through appropriate acts.

[7] *The Halakhic Mind*, 71. See Yossi Turner, "The Religious Act According to Rav Soloveitchik: Divine Command or Human Creation?" in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 389–390. The context indicates that R. Soloveitchik is referring to classic science, where theories are confined to causal explanations. The modern physicist, however, indeed reconstructs subjective structures on the basis of objective phenomena.

[8] Any objective event or religious norm.

[9] *The Halakhic Mind*, 72.

needed. The philosopher of religion must reconstruct subjective religious consciousness from the religious-objective dimension, although no necessary-causal link ties the subjective and the objective together. In this sense, he is close to modern physics (specifically in the conventionalist version of science),[10] which reconstructs ideal structures out of the chaotic plethora of sensorial knowledge, namely, out of the "objective" level. This contrasts with the modern "metaphysical philosophers," as R. Soloveitchik defines them, who determine an essential structure without concern for the concrete details.[11] In the reconstruction of religious consciousness, R. Soloveitchik prefers to rely on the scientific method rather than on the philosophical approach.

Given this background, the view of R. Soloveitchik in *Halakhic Man* about Maimonides' doctrine of divine attributes as a process of reconstruction should be understood as follows:

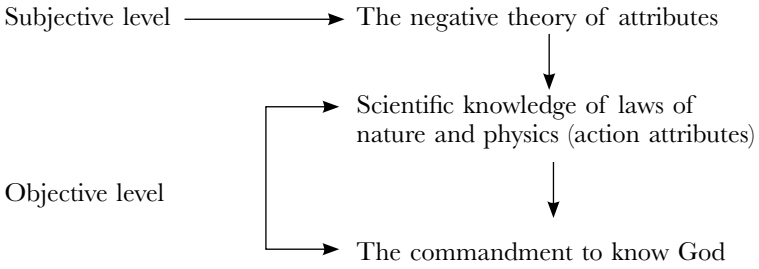
1. The halakhic statement ("knowledge of God is the first among the 613 commandments" [11]) reflects the normative, objective, and concrete dimensions of religion.
2. Positive knowledge of the laws of the material universe, resting on Maimonides' view that the Torah encourages acquisition of scientific knowledge, reflects the norm of learning, which also applies to the objective realm.
3. Negative theology, meaning the impossibility of describing God through any positive attribute, conveys the characteristics of subjective religious consciousness as reconstructed from the objective dimension ("the act of negation is reconstructed out of the very substance of affirmation"). Negative theology expresses the unique way of knowledge typical of *homo religiosus*: "cognition for the sake of grasping the eternal riddle, revealing for the sake of concealing, comprehending for the sake of laying bare the incomprehensible in all its glorious mystery and terror" (12).

---

[10] See below, ch. 5.

[11] *The Halakhic Mind*, 61. R. Soloveitchik refers here mainly to phenomenologists and views them as metaphysicians. As clarified in 47–49 above, R. Soloveitchik presents a synthetic view of phenomenology and reconstruction. In "From Thence You Shall Seek," R. Soloveitchik discusses several instances of reconstruction, such as the study of experiential-subjective consciousness at the root of the blessings on food and drink, which constitute a religious-objective act ("From Thence You Shall Seek," 135–136), of the *imitatio Dei* and conjunction with God commandments (ibid., 187–193), and those of pilgrimages to Jerusalem on the festivals (ibid., 189).

R. Soloveitchik presents an approach that can be characterized as phenomenological-reconstructionist, making negative attributes the required foundation of any positive theology.[12] The reconstruction of the subjective dimension through the objectification process is presented in the following diagram, which parallels the previous one:



To assume this depth structure, R. Soloveitchik must postulate that Maimonides assumes a hierarchical distinction between attributes of action (norms) and negative attributes (the subjective level), and he may even be correct concerning Maimonides' original intention.[13] This is how R. Soloveitchik presents the reconstruction of subjective consciousness in *homo religiosus* according to Maimonides and, in fact, the consciousness of Maimonides himself.

In *Halakhic Man*, R. Soloveitchik presents Maimonides in a positive light, as reflecting the *homo religiosus* who relies on cognition. R. Soloveitchik's reconstruction process of Maimonides' subjective consciousness proved successful. And yet, Maimonides' attempt to reconstruct subjective consciousness from the texts and from the interpretations of Oral Law ends in utter failure. R. Soloveitchik exposes the negative side of the coin in *The Halakhic Mind*.

---

[12] See *Guide* 1: 59–60, and Max Scheler, *On the Eternal in Man*, trans. by Bernard Noble (Hamden, Conn.: Archon Books, 1960), 172.

[13] "In any event, the affirmative cognition of existence—the attributes of action—is prior to negative cognition…The cognition of the Creator is possible according to Maimonides' view, only through the cognition of the attributes of action—i.e. this vast and great cosmos. As a result of this cognition we arrive at the negation of the essential attributes" (n. 14, 145–146). See also Harvey, "Notes on Rav Soloveitchik and Maimonidean Philosophy," 96; Schwartz, *Contradiction and Concealment.*

A Failed [Re] Construction: Maimonides on the Reasons for the Commandments

In *The Halakhic Mind*, R. Soloveitchik deals with the reasons for the commandments according to Maimonides. Maimonides rejects the division into rational and traditional commandments and seeks an overarching interpretation of the religious endeavor.[14] R. Soloveitchik holds that Maimonides' rationalist justification of the commandments, in the third part of the *Guide of the Perplexed*, is meaningless to a modern person. In his view, the religious domain should be analyzed with autonomous tools through methods adopted from the philosophy of religion, and should not be turned into a means for serving other realms or explained according to them. In the *Guide*, "Maimonides developed a religious 'instrumentalism.'"[15] According to R. Soloveitchik, Maimonides attempted to apply scientific causality (be it of the scientific-Aristotelian or the historicist variety) to religious practice, and thereby failed: "Instead of describing, Maimonides explained; instead of reconstructing, he constructed."[16]

Although R. Soloveitchik is ostensibly referring to phenomenology in this comment—describing rather than explaining—another reading is also possible. In his dissertation, R. Soloveitchik deals with the methodological distinction between description (*Beschreibung*) and explanation (*Erklärung*), a difference Cohen considers crucial.[17] The descriptive method tries to dispense with the dimension of scientific explanation that is not based on observation, rejecting the existence of entities that cannot be perceived through the senses. This is the method used in biological fields. Biology creates general-abstract concepts but rests

---

[14] See Dov Schwartz, *Faith and Reason: Debates in Medieval Jewish Philosophy* [Hebrew] (Tel Aviv: Israel Ministry of Defense, 2001), 76–80. On the reasons for the commandments in Maimonides, see Yitzhak Heinemann, *The Reasons for the Commandments in the Tradition* (Jerusalem: WZO, 1966), 79–97.

[15] *The Halakhic Mind*, 93.

[16] Ibid., 92.

[17] *Das reine Denken*, 19. The contrast between description and explanation rests on Wilhelm Windelband's distinction between nomothetic ("explanation") and ideographic ("description") sciences. See, for instance, Rudolf A. Makkreel, "Wilhelm Dilthey and the neo-Kantians: The Distinctions of the *Geisteswissenschaften* and the *Kulturwissenschaften*," *Journal of the History of Philosophy* 7 (1969): 425–432. Unlike Cohen, Dilthey uses the term "explanation" both in reference to the method of natural sciences as well as to vital explication (impulse, will, feeling). Compare, Wilhelm Dilthey, *Gesammelte Schriften*, vol. 5 (Leipzig: B. G. Teubner, 1924), 95–96.

clearly on the descriptive method, as evident from its branches (botany, zoology). The classifications of flora and fauna into orders and species relies on external experience, namely, on sensorial knowledge. By contrast, in the exact sciences, for instance mathematics and physics, the dominant method is explanation, which strives to quantify qualities. According to Cohen, the descriptive method has no place in the mathematical exact sciences since, in his view, these sciences do not describe an object. Mathematics, which perceives the body as a closed system involving "pure" relationships and links, is at the highest level of abstraction, whereas chemistry is perceived as a discipline mid-way between the biological and the exact mathematical sciences.

Cohen, however, does not stop at this stage. He argues that explanation is a method valid for all sciences, including those considered "descriptive." The methodological difference between sciences, then, is the following: in fields related to biology, the concrete object precedes the laws of science, so that the initial achievements are attained by relying on the descriptive method. By contrast, in the exact mathematical sciences, the laws precede the object, so that the laws are disclosed through the explanation method alone.[18] Since reason creates its objects, "descriptive" realms are also ultimately included in the explanation method.[19]

In his dissertation, R. Soloveitchik takes a critical view of Cohen's epistemological method, *inter alia* because it is not suited to knowledge of the object in the empirical sciences.[20] R. Soloveitchik argues against blurring the border between explanation and description. Sciences such as geography and geology, for instance, cannot be placed, by definition, within an abstract mathematical system. Geography and geology unquestionably deal with an individual object that is apprehended sensorially rather than through abstractions. In sum: the descriptive cannot become explanatory.[21]

The descriptive method relates to objects observed as part of a given, objective-external realm. By contrast, the explanatory method

---

[18] *Das reine Denken*, 20–21.

[19] I discuss below R. Soloveitchik's understanding of the place of sensorial experience in this method.

[20] See Munk, *The Rationale of Halakhic Man*, 50.

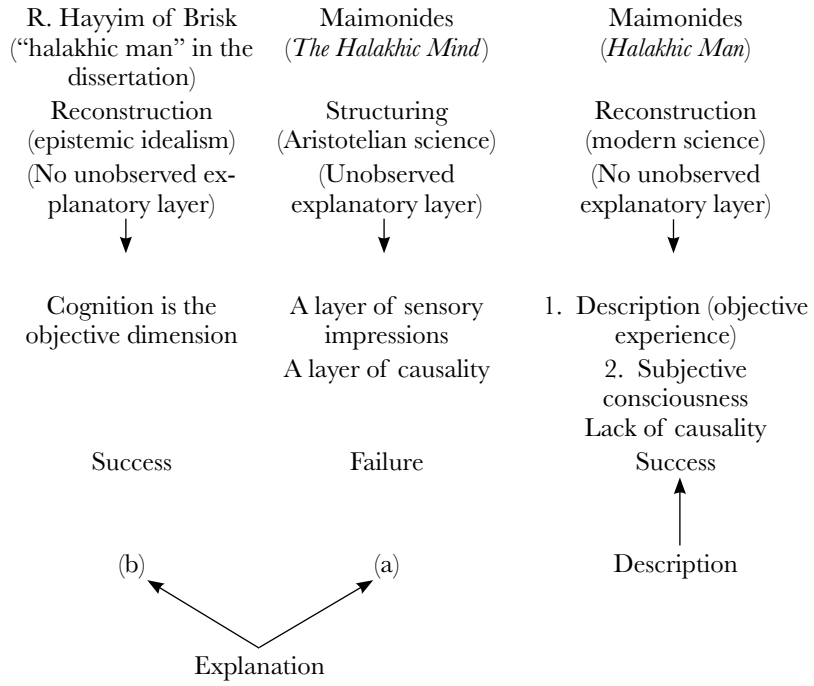
[21] *Das reine Denken*, 23. R. Soloveitchik later formulates this distinction in another context. See Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1982), 166–167.

specifies theoretical laws beyond (or underlying) the observed objective realm. In *The Halakhic Mind*, R. Soloveitchik expands the explanatory method that Cohen uses to present science into two scientific paradigms:

1. *Essentialist Causality*: In Aristotelian science, causality is formulated in terms of essence. Aristotle's explanatory level presents the essences as the causes of the observed events and processes. This, as it were, is a meta-layer above the realm of the phenomena, which is the founding layer. The explanatory method is expressed here in an abstract essentialism.
2. *Lack of Causality*: Modern science (which is the one that interests Cohen) lacks an explanatory-causal aspect and strives to present the relationships prevailing within a particular event without claiming uniformity between cause and effect. The modern scientist senses the conceptual alienation between cause and effect, and the explanatory method is manifest here in the mathematical-quantitative structures.

In his critique of Maimonides in *The Halakhic Mind*, R. Soloveitchik uses the first paradigm of the explanatory method. In his view, Maimonides explains the reasons for the commandments in the mode typical of the causal-Aristotelian model. Maimonides, as it were, holds that religious consciousness can be presented according to explanatory scientific thought, which provides causal explanations for data from the world of phenomena (according to the Aristotelian paradigm). But no conceptual or necessary link exists between idolatry as an argument or a reason and the commandments on sacrificial offerings… The attempts of rationalists to establish causality on logical inference were utterly rejected by conventionalists, and R. Soloveitchik adopts this approach when relating here to Maimonides' thought. Maimonides founded the reasons for the commandments, as it were, on the explanatory method, but subjective religious consciousness is not amenable to such explanations. The suitable approach in this case is the descriptive method, which is attentive to the actual datum and does not pretend to impose on it criteria from the entirely different "universe" of scientific causality (a mathematical abstract essence or structure). Religious consciousness must begin from the external-concrete and objective description, from which the subjective dimension can then be reconstructed. In sum: scientific causality is not an appropriate method for the purpose of

tracing the objectification process of the subjective religious dimension.[22] The different methods and their appearance in R. Soloveitchik's various writings are presented in the following diagram. The first column represents the world view of halakhic man discussed in the next chapters, presented here for comparative purposes:



R. Soloveitchik, then, succeeds in reconstructing Maimonides' religious-subjective consciousness, whereas Maimonides fails (in the attempt to reconstruct consciousness from the sources). R. Soloveitchik clearly chooses to present Maimonides as an unquestionably positive figure in *Halakhic Man*, whereas in *The Halakhic Mind* he emphasizes his critique of him. This difference could be explained in light of Maimonides' crucial role in shaping the world view of Lithuanian scholarship, and that of the Brisk dynasty in particular. For instance, in *The Halakhic*

[22] On this issue, R. Soloveitchik influenced Eliezer Goldman. See Eliezer Goldman, *Expositions and Inquiries: Jewish Thought in Past and Present* [Hebrew], ed. Danny Statman and Avi Sagi (Jerusalem: Magnes Press, 1996), 306–315; Avi Sagi, "Religious Commitment in a Secularized World: Introductory Chapters to the Thought of Eliezer Goldman" [Hebrew], *Daat* 36 (1996), 79–81.

Mind, R. Soloveitchik draws a rigorous distinction between the *Guide of the Perplexed* and the *Code*. In *Halakhic Man*, his criticism melts away, and the perception of Maimonides as a key figure who constitutes halakhic cognition[23] overrides any criticism.

But this explanation, however accurate, is still unsatisfactory. The deeper explanation is that, in *Halakhic Man*, R. Soloveitchik tries to create the impression that the personality of halakhic man includes features of *homo religiosus*. Hence, it is important to present a "positive" type of *homo religiosus*, whose subjective consciousness was successfully reconstructed from the objective layer in order to create halakhic man as a paragon. *Prima facie*, halakhic man combines positive elements of *homo religiosus* and of cognitive man. Only the reader between the lines understands that this is not a combination of types. This judicious reader knows that halakhic man rejects *homo religiosus*, whether or not the reconstruction is successful. Halakhic man perceives *homo religiosus* as "contaminated" by strange elements and, as such, as destructive.[24] The tension in the attitude to Maimonides is more blatantly evident in the contrast between *The Halakhic Mind* and "From Thence You Shall Seek," where Maimonides is presented as perfect type. From the perspective of halakhic man, however, the result is the same: *homo religiosus* is banned from his halakhic-epistemic world.

A Preliminary Presentation: The Status of the Senses

As noted, before R. Soloveitchik enters into an extensive discussion of Maimonides as *homo religiosus* (11–12) based on the commandment to know God as well as on the negative attributes doctrine, he prepares the ground through a preliminary footnote. This footnote, which seems to me extremely important, rejects any comparison between Cohen and his Marburg school on the one hand, and Maimonides on the other. R. Soloveitchik strives to exclude Cohen and his colleagues from the category of *homo religiosus*, and he writes:

> The neo-Kantian school set the problem and goal in the center of its philosophy, which understands cognition as a dynamic process (a Hegelian concept, except that Hegel understood the movement of the logos

[23] The characteristics of halakhic consciousness are discussed in ch. 5 below.
[24] See below, ch. 7.

> in a dialectical manner).[25] The *Fieri* [thing to be done] in the place of the *Factum* [thing which has been done] and the *Actus* [that which is to be effected] in the place of the *Actum* [that which has been effected] obviously result in placing the goal and the problem in the very core of the doctrine. However, the neo-Kantian goal differs entirely from the goal of cognition of God, as set forth in the philosophy of Maimonides. For the neo-Kantians, the problem does not express itself in concealing and hiding but rather in creating and revealing. The process of cognition does not conceal, but creates and discloses. Both the problem itself and the unending task (*Die unendliche Aufgabe*) constitute an essential part of the process of the unfolding and "creation" of the logos, for is it not the case that there is no existence without cognition? (144, n. 11)

In this note, R. Soloveitchik tries to prevent the mistake of characterizing neo-Kantian (and particularly Cohen's) thought as religious thought. A formal parallel seems evident between Maimonides and Cohen, in the model of a concealed realm that requires exposure (explication) or creativity, and relies on the revealed realm:

1. *Maimonides*: Later in his discussion, as noted, R. Soloveitchik applies the model to Maimonides when he bases the apprehension of negative attributes (the concealed),[26] on knowledge of the natural-cosmic laws (the revealed).
2. *Hermann Cohen and the neo-Kantians*: Thought creates its principles and its objects (the concealed), relying on the laws of science (the revealed).

Why is this parallel inappropriate? R. Soloveitchik clarifies in his dissertation that, according to Cohen, reason creates its objects rather than merely classifying them. Reason has no "datum" before it;

---

[25] This distinction between Hegel and the neo-Kantians is extremely important for R. Soloveitchik, In *The Halakhic Mind*, R. Soloveitchik speaks of replacing the *factum* with *fieri*, and the *actum* with *actus* invoking Kierkegaard, who adapted Hegel's philosophy to his own needs (*The Halakhic Mind*, 92, 100). In these cases, R. Soloveitchik views this approach as an expression of subjective religiosity, which in his view is negative and dangerous (see ch. 1 above). R. Soloveitchik tries to clarify to the discerning reader that replacing being with becoming may be a positive element when perceived in its conscious-rational context, as in Cohen's philosophy. But this replacement could be destructive in its Hegelian interpretation, which goes beyond reason and involves other realms, such as religion. On the perception of thought as process in the work of Hermann Cohen, see Nathan Rotenstreich, *Issues in Philosophy* [Hebrew] (Tel-Aviv: Dvir, 1962), 242–246.

[26] The negation of a positive statement says nothing about its contents, but Maimonides and the scholastics present a gradation of negativity and use analogy in order to present its positive aspects. See Schwartz, *Contradiction and Concealment*, 71.

reason relies on the pure, synthetic, a priori sentences that make up experience, namely, on the laws of mathematical natural sciences ("the fact of science").[27] The role of logic is to locate the principles and terms of pure thought revealed through science.[28] In other words, Cohen uses various sciences (mechanics, optics, and others) to show that reason begins from theories and from the logic derived from them to constitute their elementary foundations, the "origin" (*Ursprung*); these sciences are based on mathematics, in which the principle of origin reaches its perfect expression in the infinite reduction of infinity (the infinitesimal). The principle of origin enables the reduction of sense-impressions to infinity, namely, it reduces non-cognitive elements to oblivion. Thought, then, creates its scientific objects from itself and within itself. Cohen claims that the foundations and the consequences of the "thought of knowledge" (*Denken der Erkenntnis*) spring from the "origin." Thought reaches clear and absolute methodological constancy only as original creativity because, if reason can successfully constitute being—any being—at its origin, then this being cannot have any other cause than the one assumed by reason. All pure knowledge must, in one way or another, be knowledge of the origin, and only then is cognition pure and intrinsically valuable.[29] R. Soloveitchik then sums up and states in his dissertation that the principle of origin includes: (1) The development of thought according to its rigorous deductive order; (2) The mutual conditioning of its methods and categories, since if one element of the theory falls, the theory collapses altogether.[30] R. Soloveitchik argues in his dissertation that, according to Cohen, the origin is not a

---

[27] Munk, *The Rationale of Halakhic Man*, 21. Cohen uses the phrase *das Faktum der Wissenschaft* [the fact of science]. A distinction is required between experience according to Cohen, which reflects the mathematical sciences, and the sensorial external experience prompting the "problem." Furthermore: according to Cohen, the meaning of the objects created by thought is in their theoretical and mathematical expression rather than in the sensorial-external phenomenon. Ernst Cassirer writes: "Kant introduced neither a new metaphysics nor a new psychology; what he offered was something quite different—a new theory of experience…A theory of experience is what in modern terminology we call a general 'axiomatic' of experience. Such a doctrine must be built up on independent logical principles. To discover and establish these principles, first and foremost the principles of mathematics and mathematical physics, was the real aim of Kant." Ernst Cassirer, "Hermann Cohen (1842–1918)," *Social Research* 10 (1943), 223.

[28] *Das reine Denken*, 92. In Cohen's words: "The task of logic is to lead science to awareness of its ways" (*Logik der reinen Erkenntnis*, 589).

[29] Ibid., 36. See also Andrea Poma, *The Critical Philosophy of Hermann Cohen*, translated by John Denton (Albany, NY: SUNY Press, 1997), 85–86.

[30] *Das reine Denken*, 42.

single moment but a constant factor leading and shaping the process of cognition as a whole.[31] Cognition is therefore a dynamic creative process, continuous and infinite.[32]

Going back to R. Soloveitchik's note, the thought process for the neo-Kantians is concerned with the development of the object out of the origin, namely, the process of becoming (*fieri*), whereas the finished fact (*factum*) is only a point of departure for disclosing its foundations through abstract reason. Thought deals with the act of creation (*actus*), and the finished act (*actum*) is only an object of analysis. Becoming thus replaces the given fact and creativity replaces the finished product. Reason is thus perceived as both a process and an act. According to Cohen, even the distinction between the contents of thought and its action hampers the unity of thought. Thought, therefore, is distinctly an activity. "The process character of thought" argues R. Soloveitchik, "conditions its unity."[33] Furthermore: the creative thought process is continuous.[34] Tracing the sequence in a specific science and the sequence linking all sciences exposes the unity of knowledge. The sciences, therefore, enable to trace the process of becoming, where reason creates its objects from beginning to end. These schemes are extremely important to understand the epistemic world of halakhic man, as noted below.[35]

According to Cohen and his neo-Kantian school, then, thought is autonomous, since the perfect scientific structure is created by it and from it. In his dissertation, R. Soloveitchik devotes a special discussion to sense in particular, and to the sensorial-qualitative realm in general. He poses a challenge: given that the natural sciences rely on the senses, who will warrant that the entire sensorial realm will surrender to logical-idealistic laws? R. Soloveitchik argues that Marburgian idealism neutralized the sensorial dimension, but did not discard it altogether. The question of sense is the "*aporia* in Cohen's method."[36]

---

[31] Ibid., 83. On the attempt to apply this principle to Jewish texts see Almut S. Brukstein, "*Reshit* as Ontology and Ethics: A Hermeneutics of the Infinite Based on Hermann Cohen's 'Principle of Origin,'" *Proceedings of the Eleventh World Congress of Jewish Studies*, Vol. 2, Division C (Jerusalem: World Union of Jewish Studies, 1994), 53–60.

[32] On the implications of the dynamic perception of knowledge for Kantian philosophy, see Nathan Rotenstreich, *Experience and Its Systematization: Studies in Kant* (The Hague: Martinus Nijhoff, 1965), 154–155.

[33] *Das reine Denken*, 64.

[34] Ibid., 39.

[35] See ch. 5 below.

[36] *Das reine Denken*, 94.

What precisely is the problem? The matter of concrete-sensorial experience (*Wahrnehmung*) concerns the very adaptation of sense and the qualities it absorbs to general laws or to order. Some intensive size, some residue of the senses and of the qualities remains invariably unresponsive to the laws of reason (categories, observations, and so forth). This intensive size, the sense (*Empfindung*), guarantees that the external world of objects does indeed exist. How else would it be possible to distinguish between the products of imagination and external reality?! Perhaps we are not seeing the objects at all but merely imagining them?! Sense, therefore, is what distinguishes the creations of the spirit from the external-objective world. At the same time, however, it is an obstacle to reason: sense, after all, is an irrational residue that reason fails to dismantle and control. Cohen's well-known answer to the question of experience is: sense creates the *problem*, and thought provides the solution.[37] The senses act as a kind of stimulus and make a demand from reason; they require, as it were, scientific answers and explanations, and reason does indeed provide such an explanation through the autonomous building of science and its objects.

In the note quoted above, R. Soloveitchik uses the concept of the mission (*die Aufgabe*) or the task to indicate the status of the "datum." The general task incumbent on cognition is to cope with the strangeness of the datum. Cognition stumbles upon an alien element and, in its methodical fashion, strives to rid itself of its heterogeneity. Cohen describes the task as the preservation (*Erhaltung*) of the tension between multiplicity—"the datum"—and unity: "Multiplicity, as unity, must remain multiplicity, and unity must remain unity, and they should neither exist beside each other nor be absorbed within one another."[38] The aim of preserving the tension, which is the task of cognition, is to escape both Spinoza and empiricism, according to Cohen. On the one hand, total unity without multiplicity borders on Spinoza's approach. On the other, multiplicity without unity is synonymous with radical empiricism. The task, therefore, is the "re-creation" of the datum in cognition while preserving its existence as a datum, namely, its multiplicity. From another perspective, the concept of "task" reveals cognition as an endless process, whose aim is the thing-in-itself in

---

[37] Ibid., 99. See Samuel Hugo Bergman, "The Principle of Origin in Hermann Cohen's Philosophy" [Hebrew], in *Thinkers and Believers* (Tel-Aviv: Dvir, 1959), 140.

[38] *Logik der reinen Erkenntnis*, 62. See Poma, *The Critical Philosophy of Hermann Cohen*, 87.

Cohen's neo-Kantian interpretation.[39] In his dissertation, R. Soloveitchik distinguishes between Natorp's and Cohen's interpretation of the task.[40] According to Natorp, the task of objectification and its options of perfectibility are endless: attaining ends and reaching solutions only triggers further tasks and problems. Cognition is an endless process involving new tasks and further improvement. Hence, Natorp sees in the principle of origin a *task* incumbent on cognition. Cohen agrees that the creativity of cognition does reflect an endless process, in the sense that it succeeds every time in discovering new and more general unifying explanations. For Cohen, however, the principle of origin is not a task, but the element that unites the sciences and other realms of culture. R. Soloveitchik uses this principle in *Halakhic Man* to highlight the hidden side of the universe:

> The neo-Kantian philosophers have given striking expression to this ancient idea when they said that the function that holds between the solution and the problem is analogous to the function that holds between the radius and the circumference of a circle and its area. As the radius and circumference increase arithmetically, the area increases geometrically. (8–9).[41]

In the note, R. Soloveitchik refers to both Cohen and Natorp concerning the rejection of the transcendent and the concealed: "Both the problem itself [Cohen] and the unending task (*Die unendliche Aufgabe*) [Natorp] constitute an essential part of the process of the unfolding and 'creation' of the logos" (n. 11, 144). According to both Cohen and Natorp, thought creates its objects, and even determines the existence (*Sein*) of the experience and its laws and, therefore, no hidden element exists beyond it.

The use of the concept of "mission" or "task" in the note clarifies R. Soloveitchik's attitude to neo-Kantianism in general rather than to Cohen specifically since the Marburgian thinkers, and Natorp in particular, disagree with Cohen on this issue. R. Soloveitchik further argues in his dissertation that the thinkers of the Marburg school ascribe

---

[39] Rotenstreich, *Experience and Its Systematization*, 158. Rotenstreich argues that this is not a groundless interpretation of Kant. In his view, Kant tries to point "not only to what lies beyond this limit [the concept of the thing-in- itself as a limiting concept], but also to what lies within it."

[40] *Das reine Denken*, 66. The anticipation of sense refers to its inner size. See Immanuel Kant, *Critique of Pure Reason*, tr. Paul Guyer and Allan W. Wood (Cambridge: Cambridge University Press, 1998), 290–295.

[41] Natorp's metaphor alludes to a sphere. See *Das reine Denken*, 67, n. 2.

psychological and logical meaning to sense (*Empfindung*). The logical meaning is the one linked to pure thought and included in cognition. Indeed, sense is not viewed as the source of reason, but serves as the goal of reason and as the task ("the mission") incumbent on it. According to Natorp, for instance, the task imposed by the sensorial realm is to disclose the mental structure that enables it. In his view, as *task* has a meaning related to logic, so does it have a meaning in psychology, "as the science of the subjective."[42] From another perspective, the sensorial realm imposes a task on cognition, which endows its elements with order and definition.

Cohen, however, utterly rejects this presentation of sense as a task. In his view, sense is only a "hint" [*Hinweis, Anspielung*] of the task incumbent on reason;[43] sense is a kind of stimulus, a problem, and a demand upon the thought that creates its foundations. Natorp holds that the problem raised by sense sets the direction of the thought process, while Cohen holds that thought operates independently of sense.[44] Whereas Natorp preserves the concept of *task*, Cohen replaces it with the concept of the *hint of a task*.

Going back to the note in *Halakhic Man*, Marburgian thinkers could be viewed as a model of *homi religiosi*. As noted, *homo religiosus* acknowledges scientific laws and views them as an opening to the sublime, and Marburgian thinkers also ascribe great importance to scientific laws. As is well known, two interpretations of Kant developed in two schools of thought. One claims that Kant reconstructed the conditions of knowledge in the sciences (Marburg), the other—the conditions of knowledge in everyday life, including sensorial experience.[45] Cohen is one of the prominent representatives of the former school, stating that the place of sense-impressions is reduced and even eliminated from the "datum" to which categories and forms of sensibility apply. The sensorial dimension becomes unessential. Cohen views sense as posing

---

[42] Ibid., 74.

[43] Ibid., 95–96. R. Soloveitchik argues there that the distinction between a task and a "hint" of a task is not as solid as Cohen suggests. See the discussion in ch. 6 below.

[44] *Das reine Denken*, 50.

[45] On this stance, see Robert Paul Wolff, *Kant's Theory of Mental Activity: A Commentary on the Transcendental Analytic of the Critique of Pure Reason* (Cambridge, Mass.: Harvard University Press, 1963), 238–292. For an integrative approach, see William Henry Walsh, "Kant's Transcendental Idealism," in *Kant on Causality, Freedom, and Objectivity*, ed. William L. Harper and Ralf Meerbote (Minneapolis: University of Minnesota Press, 1984), 83–96.

a problem to reason or imposing a demand on it (a hint of a "task"), whereas other Marburg thinkers see it as a task incumbent on cognition. Formally, it could be argued that the sensorial-qualitative realm leads to knowledge of thought and of reason, which are "hidden," the knowledge and consciousness concealed behind the senses. But R. Soloveitchik rejects, and rightfully so, the attempt to present neo-Kantian thought as the thought of *homo religiosus* and its comparison with the Maimonidean model. The reason is that, in the consciousness of R. Soloveitchik's version of *homo religiosus*, scientific laws lead to the concealed, to the transcendent that reason cannot grasp: "The ultimate goal of religious man is the question, Dost thou know? The path which leads him to his aim is the complete cognition of being" (10). For Maimonides, knowledge of the natural world leads to the negation of the attributes, namely, to the deepening of the hidden and the concealed. As human beings acquire further knowledge, so do they become increasingly aware of their inability to know God. Expanding knowledge means expanding the concealed and the unknown. By contrast, in Marburgian philosophy, the senses lead one to discover the structure of thought. Experimental scientific achievements spur the discovery of reason's general principles and of its methodology. There is no transcendent, hidden, and concealed realm beyond thought.

In the note that precedes the main discussion on Maimonides as a paragon of *homo religiosus*, R. Soloveitchik dwells on the normative (scientific knowledge of the world) and on the subjective (the negation of the attributes) dimensions of religious consciousness, as shown in the above diagrams. Only these two dimensions are compared to neo-Kantian philosophy. R. Soloveitchik also rejects the formal parallel between Maimonides as *homo religiosus* and the Marburgian scholars. In the main discussion, R. Soloveitchik adds the practical dimension, namely, the commandment to know God.

Why does R. Soloveitchik follow this course? From the start, R. Soloveitchik seeks to remove Marburgian philosophy from the discussion on *homo religiosus*. Cohen is not R. Soloveitchik's partner to the exchange on this issue. Hence, before he becomes engrossed in his presentation of Maimonides as *homo religiosus*, R. Soloveitchik rejects any possibility of a relationship with Cohen and his colleagues. Removing the Marburg scholars from this discussion yields an obvious additional advantage: denying them any association with *homo religiosus*, who is a component of halakhic man, would appear to exclude any such relationship

between them and halakhic man. In other words, R. Soloveitchik strives to create the impression that any link between halakhic man and Cohen's scientific idealism is factitious. Why does R. Soloveitchik fear he could be suspected of such an association? Probably because his dissertation had linked him to Cohen and to the Marburg school. But the opposite claim is just as plausible: the association with idealism that was denied regarding *homo religiosus* could prevail regarding halakhic man. Cohen's idealism may suit the personality of halakhic man, a claim that would require negating or significantly restricting any links between *homo religiosus* and halakhic man, and the discerning reader will indeed conclude that no such association exists. These issues are considered at length in the following chapters. The question of whether the impression that R. Soloveitchik creates here suits the views of halakhic man remains open.

The ending of the note should be understood in light of R. Soloveitchik's critique of Cohen in the dissertation: "*Homo religiosus* 'senses' a problem that was not created by the logos but that exists eternally without any relationship to cognition. The religious riddle is transcendent, sealed, and opaque" (145). R. Soloveitchik's critique of Cohen from the perspective of *homo religiosus* hinges on Cohen's blurring of the sensorial realm beyond cognition, the one R. Soloveitchik calls the "true world."[46] Whereas *homo religiosus* admits to the limitation of reason, the neo-Kantian philosopher expands its limits to the point of blurring the non-epistemic world. *Homo religiosus* stands in wonder before a concrete reality that remains incomprehensible even after he has classified it with the help of science, while the neo-Kantian philosopher does not recognize the existence of a non-epistemic reality as such but only as a demand, a problem, or a task (or the "hint" of a task) confronting reason. On these grounds, Cohen and his colleagues were dismissed from the discussion about *homo religiosus*.

Cohen's idealism does not allow for the structure of religious consciousness and the process of its reconstruction because it denies cognition any transcendence. The gap that R. Soloveitchik strives to create between Cohen and the modern philosophy of religion includes two additional elements:

---

[46] Munk, *The Rationale of Halakhic Man*, 44.

1. Cohen ignored the psychological contents of cognition. In this sense, argues R. Soloveitchik, Cohen removed the concept of the subjective from logic.[47]
2. The perception of the other, so vital to the objective and normative dimension of religion, is also problematic in Cohen epistemology.[48]

My discussion appears to be repeating R. Soloveitchik's claims in several places in *Halakhic Man*, whereby *homi religiosi* are entirely different from halakhic man. For "students of religion," halakhic man is "singular, even strange" (3); "scholars of religion who are not familiar with this type" (146, n. 18). The reason, as the following chapters make evident, is simple: halakhic man does acknowledge the authority of revelation just like *homo religiosus* and, as the latter, his cognition also rests on religious norms;[49] at the same time, the structure of his cognition fits Cohen's idealism, namely, the cognition of cognitive man. Tracing the structure of R. Soloveitchik's discussion reveals that the elegant, poetic, and convoluted style he adopts is a cover for his true aim: to stamp out the characteristics of *homo religiosus* from the personality of halakhic man. The profound distinction between these two pure types is already evident in the method: to expose the consciousness of *homo religiosus*, R. Soloveitchik resorts to the reconstruction method and to the phenomenology of religion ("eidetic analysis"), whereas to understand the world of halakhic man, R. Soloveitchik relies on the idealism of Hermann Cohen.

Summary

The conclusions and their implications for the course of the discussions in *Halakhic Man* are worth noting. R. Soloveitchik removes the

---

[47] *Das reine Denken*, 98. See above, 48–49.

[48] Reiner Munk, "Who is the Other?: Alterity in Cohen's *Religion der Vernunft*," in *"Religion der Vernunft aus den Quellen des Judentums": Tradition und Ursprungsdenken in Hermann Cohens Spätwerk*, ed. Helmut Holzhey, Gabriel Motzkin and Hartwig Wiedebach (Hildesheim: G. Olms, 2000), 275–286.

[49] Here as well, the parallels are only formal, since halakhic concepts (the objects) in the cognition of halakhic man are devoid of empirical content and confined to their mathematical aspects. In the consciousness of *homo religiosus*, however, they possess a range of meanings and contents, objective and subjective. This issue is discussed at length in the following chapters.

Marburg philosophers (Cohen and Natorp) from the religious model of consciousness and from its objectification process. Although he does endorse Natorp's reconstruction principle while also relying on the conventionalist philosophy of science, the phenomenological approach to religious consciousness does not enable him to present *homo religiosus* according to Marburgian idealism. Furthermore: Cohen's philosophy poses a threat to the very structuring of religious consciousness and certainly to its objectification since, according to Cohen, religion as such is not a kind of knowledge and, in fact, it is not knowledge at all. Knowledge, according to Cohen, focuses exclusively on the scientific laws of the mathematical natural sciences (experience), and does not enable knowledge of "the concealed" and "the obscure." Only the removal of Cohen's "rigid" idealism enables the discussion of the detailed reconstructionist model of *homo religiosus*' consciousness. Indeed, such a discussion is what immediately follows in the same section of *Halakhic Man*, when Maimonides is now the model of *homo religiosus*. R. Soloveitchik, then, seeks to clarify in unequivocal terms that Cohen's thought model, which will fully clarify the cognition of halakhic man, is not genuinely linked to the personality of *homo religiosus*. The one who reflects *homo religiosus* is Maimonides, and his consciousness is the classic religious consciousness. The discussion in the next chapter focuses on the second type of *homo religiosus*, Immanuel Kant.

CHAPTER FOUR

THE SECOND PARADIGM OF *HOMO RELIGIOSUS*: KANT

A discussion about Kant seems essential for the understanding of the personality structure of *homo religiosus* and of his separation from halakhic man. Maimonides's portrayal as *homo religiosus* was meant to illustrate the reconstruction process of Jewish religious consciousness. The description of Kant as *homo religiosus* is meant to locate this type within the context of modern philosophy. R. Soloveitchik's description in *Halakhic Man* hinges mostly on "the thing in itself," and I will argue that this description is tendentious: seeking to highlight the advantage of the Jewish over the non-Jewish *homo religiosus*, R. Soloveitchik creates a new and intricate typology.

The Absolute

R. Soloveitchik's *homo religiosus*, as noted, is a type combining religion and cognition. *Homo religiosus* seeks the concealed while recognizing and relying on scientific rules, and he is composed of cognitions built upon one another. The first is cognition of the laws of science, and its concern is mathematical explication and formulation. The second is religious knowledge of a special kind, namely, knowledge of the concealed and the transcendent, concerned with the human standing vis-à-vis the hidden and the esoteric as opposed to knowledge of the kind involving exposure and discovery. Maimonides, as a paradigm of *homo religiosus*, combines knowledge of the world with a search for the hidden, which is undefined because it defies definition. Kant is the second example of this type of combination, and the relevant passages where Kant is described as a *homo religiosus* appear below. The first is the only passage in section iv dealing with cognitive man:

> Cognitive man, on the other hand, is not concerned at all with a reality that extends outside the realm of lawfulness, and he has no relationship with any mode of being that is beyond empirical reality and scientific understanding—for the law is his goal, and lawfulness is always and only to be found within a context of concreteness. In his *Critique of Pure Reason*,

> Kant established the bounds of space and time as the limits of comprehension. Cognitive man pays no attention to and is wholly uninterested in a world that is above the rule of empirical reality. The object with which he is concerned is completely hemmed in by the total physical and psychical reality. (13)

Only one figure in this passage represents cognitive man: Kant. The reason is that, for Kant, only contents perceived in space and time have any objective reality and, as such, interest the philosopher. Kant, therefore, is a cognitive man uninterested in what is beyond cognition, namely, beyond the forms of sensibility and the categories. R. Soloveitchik then draws up a list of figures from antiquity to the present (including Plato, Aristotle, Philo, the Neoplatonists, and so forth) as examples of philosophical dispositions that represent features of *homo religiosus*. One of these figures is Kant:

> But *homo religiosus* passes beyond the realm of concreteness and reality set within the frame of scientific experience and enters into a higher realm.
>
> Indeed, the echo of the longings of *homo religiosus* for a supernal existence succeeds, from time to time, in making itself heard in the world of knowledge and science . . . the phenomena and the absolute (noumena) in Kantianism . . . constitute traces of religious thought, which yearns for its Creator and rebels against the concrete reality that so entirely surrounds it. A soul overwhelmed by religious longings may, at certain times, stray amid the paths of secular knowledge. (14)

In this passage, then, R. Soloveitchik qualifies his previous remarks. Kant is not entirely oblivious to what is beyond knowledge. Consider now the different tone in the preliminary note relating to Kant in section iii:

> The concept of the absolute (the thing in itself—*Das Ding an sich*), the Achilles' heel of Kant's philosophy, in truth is not a spiritual offspring of cognitive man (*Die reine vernunft*) but rather of a murky religiosity. Cognitive man does not speak about the "existence" of a thing whose content and nature he cannot determine. Such an approach is one of the basic characteristics of *homo religiosus*. (144, n. 10)

The attitude to the absolute in Kant's doctrine is thus ambivalent. On the one hand, the absolute is perceived as "Achilles' heel" and as a "murky religiosity." On the other, R. Soloveitchik discloses "traces of religious thought" in secular knowledge. R. Soloveitchik, then, presents the concept of the absolute as reflecting an inner tension. Furthermore: he views Kant as a paradigmatic figure involving a genuine combination of cognitive man—oblivious to the transcendent when he formulates

epistemic laws—and of *homo religiosus*, who seeks the realm beyond these laws. In the text, the reference is to the noumenon, and in the note, to the thing in itself. The concepts of *noumenon* and the *thing in itself* denote a field of being that is not perceived through the senses, meaning that it cannot be objectified.[1] No statement can be made about the thing in itself. Kant argues that something can be said about the thing in itself, namely, that it is the source of the phenomena, but this causal statement targeted him for criticism.[2] Kant scholars are divided on these questions: (1) Is the thing in itself a borderline concept marking the limits of reason, or does it refer to actual but unknowable entities? (2) Is there any difference between the thing in itself and the noumenon or are they the same?

Types of Homi Religiosi

The entire analysis in *Halakhic Man* relates, in one way or another, to the concept of the *absolute*. R. Soloveitchik does not back away from citing opposite interpretations of this concept within Kantian philosophy. When he presents Kant in the first passage as representing cognitive man, he argues that the forms of sensibility (space and time) exhaust Kant's epistemological concerns. According to this understanding, Kant is completely indifferent to the realm beyond sensory perception and its organization within knowledge, namely, to the absolute. Cognitive man does not deal with "pure reason," as R. Soloveitchik remarks in his parenthetical note in German (*Die reine vernunft*), but with what emerges through the forms of sensibility and the categories. Cognitive man deals only with being (*Sein*), which is perceived through space and time and through scientific mathematical-physical lawfulness as a mode of being that is not subject to space and time. By contrast, *homo religiosus*

---

[1] For comments on the development of the concept, see J. T. Srzednicki, *The Place of Space and Other Themes: Variations on Kant's First Critique* (The Hague: Martinus Nijhoff, 1983), 89–90.

[2] According to Kant, cognition absorbs contents from the outside and shapes them with the aid of space and time—the forms of sensibility. When objects appear in our perception, they have already been through this fashioning process. These contents, "before" they are shaped by cognition, are the thing in itself. The discussion of such complex matters as the concept of God or the consciousness of self in Kant's thought is beyond the scope of this work. See Meshulam Groll, *Writings* [Hebrew], ed. Menahem Brinker, vol. 1 (Tel Aviv: Sifriat Poʿalim, 1966), 151–182.

deals with the murky field of the "absolute." Elsewhere, however, R. Soloveitchik discusses the absolute as an area of interest in Kantian doctrine. Kant speaks about the "existence" of the absolute, which "succeeds, from time to time, in making itself heard." In *The Halakhic Mind*, R. Soloveitchik discusses this approach in negative-critical terms:

> If there be a mysterious "thing in itself," however unintelligible it prove, the philosopher is challenged to grasp it. Speculative philosophy was born the very moment Kant discovered the incomprehensible "Thing in itself"…Scientific skepticism is a blessing while transcendental skepticism very often leads to metaphysical perplexities and mysticism.[3]

The original interpretation of R. Soloveitchik, whereby Kant was not interested in the realm beyond knowledge, fits the perception of the thing in itself as a borderline and in fact empty concept. By contrast, the latter interpretation fits the positive presentation of this concept as a field of being beyond the reality of the world of experience.[4] R. Soloveitchik characterizes cognitive man in the former interpretation, while *homo religiosus* is characterized mainly in the latter one.

These contradictory interpretations of the Kantian method and of Kant's concerns adduced by R. Soloveitchik fit the diametrical inner opposition characteristic of *homo religiosus*, an antithetical situation in which the religious and the scientific dispositions are mutually contradictory. This point marks the difference between Kant and Maimonides as models of *homo religiosus*. R. Soloveitchik claims between the lines that, contrary to Maimonides, for whom the realms of the known and the unknown are mutually compatible rather than contradictory, Kant remains in an inner opposition concerning the relationship between cognition (the known) and the thing in itself (the unknown as an "Achilles' heel"). In Maimonides, the attributes of action lead to the negative attributes. The objects of research in Maimonides' philosophy are mutually different and hold no causal implications for one another: in the realm of the attributes of action, Maimonides studies the material world and reveals its order,[5] whereas in the realm of the negative attributes,

---

[3] *The Halakhic Mind*, 121.

[4] "This tendency is evident in Kant's philosophy, and it would be mistaken to ignore it only because it appears to have failed the test of criticism." Yirmiyahu Yovel, *Kant and the Rehabilitation of Metaphysics* [Hebrew] (Jerusalem: Bialik Institute, 1973), 10.

[5] God is not present during the sequential stages of this exposure. His presence is revealed according to Aristotelian principles only as a condition of movement, namely, as Prime Mover.

his focus is on God.[6] The study of the cosmos is not in conflict with negative theology, nor is negative theology in conflict with knowledge of God. The separation between epistemic modes and the areas to which they apply is clear: in the study of the laws of nature, God is known for his actions (cognition of the laws of nature), and in the negation—by his attributes (the semantic and logical analysis of the attributes). To study the laws of nature, Maimonides uses scientific knowledge, and to attain religious knowledge of the concealed—the negative attributes. Maimonides internalizes, as it were, the difference between religious and other types of cognition. By contrast, Kant's concept of the thing in itself denotes a duality that is unsolvable within the same cognition and within the same object. On the one hand, knowledge of the object is attained through the categories and the forms of sensibility. On the other, the basis of this knowledge is in an unknowable realm: that which can be known and the absolute are an unsolvable duality.[7] Kant does not distinguish between scientific and religious cognition, intimates R. Soloveitchik, and thereby fails. Note that Kant's interpreters comment on the similarity between the noumenon and the negation of the attributes in scholastic thought[8] whereas, between the lines, R. Soloveitchik insists on the distinction between them.

R. Soloveitchik, then, eagerly strives to draw a distinction between Maimonides and Kant, although both fit the *homo religiosus* model. His epistemological distinction rests on the moral and religious realm, in his own variation of the philosophy of religion: Maimonides recognizes the practical-objective aspect of religion, namely, the observance of the commandments. Kantian ethics, however, does not lead to a religious act in the sense of a commandment, hence Kant's critique of Judaism.

---

[6] In "From Thence You Shall Seek," R. Soloveitchik explains the reconstruction of the absolute from the negative attributes as follows: "*Homo religiosus* understands the essence of the absolute and the eternal only through the negative attributes. The absolute is radically different from the conditioned world, and shares nothing with any of his creatures. The representatives of a rational, cosmic religiosity, who began with the existence of the concrete and ended with the experience of the absolute and the eternal, could not formulate their conclusions in a positive, logical formulation that might satisfy the man of God seeking his Creator" (138).

[7] This duality of the sensorial object in Kant's thought is also reflected in other problems, such as the concept of matter. See, for instance, J. E. Smith, "Kant's Doctrine of Matter," in Ernan McMullin, ed., *The Concept of Matter in Modern Philosophy* (Notre Dame: University of Notre Dame Press, 1978), 141–153.

[8] Henry E. Allison, *Kant's Transcendental Idealism: An Interpretation and Defense* (New Haven: Yale University Press, 1983), 242.

"The *Jewish Faith* was, in its original form, a collection of mere statutory laws upon which was established a political organization."[9] As shown in section iii, Maimonides sets the "standard" for *homo religiosus*. The consciousness developed in his writings ascends from the religious act to the norm and from the norm to the subjective realm. The reconstruction exposes Maimonidean consciousness: Maimonides epitomizes *homo religiosus* because he has not attained knowledge through the negative attributes, but he is not immersed in self-contradiction. The self-contradiction appears in the transition from realms he does cognize to realms he does not. By contrast, Kant is presented as marked by an intrinsic psychological and epistemological contradiction: as a man of science, he is indifferent to the realm beyond knowledge, and as *homo religiosus*, he longs for this transcendent realm. As a man of science, he is critical of the absolute (pure reason) and restricts it to a borderline term, and as *homo religiosus*, he yearns to present it as a true object of knowledge in the sense of knowledge of the mysterious and the concealed. Kant is a tormented and internally torn *homo religiosus*, whereas Maimonides is a level-headed one, successfully balancing the various realms. Maimonides is a cognitive man who, although aware this is beyond his capability, yearns to know God himself; he is a *homo religiosus* who knows how to distinguish between scientific and religious cognition.

R. Soloveitchik's early writings, then, present at least three classic types of *homo religiosus*:

1. The *homo religiosus* who rejects reason altogether (Nietzsche, Husserl, Heidegger, the "biologistic" philosophers, and so forth). This is the type R. Soloveitchik addresses in the long note at the opening of *Halakhic Man*.[10]
2. The *homo religiosus* who accepts the assumptions of science and seeks the esoteric on their basis. He does see a hierarchy between the revealed and the concealed but, for this type of *homo religiosus*, every stage leads naturally and harmoniously to the next without

---

[9] Immanuel Kant, *Religion within the Limits of Reason Alone*, tr. Theodore M. Greene and Hoyt H. Hudson (New York: Harper and Row, 1960). See Hermann Cohen, "Innere Beziehunger der Kantischen Philosophie sum Judentum," *Judische Schriften*, vol. 1 (Berlin: Schwetschke, 1924), 284–305. An English translation of part of this text appears in *Reason and Hope: Selections from the Jewish Writings of Hermann Cohen*, tr. Eva Jospe (New York: Norton, 1971), 77–89. This issue has already been discussed by several scholars. See, for instance, Yirmiyahu Yovel, *Kant and the Philosophy of History* (Princeton, NJ: Princeton University Press, 1980), 206–209.

[10] See above, 19–26.

any conflict between them. An epistemological distinction can be drawn between the stages, with scientific cognition on the one hand and religious cognition on the other (Maimonides).[11]

3. The *homo religiosus* who accepts the assumptions of science although they *contradict* the consciousness of the esoteric, namely, the thing in itself. This type of *homo religiosus* does not know how to distinguish between the objective and the subjective realms of religious consciousness, and they are therefore found to be mutually contradictory (Kant).

As noted, the third type appears in section iv of *Halakhic Man*. R. Soloveitchik thoroughly and consistently clarifies the various types of *homi religiosi* in the first sections of the book.

Kant or Cohen?

R. Soloveitchik argues, as noted (144, n. 10), that the Kantian thing in itself is deleterious to the purity of reason and is an expression of *homo religiosus*' thought. Further in the note, R. Soloveitchik compares the Kantian view to two neo-Kantian approaches:

> Solomon Maimon and Hermann Cohen, both of whom were influenced by the mathematical, natural sciences, omitted the absolute from their philosophies. An object which cannot be apprehended by cognitive man is of no concern to philosophy. However, there is a profound paradox in the philosophies of Maimon and Cohen. On the one hand they deleted the absolute from the world view of cognitive man, while on the other hand they created through this omission an exaggerated doctrine of idealism which subjects reality to cognition possessed of an absolute character, and epistemological idealism itself is imbued[12] with a religious tinge, as will be explained later. (144, note 10)

Each in his way, Maimon and Cohen deny the existence of a thing in itself beyond cognition.[13] The "absolute" is for them as an intra-epistemic characteristic. These thinkers are thereby revealed as philosophers and "scientists," whereas Kant is presented as a *homo religiosus*.

---

[11] See above, chs. 2 and 3.

[12] In the original *noteh li-fnim*, according to M. Maʿser Sheni 3:7; TB Shabbat 4b; TB Makkot 12a; *Tanhuma*, *Haʾazinu* 1.

[13] See Samuel Hugo Bergman, *The Philosophy of Solomon Maimon*, tr. Noah J. Jacobs (Jerusalem: Magnes Press, 1967), 256–271.

R. Soloveitchik again strives to remove the neo-Kantians from the discussion about the characteristics of *homo religiosus*. Nevertheless, when R. Soloveitchik notes at the end of the passage that associations with religiosity are not entirely absent from extreme idealism, he is referring to the ideal type of halakhic man that is at the focus of the discussion in *Halakhic Man* from section v onward.[14]

Kant's closeness to the model of *homo religiosus*, as opposed to Cohen's exclusion from it, is indirectly intimated in *The Halakhic Mind* as well. R. Soloveitchik claims here that the study of religious consciousness must begin with the analysis of its objective dimension, and proposes a distinction between Kant and Cohen concerning the attitude to the sensorial realm. According to Kant, the receptive precedes the creative. The exposure to the external, "transcendent" datum precedes the organizing stage of knowledge—the objective-the datum precedes the subjective-cognition. "Kant considered the receptive act to be anterior to the spontaneous."[15] Cohen and the Marburg school reverse the process: cognition is the objective component while the sensorial datum is the subjective element, whose existence is made possible by cognition. To some extent, then, the sensorial realm and its qualities are a product of reason. The "receptive components" of experience disappear, and what remains are the rules of mathematical-physical science and the various activities of cognition and consciousness that expose the conditions of these rules. The creative dimension of cognition, then, is dominant. On the margins of this discussion, R. Soloveitchik writes:

> It is to be emphasized that the whole controversy concerning the priority of the subjective and objective spheres is of theoretical value only. It is an epistemological problem regarding the method to which the philosopher needs recourse in his attempt to reconstruct the process of noetical experience. In practice, however, subjective data can never be used as a starting point, for, just as there is no ideal objectivity, there is also no pure subjectivity.[16]

R. Soloveitchik tries to detach the Kantian and neo-Kantian controversy on the status of experience from the view of the philosophy of religion

---

[14] See below, ch. 5.

[15] *The Halakhic Mind*, 64. The reference is not to the chronological precedence of the components in the epistemological-creative process since, according to Kant, no concrete reality precedes the synthesis of knowledge.

[16] *The Halakhic Mind*, 65–66. See also Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 65.

concerning the reconstruction of the subjective dimension out of the normative and practical layer. This issue was discussed in the previous chapter.[17] Both positions accept that the qualitative-concrete perception of the phenomenon or the event precede the reconstruction of creative knowledge. Although the controversy is presented as solely theoretical, the Kantian stance is certainly closer to R. Soloveitchik's description of religious consciousness than the neo-Kantian one, since it views sensorial reality as a component of the "objective" layer of knowledge. Even if this precedence is epistemological or "of theoretical value only," it does pave the way for the proper and balanced perception of *homo religiosus*. Hence, in the context of continental philosophy, Kant's thought is the closest to the classic model of *homo religiosus*.

Ethical Implications

The search for the absolute, then, is an expression of concealed religiosity. R. Soloveitchik has so far been concerned with the epistemic dimension of the search for the absolute. Now he expands the discussion to the realm of the ethos: "The religious quest, however, does not confine itself solely to theoretical stances and abstract views but breaks out of the theoretical realm into the realm of praxis and utility" (14). As the religious disposition explicitly or implicitly places the concept of the absolute and the transcendent in classic and modern philosophical outlooks, so is this concept present in the moral and behavioral realms. The quest for another reality leads to two extreme approaches toward material life:

1. *Asceticism*. *Homo religiosus* strives toward utmost release from material life, expecting that self-affliction will help him reach the supernal worlds.
2. *Affirmation of Material Life: Homo religiosus* views the material realm as a cover for the other spiritual existence. Hence, he holds that the affirmation of material life leads him to conjunction with the latent sublimity.

Extreme moral outlooks are rare in modern philosophy, and certainly in the Kantian tradition. R. Soloveitchik therefore refrains from providing

[17] See above, 78–79.

concrete examples reflecting a wide historical span, as he had done concerning the epistemic expression of the absolute. Extreme asceticism as an ethical expression of the absolute appears, for instance, in certain religious movements, in Neoplatonic philosophy, and in medieval rationalism. Radical affirmation also appears in religious philosophies such as Orphean traditions. R. Soloveitchik writes about the common denominator shared by these two views:

> The two are similar. Both proceed from the same theoretical perspective, both relate to a multilayered existence, both acknowledge an ontic and ontological pluralism, and both see in the striving for a higher form of existence the symbol of ethical perfection. The entire opposition between a doctrine of asceticism and a doctrine that affirms and rejoices in life's pleasures centers[18] on the practical-utilitarian stance to be adopted and pertains to the means for bringing about the realization of the ethical ideal. The former states that the negation of life raises man to an elevated level and to the very heights of true existence while the latter disagrees and is of the opinion that only though accepting the yoke of the dominion[19] of empirical reality may we hope to merit a more exalted existence. (16)

The differences between the idealist epistemic approach and that of *homo religiosus* again become evident, each one dictating a different ethos:

1. *A Multilayered Existence*. The radical idealism of Cohen and the Marburg school seek to minimize and even dismiss the stages of objective existence, which is shaped by cognition. Cohen even denies the existence of stages of objectivity (*Objektivitätsstufen*) altogether.[20] By contrast, religious thought rests on such a hierarchy, hence the ethos of release from the lower stages and the conjunction with higher ones, which are beyond material reality.
2. *Ontic and Ontological Pluralism*. Cohen's idealism, as noted, negates the existence of an objective element beyond cognition. According to Cohen, we do not have multiple cognitions, as we do not have different laws of science or different modes of epistemic judgment. In religion, however, a contrary situation prevails: just as religion rests on a multiplicity of reality stages (for instance, knowledge of the concealed based on scientific cognition), so does it rest on epistemic pluralism. The material stage is the weakest while the

[18] In the original *sovev sehor sehor*, according to TB Shabbat 13a; TB Pesahim 40b; TB Yevamoth 46a; TB Bava Metziah 92a, and so forth.
[19] In the original *kabbalat ʿol malkhut*, according to M. Berakhot 2:2 and so forth.
[20] *Das reine Denken*, 67.

> spiritual stage is the real one, hence the ethos of the search for "genuine" reality.

The discussion has so far expanded to the moral realm on two occasions: in the long note in the opening section of *Halakhic Man* and here, in section iv. In the note, R. Soloveitchik reviews the collapse of moral criteria brought about by the first type of *homo religiosus*. Here, R. Soloveitchik presents the ethical radicalism that follows from the second type of *homo religiosus*. This radicalism is antithetical to Kant's and Cohen's autonomous morality of duty, and is an additional layer in the deep gap that will be revealed as separating *homo religiosus* from halakhic man.

Structural and Literary Elements

In section iv of *Halakhic Man*, which is the subject of this chapter, R. Soloveitchik delves into the distinction between *homo religiosus* and cognitive man. Yet, the section is *entirely* devoted to a description of *homo religiosus* from an epistemological perspective (striving to know the reality beyond the real world) and from a moral one (asceticism or radical affirmation of the world). Cognitive man is mentioned in this section only in passing. In other words, R. Soloveitchik tries to elucidate in detail the characteristics of *homo religiosus* and its various types *before* introducing halakhic man in section v (17–19). The reader attentive to the subtext in this book discovers that, for R. Soloveitchik, discussing in depth the various manifestations of *homo religiosus* is important in order to *negate* their presence in halakhic man. He therefore dwells at length on the description of Kant as a model so that readers may differentiate him from halakhic man as well as from other models of *homo religiosus*.[21] R. Soloveitchik opens his detailed description of halakhic man in section v with the following proclamation:

> Halakhic man differs in his world view from the universal *homo religiosus*. He resembles in various ways cognitive man, yet, he differs in many respects from him as well.

---

[21] Lawrence Kaplan has already noted in another context that halakhic categories are not synonymous with the categorical system created by Kant. See Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1982), 155. See also below, ch. 5.

> Halakhic man's approach to reality is, at the outset, devoid of any element of transcendence. Indeed, his entire attitude to the world stands out by virtue of its originality and uniqueness. All the frames of reference constructed by the philosophers and psychologists of religion for explaining the varieties of religious experience cannot accommodate halakhic man as far as his reaction to empirical reality is concerned. (17)

The starting assumption of the discussion, then, is that halakhic man differs from *homo religiosus*. R. Soloveitchik further hints that the phenomenological-reconstructive tools of the philosophy of religion,[22] which he had struggled so hard to formulate in his other contemporary writings, are inapplicable to halakhic man. The reason is that halakhic man is fundamentally a "theoretical type" although, ostensibly, he does not fully merge with classic cognitive man. R. Soloveitchik obviously sees a need to define the features of *homo religiosus* in clear terms, so as to deny them from halakhic man. Even Maimonides (except in the *Code*) is not a classic model of halakhic man; only a deep understanding of models of *homi religiosi* prepares us, by elimination, for the meeting with halakhic man. Observers of the various types cannot become properly acquainted with halakhic man when the model of *homo religiosus* muddles their thought.

R. Soloveitchik defines the characteristics and epistemic modes of *cognitive man*, for the first time, in section v of the book, which is actually devoted to a description of halakhic man. The literary aspect, however, requires explanation: only one passage is devoted to the fundamental characteristics of halakhic man (17) while the others discuss cognitive man. Why does R. Soloveitchik refrain from defining cognitive man *before* he presents halakhic man, as he had done regarding *homo religiosus*? Why this asymmetry? R. Soloveitchik is thereby intimating that halakhic man is, above all, cognitive man. In other words, the effective model for understanding halakhic man is cognitive man. Moreover: had Kant been a genuine cognitive man, without any "sparks" of *homo religiosus*, he could have served as the model for fashioning halakhic man. But Kant does not dismiss the transcendent element, as "the thing in itself" shows. Kant sways between the absoluteness of scientific knowledge and the determination of a field of existence beyond it. That is why Cohen's radical epistemic idealism, which denies any objective realms beyond cognition, is the most appropriate

[22] See above, ch. 2.

epistemological instrument for shaping halakhic man's cognition. R. Soloveitchik leaves to the wise reader the question of whether any traces of *homo religiosus* are left in halakhic man or whether he lacks such characteristics altogether. This question is extensively discussed in the following chapters.

And what about Maimonides as *homo religiosus*? In *The Halakhic Mind*, R. Soloveitchik indeed distinguishes between Maimonides as halakhist and the Maimonides who insists on providing causal scientific reasons for objective practice. In his *Code*, Maimonides does not impose on the philosophy of religion any reasons for the commandments, as he does in the *Guide to the Perplexed*.[23] In other words, R. Soloveitchik has already laid the foundations for a selective and partial presentation of Maimonides' figure. In *Halakhic Man*, he provides a detailed description of Maimonides as *homo religiosus* in order to negate some of this type's components from halakhic man. More precisely: Maimonides' association with halakhic man emerges at the very point he is shown to be preferable to Kant as *homo religiosus*—in the objective religious act, in Halakhah. The Maimonides of the *Code* is the one who serves as the paragon for halakhic man, as shown below. The literary form of *Halakhic Man*, then, is at the service of its contents.

Appendix

Concepts of the Absolute in Kant's Thought and their Implication for the Distinction between Kant and Maimonides

In this chapter, *the thing in itself* and the *noumenon* were presented as identical concepts, according to views commonly accepted among scholars of Kantian philosophy. Note, however, that some Kant scholars differentiate between these two concepts. In their view, the *noumenon* is a concept denoting an object that is not grasped through the senses, of which there are two kinds:

1. A being that cannot be described through the senses, such as God or the soul.

[23] *The Halakhic Mind*, 91 ff. See also above, 62–71.

2. A concrete entity (phenomenon) that is grasped in non-sensorial ways, such as the thing in itself (that is actually unknowable).[24]

The distinction between Maimonides and Kant, therefore, is only possible according to the second kind of noumenon, which refers to the object that is grasped through the forms of sensibility and the system of categories. If the noumenon is a being that is not perceived through the senses, such as God, cognition deals with the concrete realm and longs for another, "divine" realm built on reason. By contrast, in the non-sensorial grasp of phenomena, the opposition is within the same frame of reference, namely, the object itself.

In this way, it is possible to understand why when dealing with Maimonides as a model of *homo religiosus* (section iii), R. Soloveitchik discusses the concept of the *thing in itself*, as evident in the note, and in the next section—the noumenon. Only the reader of section iv will understand the basis for the comparison in section iii. This reader knows that R. Soloveitchik could not have used Kant's philosophy in its entirety (the two meanings of the noumenon) as a basis for his comparison, but only part of it (the second meaning: the thing in itself). When describing Kant as *homo religiosus* in section iv, however, R. Soloveitchik uses the concept of noumenon, which also includes what cannot be sensed at all. Maimonides thus emerges in the discussion in section iii as free of contradictions concerning his perception of the object. The discussion about the thing in itself enables the perceptive reader to draw a distinction between a *homo religiosus* of Maimonides' type (concealed on the basis of the revealed) and a *homo religiosus* of Kant's type (concealed that opposes the revealed). R. Soloveitchik, then, may have enlisted the discussion about the noumenon for the purpose of the esoteric style he adopted in *Halakhic Man*.

[24] Allison, *Kant's Transcendental Idealism*, 370, n. 20. See T. D. Weldon, *Kant's Critique of Pure Reason* (Oxford: Oxford University Press, 1958), 193–196; C. D. Broad, *Kant: An Introduction* (Cambridge: Cambridge University Press, 1979), 202–203.

CHAPTER FIVE

HALAKHIC MAN AS COGNITIVE MAN

R. Soloveitchik begins his description of halakhic man after a series of preparatory sections where he describes the figure of *homo religiosus* in great detail so as to trace, through its negation, a profile of halakhic man. By contrast, cognitive man is the constitutive paradigm for understanding halakhic man. This chapter focuses on the sources used to substantiate the figure of cognitive man, in order to clarify the basis for R. Soloveitchik's description of halakhic man. These sources, as will be shown, fashion halakhic man according to the idealism of Hermann Cohen and his neo-Kantian school and according to various trends in the philosophy of science.

Halakhah and Cognition: Two Types

After a brief description of halakhic man at the beginning of section v, R. Soloveitchik turns to an analysis of cognitive man. The first discussion, as noted, appears in section ii of *Halakhic Man* (5–8), but this is a rather general description. R. Soloveitchik merely notes there that cognitive man aims to discover the laws of existence. In this preliminary description, he devotes more attention to the personality structure of cognitive man and argues that cognitive man recoils from the esoteric and is attracted to the revealed; he abhors chaos and pursues order and explication. His description tends toward the psychologization of cognitive man (the abhorrence of chaos and the pursuit of order), but refrains from analyzing the structure of his cognition, that is, the process of cognition's development. The detailed description of cognitive man's cognition and consciousness begins after halakhic man enters the picture, and for a reason. R. Soloveitchik notes two features of cognitive man:

1. *Access to the Qualitative Realm*: Cognitive man is in immediate and impartial contact with the plethora of phenomena, and seeks to order them and organize them as "elements." R. Soloveitchik

notes here that this quality fits the extreme and "naïve" (in his definition) positivism evident in the thought of Ernst Mach and Richard Avenarious, for instance (146, n. 17). Positivists negate essentialist explanations of nature and reject the existence of "things in themselves." Cognitive man plunges "into the very midst of reality . . . to contemplate its appearance . . . is astonished and amazed by the plethora of phenomena and by the 'chaos and void' which prevail in the realm of reality" (18).

2. *Creating ideal constructs*. Cognitive man imposes order on this reality by building an ideal self-contained world, that is, by creating a priori mathematical structures. "In order to overcome the mystery in existence, he constructs an ideal, ordered, and fixed world, one that is perfectly clear and lucid" (18).[1] Cognitive man, then, is concerned with the relationship between the concrete-qualitative reality and the ideal world he has established. This is the dominant feature in the description of both cognitive and halakhic man.

The following passage is the well-known description of cognitive man, which will become the basis for the description of the cognition and consciousness of halakhic man in the next section:

> This latter approach is that of mathematics and the mathematical, natural sciences, the crowning achievement of civilization. It is both a priori and ideal—i.e., to know means to construct an ideal, lawful, unified system whose necessity flows from its very nature, a system that does not require, as far as its validity and truth are concerned, precise parallelism with the corrective realm of concrete, qualitative phenomena. On the contrary, all that we have is an approximate accord. The concrete empirical triangle is not exactly identical with the ideal triangle of geometry, and the same holds true for all other mathematical constructs. There exists an ideal world and a concrete one, and between the two, only an approximate parallelism prevails. In truth, not only from a theoretical, ideal perspective does mathematics pay no attention to concrete correlatives, but even from a utilitarian standpoint the mathematical approach has no desire to apprehend the concrete world per se but seeks only to establish a relationship of parallelism and analogy. (18–19)

R. Soloveitchik refers here to the mathematization of the natural sciences that, since Newton, have undergone a continued process of mathematization, culminating in the unprecedented abstraction levels

[1] In the Hebrew original *meluban ke-simlah*, based on the expression *mehuwar ke-simlah*. See *Mekhilta, Mishpatim, Nezikin* 13; PT Ketuboth 4: 4; TB Ketuboth 46a.

of twentieth century physics (in relativity theory and quantum mechanics). In several of his works, R. Soloveitchik clarifies that he views conventionalism as the outlook in philosophy of science providing a successful explanation of the abstraction process.[2] In the passage cited, R. Soloveitchik draws a further distinction between the ideal and the real world while pointing out that, as such, the concrete world is of no interest. Cognitive man focuses solely on the ideal world without concern for its relationship with the real one, and "has no desire to apprehend the concrete world." His approach, therefore, corresponds to that of epistemic idealism and, more precisely, to the idealist interpretation of Kant's philosophy according to his followers (the Marburg school).

At the first stage, when R. Soloveitchik mentions two qualities in cognitive man, he argues that this type is interested in the relationship between his ideal-mathematical structures and the realm outside cognition:

> More, even when the theoretician with his a priori system gets involved in the technological, utilitarian aspects of science, there, too, his sole aim is to reveal the parallelism that prevails between the ideal series and the concrete series. And having achieved this aim he has fulfilled his task. For he is concerned not with the concrete, qualitative phenomena themselves but only with the relationship that prevails between them and his a priori, ideal constructs [the mathematical model]. (18)

By contrast, at the second stage, cognitive man is described between the lines as one who has adopted the "mathematics and the mathematical, natural sciences," meaning an "a priori" and "ideal" approach that does not require a "precise parallelism with the corrective realm of concrete, qualitative phenomena" (ibid.). As such, he is not at all interested in fitting the ideal epistemic models to the external world. A contradiction immediately emerges, which will determine R. Soloveitchik's later course. R. Soloveitchik, then, formulates two variations of cognitive man:

1. A cognitive man for whom the "utilitarian" element is also important, namely, a scientist who manipulates nature. Cognitive man of the first type strives to adapt the mathematical structures to

[2] By contrast, R. Soloveitchik criticizes positivism invoking the new physicists. See *The Halakhic Mind*, 25–26. On the connection between positivism and Einstein's ideas, see Charles Coulston Gillespie, *The Edge of Objectivity: An Essay in the History of Scientific Ideas* (Princeton, NJ: Princeton University Press, 1960), 495, and see below.

the realm outside cognition and, therefore, is interested in the relationship between cognition and the outside world.

2. A cognitive man for whom the mathematical structures themselves represent the final word. The relationship between the ideal epistemic structures and the world outside is of less interest to him. The world of qualities is for him only a stimulus to develop the ideal structures.

As shown below, *Halakhic Man* sways between these two portrayals of cognitive man when describing halakhic man. Two halakhic men can actually be said to exist:

1. A halakhic man who strives to adapt ideal halakhic structures to the world outside cognition, that is, to realize these abstract distinctions and analyses in the concrete world.
2. A halakhic man wholly imprisoned within the intra-epistemic creative process, and entirely indifferent to the practical-sensorial dimension. The outside world serves only as a stimulus for the development of ideal halakhic structures.

My assumption is that R. Soloveitchik holds that halakhic man fits the second type and that, for apologetic reasons, he added in this essay a revealed layer that ascribes to him the characteristics of the first type.

The characteristics of cognitive man's cognition and consciousness are examined below. The cited passage reveals two components in the epistemic outlook of cognitive man, which in fact are one: (1) Mathematical thinking emerging from the mathematical natural sciences; (2) The building of ideal structures paralleling the concrete world. What are the sources of this description?

Mathematical Thought

Mathematics and the mathematical natural sciences have been presented as an essential feature of cognition, of consciousness, and of culture in general.[3] Hermann Cohen assigns mathematical thought an essential

[3] R. Soloveitchik claims that, according to Cohen, the difference between mathematics and the mathematical natural sciences is not essential but rather one of degree (*Das reine Denken*, 80, n. 2).

role, be it at the "naïve" stage of the revelation of reason out of itself, or at its "critical stage," when it tests its correspondence with reality. Logic, according to Cohen, reaches its height in Plato's theory of ideas, where he argues that mathematics and geometry are the means for apprehending ideas. For Cohen, the existence of "Platonic ideas" (or of reason) is true ("objective" in Cohen's version) existence, whereas the material world is "only flimsy" existence. Hence, writes Cohen, logic (epistemology) "was from the start the logic of mathematics and of the mathematical natural sciences, and only where it remained so did logic remain."[4] Mathematics in general and the principle of origin in particular, enable the transition from reason to existence, that is, the creative process of objectification.

R. Soloveitchik opens his dissertation by stating that mathematical thought is predicated on the human spirit rather than on the senses, and that this principle, the principle of purity, is the basis for Galileo's science.[5] Later, R. Soloveitchik describes classic neo-Kantianism as "conceiving the Creator of the universe as mathematician and physicist."[6] In his dissertation, R. Soloveitchik claims that all of Cohen's sources are based on the central role of mathematical thought in the mathematical natural sciences, and he points to three such sources:

1. Positivist nineteenth-century philosophy, which presented the natural sciences as a mathematical description of facts and events. According to this school, the scientific method replaces the metaphysical or essentialist explanation.[7]
2. Pre-Kantian rationalism, which separated cognition from the sensorial realm. R. Soloveitchik emphasizes the mathematical ideal

---

[4] *Logik der reinen Erkenntnis*, 20.

[5] *Das reine Denken*, 11. See, for instance Galileo Galilei, *Dialogue Concerning the Two Chief World Systems, Ptolemaic and Copernican*, tr. Stillman Drake (Berkeley, Ca.: University of California Press, 1967), 103; Patrick A. Heelan, "Husserl, Hilbert, and the Critique of Galilean Science," in *Edmund Husserl and the Phenomenological Tradition: Essays in Phenomenology* (Washington, D.C.: Catholic University of America Press, 1988), 159–160.

[6] *The Halakhic Mind*, 21. Carl Becker and James Jeans date this view of physics to the early twentieth century: "Perhaps, as Professor Jeans suggests, the world we live in was designed by a mathematician." See Carl L. Becker, *The Heavenly City of the Eighteenth-Century Philosophers* (New Haven: Yale University Press, 1932), 26.

[7] R. Soloveitchik also mentions positivism as a component of cognitive man. See above, 97.

in Descartes' thought and mathematical cognition in Spinoza's philosophy.[8]

3. Kant's thought, the essential influence.[9]

The fusion between logic and mathematical thought in the mathematical natural sciences (*Naturwissenschaften*) is thus a significant element of Cohen's theory. R. Soloveitchik sharpens Cohen's outlook even further when formulating his critique of it, and the following chapters will show that this is crucial to the shaping of halakhic man's cognition and consciousness. According to Cohen, at the "naïve" stage of its unfolding, thought is shaped by three types of synthetic-a priori judgments. *Judgment* (*Urteil*) is an essential component of Cohen's epistemology, as he writes: "The basic form of being, that is, the basic form of thought, is not the basic form of the concept but the basic form of judgment."[10] In Kantian thought, judgment is concerned with the relationships and the connections between the general and the particular. Cohen emphasizes the creative dimension: the judgment is the unifying act of thought that

[8] The role of mathematics in Spinoza's philosophy appears to be exaggerated. Compare Yitzhak Y. Melamed, "On the Exact Science of Nonbeings: Spinoza's View of Mathematics," *Iyyun* 49 (2000), 3–22.

[9] *Das Reine Denken*, 16–17.

[10] *Logik der reinen Erkenntnis*, 47. Predicating the quality of thought on judgment also helps to distinguish it from psychology (ibid., 53). For Cohen, thought is of objects rather than of representations. Below is the list of the four levels of judgments and their various sub-categories:

Judgments of the Laws of Thought	Judgment of Origin Judgment of Identity Judgment of Contradiction
Judgments of Mathematics	Judgment of Reality Judgment of Multiplicity Judgment of Totality
Judgments of the Mathematical Natural Sciences	Judgment of Substance Judgment of Law Judgment of Concept
Judgments of Methodology	Judgment of Possibility Judgment of Actuality Judgment of Necessity

generates the objects within itself. It is a uniting-correlative process of opposites (unification and separation, uniformity and multiplicity) in which the creative act of thought results in the object; in other words, no distinction is drawn between the functions and the contents of the judgment.[11] R. Soloveitchik notes in his dissertation: "Every kind of judgment determines an element of pure thinking, and every element of thinking shapes, in figurative terms, one dimension of substance."[12] For Cohen, mathematical thought appears in the second type of judgments, headed by the judgment of reality, and only after the judgments of the laws of thought (origin, identity, and contradiction). By contrast, R. Soloveitchik claims that the consistent conclusion warranted from Cohen's outlook is that the process of objectification must begin from the judgments of mathematics.[13]

R. Soloveitchik opens the dissertation chapter that deals with being (*Sein*) by stating that facts and data do not precede science since, without the sciences, there is neither reality nor actuality (*Realität, Wirklichkeit*).[14] The cognition based on mathematical thought precedes its objects, as it were, and thought is therefore shaped, above all, from this cognition.[15] Now, R. Soloveitchik is aware of the problem that the identity between being (or substance) and thought ("the principle of identity")[16] poses in Cohen's philosophy: since Cohen assumes there is no thought

---

[11] *Das reine Denken*, 63; *Logik der reinen Erkenntnis*, 53. See also Kant, *Critique of Pure Reason*, tr. tr. Paul Guyer and Allan W. Wood (Cambridge: Cambridge University Press, 1998), 268. Cohen rests this approach on the unity of thought and on the principle of the identity between thought and being. On judgment in Kant and Cohen see, for instance, Richard E. Aquila, *Matter in Mind: A Study of Kant's Transcendental Deduction* (Bloomington, Ind.: Indiana University Press, 1989), 203; Andrea Poma, *The Critical Philosophy of Hermann Cohen*, translated by John Denton (Albany, NY: SUNY Press, 1997), 86–88.

[12] *Das reine Denken*, 78. "Substance (*Gegenstand*)," says R. Soloveitchik before, "parallels thought."

[13] Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 28.

[14] "Reality" (*Realität*) in Kant refers to empirical existence in the sensorial realm, and "actuality" (*Wirklichkeit*) refers to existence in space and time. Cohen argues that reality and actuality are the two poles, and the object develops between them ad infinitum. The starting point is reality (from the components of the sensorial realm and up to the infinitesimal), whereas full objectivization is in actuality (the object of the experience, that is, the laws of science). See *Das reine Denken*, 78.

[15] Ibid., 77.

[16] Cohen finds the source of identity in Parmenides. See *Logik der reinen Erkenntnis*, 15; Poma, *The Critical Philosophy*, 61, 93.

without being, the self-shaping of thought cannot precede being. Being, however, is predicated on qualitative judgments (*die qualitativen Urteile*), that is, on quality as a rational foundation.[17] The precedence of qualitative judgments to substance and to being is thus incompatible with the judgment of identity.

Hence, contrary to Cohen, R. Soloveitchik argues that qualitative judgments do not endow their objects with being: "The shaping of being begins at the mathematical level. Methodologically, qualitative judgments are the first condition for creating substance, but they do not create objectification and do not rise above the sphere of thought."[18] Helmut Holzhey explains the status of qualitative judgments:

> The pure contents of reason or the qualities of pure reason, which are the first level of judgment, can be characterized as substances—substances of reflection—but not as substances constituted by the relationship between form and content. Rather, they exist in an archeological sense in the relationship between activity (which is not an act [*Akt*]) and the content or source of thought.[19]

Continuing R. Soloveitchik's critique, Holzhey clarifies that the concern of qualitative judgments is not being but the self-reflection of thought. R. Soloveitchik therefore concludes that, according to Cohen's view, the objectification of substance must begin precisely at the point that thought shifts from qualitative to mathematical judgments, that is, with mathematical cognition (*die mathematische Erkenntnis*).[20] This type of cognition has a "method of origin that enables it to shift from thought to being."

Cohen's epistemic model, then, is the following: cognition confronts (Newtonian) scientific laws or "the fact of science" and tries to trace its systematic foundations and conditions without resorting to sensorial data. Hence, it reduces quantitative sizes infinitesimally and uses pure quality to create scientific objects ("objectification"), that is, the laws of science. This process unfolds through judgments. To restate: R. Soloveitchik argues that the creation of objects begins from mathematical rather than from qualitative judgments, because the only difference between

---

[17] Qualitative judgments are the judgments of the laws of reason. See *Logik der reinen Erkenntnis*, 120. R. Soloveitchik quotes this source in *Das reine Denken*, 80.

[18] Ibid., 80.

[19] Helmut Holzhey, *Cohen und Natorp*, vol. 1 (Basel: Schwabel, 1986), vol. 1, 262.

[20] *Das reine Denken*, 82.

mathematics and the mathematical natural sciences, which produce the physical objects, is one of degree (*ein gradueller Unterschied*).[21]

R. Soloveitchik clarifies that, were it not for Cohen's radical epistemic idealism, the problem would never have emerged because the ancient assumption is that every judgment has an object. Yet, according to R. Soloveitchik, Cohen does not acknowledge two realities (mental and physical), and the only reality is that of the mathematical natural sciences. Pure thought, as the supreme principle of existence, begins to create itself from mathematical thought.[22] R. Soloveitchik then states that Cohen refuses to make substance the first category because mathematics must precede physics. Preserving the traditional position of substance as a supra-category, as in Hegel's philosophy, for instance,[23] will lead to dogmatism and to cognition losing its purity. Substance appears only in the mathematical natural sciences, which are the next stage after mathematics.[24] In this critique of Cohen, and in launching the process of thought about mathematics and about the mathematical natural sciences, R. Soloveitchik paves the way for a description of halakhic man's cognition and consciousness, as shown below, which will not suffer from the weaknesses affecting Cohen's position.

Cohen and his Marburg school confine pure reason to the reality of physics and its scientific-mathematical research methods.[25] Cohen's disciple, Paul Natorp, even devotes an entire study to prove that the only source of mathematics is cognition.[26] For R. Soloveitchik, founding thought on mathematics is what rescues Cohen's philosophy from the metaphysical-spiritual idealism of the Berkeley variety. R. Soloveitchik points out that, according to Cohen, the infinite number (*unendliche Zahl*) replaces the established concept of *substance* (*Substanz*). Metaphysical

---

[21] Ibid., 81, n. 2.

[22] Ibid., 80, n. 2. Note that Cohen's categorical views concerning a "mental" reality are moderated in his later essay, *Religion of Reason Out of the Sources of Judaism*, tr. Simon Kaplan (New York: Frederick Ungar, 1972). This work is not mentioned in the introduction to the dissertation (9) where R. Soloveitchik lists his sources from Cohen's writings, although it was already available.

[23] Abraham Zvi Bar-On, *Principles of Being and Knowledge: The Doctrine of Categories in Aristotle, Kant, Hegel, Hartmann, and Whitehead* [Hebrew], (Jerusalem: Bialik Institute, 1967).

[24] *Das reine Denken*, 85.

[25] Note that the Marburg school places "mental" phenomena (ethics, aesthetics, and religion) in the moral realm (*Das reine Denken*, 18).

[26] See Michael Roubach, *Ontology and Mathematics in Heidegger's Thought* (Ph. D. Dissertation: Hebrew University of Jerusalem, 1997), 31–32.

idealism is possible only if substance is assumed to be the foundation of reality and of being.[27] But Cohen flatly clarifies that the first category is origin, not substance: "If we consider the category of origin, which for us is the first, and we consider the category of reality [*Realität*], the first of the mathematical categories, it is immediately evident that substance, in our understanding, assumes a different meaning."[28] Cohen thus concludes that infinitesimal origin determines not only the meaning of reality but also the new, objective, intra-epistemic meaning of substance.[29]

This process of displacing the concept of substance from metaphysical to transcendental realms, which began with Kant, reaches its culmination in Cohen's philosophy.[30] The central aim of Cohen's idealist-epistemic philosophy is to define a concept without resorting to substance or to size.[31] The mathematical methods that emerge from the mathematical natural sciences are therefore the foundations of Cohen's idealist method and the guarantee of its existence. Reliance on these methods is what enables the presentation of thought as an objective order and sequence. Cognitive man's "pure" cognition, as R. Soloveitchik takes pains to explain in the passage cited above, is fully clarified through the thought of mathematics and of the mathematical natural sciences.

The mathematization of cognitive man's cognition will be reflected in the cognition of halakhic man, which R. Soloveitchik will claim is predicated on "objective, quantitative measurements" (57) and on the objectification of cognition. This is obvious: according to Cohen's radical epistemic idealism, a cognition that creates objects is only possible through mathematics; thus, the epistemic world of halakhic man becomes objective through mathematical thought. The "Brisk" scholar

---

[27] *Das reine Denken*, 110. See also Poma, *The Critical Philosophy*, 58. R. Soloveitchik meant infinitesimal calculus as the principle of origin. See Samuel Hugo Bergman, "The Principle of Origin in Hermann Cohen's Philosophy" [Hebrew], in *Thinkers and Believers* (Tel-Aviv: Dvir, 1959), 146–148.

[28] *Logik der reinen Erkenntnis*, 210. According to Cohen, the judgment of reality is the first of the judgments of mathematics (the second type of judgments in the naïve stage of cognition).

[29] Ibid., 211.

[30] See Nathan Rotenstreich, *The Problem of Substance in Philosophy from Kant to Hegel* [Hebrew] (Jerusalem: Reuven Mass, 1939).

[31] Note R. Soloveitchik's assertion that the a posteriori dimension is erased in Cohen's philosophy, and the distinction between form and matter collapses as well (*Das reine Denken*, 31).

confronts halakhic laws and seeks to recreate them in his cognition without recourse to the real world. For this purpose, he infinitesimally reduces the quantitative dimensions ("objective, quantitative measurements") of Halakhah and rebuilds it from pure quality. The scholar does not create law *ex nihilo*, nor is he a halakhist who issues rulings; he tries to understand the conditions and methodological foundations of Halakhah. Hence, he reduces infinitesimally the concrete halakhic objects to which halakhic rulings relate and is left with pure quality (the relationship between the sizes and measurements of the ritual bath, the *sukkah*, and so forth). This reduction becomes possible when Halakhah is founded on the "objective, quantitative measurements" of mathematics. Mass as quality, for instance, is a parameter that links power and acceleration; at the same time, the ritual bath as quality is an element that purifies defilement. Henceforth, the scholar will rebuild halakhic laws without recourse to the senses and according to analytical-judgmental thought (on such principles as "two laws" [*shnei dinim*], "object and subject" [*heftsa ve-gavra*], "commission and omission," and so forth). In the above example, the scholar creates anew the laws of the ritual bath according to his definitions and analyses.

Ideal Structures

In *The Halakhic Mind*, R. Soloveitchik presents a list of differences between physics (which represents the mathematical natural sciences) and the humanities.[32] One of the differences hinges on the outlook adopted by physicists and philosophers, beginning with Heinrich Herz, Henri Poincaré, Ernst Mach, and Pierre Duhem up to Albert Einstein, Max Planck, and Arthur Eddington. This approach has an affinity with conventionalism and holds that physics is a science of pure

[32] The controversy prominent at the end of the nineteenth century between the epistemic approach (represented by Kuno Fischer, Hermann Lotze, and Hermann Cohen) and the historical-anthropological approach (Wilhelm Dilthey, Adolph von Harnak, and Moritz Lazarus), sharpened this distinction. See Uriel Tal, *Christians and Jews in Germany: Religion, Politics and Ideology in the Second Reich 1870–1914*, tr. Noah Jonathan Jacobs (Ithaca, NY: Cornell University Press, 1975), 182–191. R. Soloveitchik's training with Marburg scholars must have contributed to his awareness of the distinction between the natural sciences and the humanities accepted by neo-Kantians. See, for instance, Ted Benton, *Philosophical Foundations of the Three Sociologies* (London: Routledge and Kegan Paul, 1977), 105.

constructions and symbols correlated with the datum. In this view, scientific theories are empirically balanced so that none is "truer" than the other: "Knowledge of reality entails the construction of some ideal order coordinated with the qualitative cosmic process which retains its anonymity and mystery."[33] The scientist knows that concrete reality cannot be approached in one absolute ("true") way, and is therefore not interested in it. By contrast, research in the humanities refrains from duplicating reality by creating ideal parallel structures. The humanist scholar "is determined to capture the natural sensible reality in its full uniqueness."[34]

Cognitive man, then, is largely a reflection of the modern physicist whose impulse, as it were, is Cohen's epistemic idealism. R. Soloveitchik sees a continuous sequence beginning with nineteenth-century radical positivism and up to the idealism that Eddington concludes from relativity theory and quantum mechanics. Husserl and the phenomenologists reject the perception of pure mathematical structures as products of cognition and uphold instead a quasi-Platonic view of mathematics, attained by the "intuition of essences" (*Wessenschau*), but R. Soloveitchik takes exception to this outlook as an effective path to the absolute.[35] In his view, the dominant perception among philosophers of science is that of ideal mathematical structures, whose relationship with reality is only correlative.

A claim has been raised whereby "none of the philosophies rivaling each other around 1900 (mechanistic materialism, Neo-Kantians, Croce's neo-Hegelianism, Bergson's vitalistic irrationalism, American pragmatism and Mach's neo-positivism) was capable of coping with the breakdown of the conventional world picture brought about by modern physics."[36] R. Soloveitchik, however, easily envisaged a continuous scientific sequence up to the theory of relativity and quantum mechanics,

---

[33] *The Halakhic Mind*, 32. A keen and revealing formulation of this approach appears in the introduction to Henri Poincaré, *Science and Hypothesis* (New York: Dover Publications, 1952), xxxvi. See also, for instance, Francis J. Collingwood, "Duhem's Interpretation of Aristotle on Mathematics in Science," in *Nature and Scientific Method*, ed. Daniel O. Dahlstrom (Washington D.C.: Catholic University of America Press, 1991), 76. In his dissertation, as noted, R. Soloveitchik presents Cohen's idealist position, whereby the abstractions and ideal structures of the mathematical natural sciences belong to actuality, since thought evolves with science (*Das reine Denken*, 77).

[34] *The Halakhic Mind*, 35.

[35] *Halakhic Man*, 146, n. 18; *The Halakhic Mind*, 35–36.

[36] Richard Mattessich, *Instrumental Reasoning and Systems Methodology: An Epistemology of the Applied and Social Sciences* (Dordrecht: Reidel, 1978), 250.

all sharing an abstract model that parallels actual reality. This is not surprising, given his attempt in *The Halakhic Mind* to shape a new *religious philosophy* in the context of cognitive pluralism. Religious cognition retains its autonomy vis-à-vis scientific knowledge, which R. Soloveitchik seeks to present as largely homogeneous.

Hence, much can be learned from *The Halakhic Mind* about the ways in which halakhic man differs from *homo religiosus*: whereas *homo religiosus* seeks actual reality, halakhic man is entirely focused on the creation of abstract-ideal structures. Whereas *homo religiosus* draws away from scientific knowledge to seek the concealed (though he is not necessarily an anti-rational type), halakhic man can only be explained according to criteria of scientific knowledge. Whereas the cognition of *homo religiosus* is exposed through the phenomenological method, the cognition of halakhic man is revealed through the scientific method (according to Cohen's epistemic idealism) that emerges from the mathematical natural sciences. The concern of the following sections are the sources that, according to *Halakhic Man*, serve to fashion the cognition of halakhic man as cognitive man.

Halakhic Man

Understanding halakhic man's cognition, as noted, requires us to replace the cognition of *homo religiosus* and the classic figures who reflect it (Maimonides, Kant) with a new criterion or a new philosophical tool: Cohen's neo-Kantian epistemology. R. Soloveitchik tries to make the reader forget, as it were, his sharp critique of Cohen (published about ten years before he wrote *Halakhic Man*), because his grandfather, his father, and his uncle, all scholars of the Soloveitchik family, can only be described according to the criteria of Cohen's radical epistemic idealism.

The link tying the description of halakhic man to neo-Kantianism in general and to Cohen in particular has been extensively discussed. On the one hand, Lawrence Kaplan ascribes to Cohen's influence the parallel between the scientist and halakhic man as a creative figure,[37] and to Ernst Cassirer's inspiration the use of the a priori doctrine

[37] Lawrence Kaplan, "The Religious Philosophy of Rabbi Joseph Soloveitchik," *Tradition* 14, 2 (1973) 49–50.

regarding halakhic man's cognition and his connection to the external world.[38] Aviezer Ravitzky suggests that traces of Solomon Maimon can be found in the description of halakhic cognition,[39] and Avinoam Rosenak seeks neo-Kantian signs in the halakhic thought of R. Soloveitchik himself.[40] On the other hand, David Singer and Moses Sokol reject the essential link between neo-Kantian idealism and halakhic man, claiming R. Soloveitchik uses it merely for illustration purposes.[41] The present study will show that only Cohen's idealist philosophy enables a correct understanding of halakhic man's unique cognition. Consider R. Soloveitchik's description of halakhic man's ways of knowledge:

> When halakhic man approaches reality, he comes with his Torah, given to him from Sinai, in hand. He orients himself to the world by means of fixed statues and firm principles. An entire corpus of precepts and laws guides him along the path leading to existence. Halakhic man, well furnished[42] with rules, judgments, and fundamental principles, draws near the world with an a priori relation. His approach begins with an ideal creation and concludes with a real one.[43] To whom may he be compared? To a mathematician who fashions[44] an ideal world and then uses it for the purpose of establishing a relationship between it and the real world, as was explained above. (19)

In this passage, R. Soloveitchik draws a parallel between the thought of halakhic man and mathematical thought,[45] and even directs the reader

---

[38] Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1987), 155–156. But see below, 198–199.

[39] Aviezer Ravitzky, "Rabbi J. B. Soloveitchik on Human Knowledge: Between Maimonidean and Neo-Kantian Philosophy," *Modern Judaism* 6 (1986), 167–168.

[40] Avinoam Rosenak, "Philosophy and Halakhic Thought: A Reading of Rabbi Joseph Soloveitchik Talmud Lessons in Light of Neo-Kantian Models" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 275–306.

[41] David Singer and Moshe Sokol, "Joseph Soloveitchik: Lonely Man of Faith," *Modern Judaism* 2 (1982), 237. Compare Marvin Fox, "The Unity and Structure of Rabbi Joseph B. Soloveitchik's Thought," *Tradition* 24, 2 (1989), 46–47.

[42] In the Hebrew original, R. Soloveitchik uses the expression *mezuyian be-maklo u-ve-tarmilo*, according to PT Betsah 4, 62b; TB Betsah 25b.

[43] R. Soloveitchik is referring here to the fact that halakhic man begins at the naïve stage of cognition by creating ideal models and ends at its critical stage, by examining the correspondence between these models and reality. On this approach, which follows from Cohen's thought, see below, ch. 8.

[44] In the Hebrew original, *hatsar*, according to TB Berakhot 10a; TB Shabbat 75b, and so forth.

[45] On the contrast between mathematical thought and halakhic rulings see Adam Zachary Newton, *The Fence and the Neighbor: Emmanuel Levinas, Yeshayahu Leibowitz, and Israel among the Nations* (Albany, NY: SUNY Press, 2001), 26, 198 (n. 2). Compare with the

to the description of cognitive man in the previous section. His intention is to show that halakhic man's cognition is analogous to the ideal world built by cognitive man, and that his methodology is disclosed through the methodology of mathematics and the mathematical natural sciences. Note that, in his dissertation, R. Soloveitchik sharply criticizes Cohen for making pure thought synonymous with the methodology of the mathematical natural sciences. R. Soloveitchik holds that cognition has its own autonomous methodology, which is not exhausted by the approach of the mathematical natural sciences.[46] Nevertheless, it is precisely the outlook of cognitive man, whose thought rests on the principles of the mathematical natural sciences, that reflects the cognition and the consciousness of halakhic man. The figure of cognitive man is thus evidence that halakhic man is described according to Cohen's outlook, to which R. Soloveitchik takes exception. R. Soloveitchik, then, does not fully identify with halakhic man, and scholars have sensed that halakhic man is to some extent incongruous with other types that appear in R. Soloveitchik's philosophy, or even with R. Soloveitchik himself. For instance, Kaplan makes halakhic man synonymous with majestic Adam (Adam I, as opposed to covenantal man, who is Adam II), as described in *The Lonely Man of Faith*.[47] According to Ravitzky, "Soloveitchik's own thought is quite far from philosophical idealism."[48]

Clearly, then, halakhic man does not reflect R. Soloveitchik's outlook, just as the Rabbi, for instance, does not reflect Judah Halevi's views in *The Kuzari*.[49] The distance between R. Soloveitchik and halakhic man, however, is far greater. Judah Halevi and the Rabbi are not involved in a consistent confrontation, even according to scholars who support the study of esoteric writing. R. Soloveitchik, however, is strongly critical of the fundamental model of halakhic man that makes mathematical thought constitutive of cognition and consciousness. And yet, this is precisely how R. Soloveitchik describes halakhic man, by reference to mathematical thought and to ideal models that parallel concrete reality.

---

brief discussion on R. Naphtali Zevi Judah Berlin (*Ha-Netsiv* of Volozhin) in Menahem Fisch, "Ruling the Other: The Halakhic Challenge with the Renewal of Sovereignty" [Hebrew], in *The Other: Within Oneself and Between Oneself and the Other*, ed. Hayyim Deutsch and Menahem Ben-Sasson (Tel Aviv: Yedioth Aharonot, 2001), 247–248.

[46] Munk, *The Rationale of Halakhic Man*, 25.

[47] Kaplan, "The Religious Philosophy of Rabbi Joseph Soloveitchik," 48.

[48] Ravitzky, " Rabbi J. B. Soloveitchik on Human Knowledge," 168.

[49] See above, 33.

This perception also helps to clarify another finding: *The Halakhic Mind* includes no essential discussion of Cohen's epistemology, except for a few brief remarks on neo-Kantianism. This essay, as noted, aims to describe the emergence of religious consciousness and the way Halakhah is related to its objectification. The longer discussions that R. Soloveitchik devotes to neo-Kantian thinkers in *The Halakhic Mind* deal with Natorp and Cassirer, because he considers Natorp's "reconstruction" principle essential to the building of religious consciousness and because Cassirer deviates from the neo-Kantian idealism that is solely based on the mathematical thought of the natural sciences. In Cassirer's theory, epistemic idealism turns into cultural idealism, open to variation in the wake of cultural change and development: "While classical Neo-Kantianism had unlimited faith in the monistic character of the cognitive process, conceiving the Creator of the universe as a mathematician and a physicist, the symbolistic philosophy [of Cassirer] discarded the monistic principle and embraced a pluralistic 'religion.'"[50] Cohen remains outside the renovated building of the philosophy of religion. In fact, the few brief remarks that R. Soloveitchik devotes to Cohen in *The Halakhic Mind* are negative:

1. Cohen remains unswervingly committed to the supremacy of the scientific epistemic process as reflected in the natural mathematical sciences, and "ascribed almost 'divine' attributes to scientific reason."[51]
2. Cohen's philosophy of religion is not Jewish but neo-Kantian. This statement is particularly valid in light of Cohen's last work, *Religion of Reason Out of the Sources of Judaism*,[52] which R. Soloveitchik obviously does not view as a departure from Cohen's course. R. Soloveitchik excludes Cohen's theory from his discussions in *The Halakhic Mind*, where he describes the consciousness of *homo religiosus*.

---

[50] *The Halakhic Mind*, 21. See, for instance, Ernst Cassirer, *Language and Myth*, tr. Susan K. Langer (New York: Harper, 1946), 14–15; Fritz Kaufmann, "Cassirer's Theory of Scientific Knowledge," in *The Philosophy of Ernst Cassirer*, ed. by Paul Arthur Schilpp (Evanston, Ill: Library of Living Philosophers, 1949), 201; Aharon Grünhut, "The Relation between Language and Knowledge in the Philosophy of Cassirer [Hebrew], *Iyyun* 6 (1956), 240. Compare with Rosenak, "Philosophy and Halakhic Thought," 279.

[51] *The Halakhic Mind*, 106, n. 4.

[52] *The Halakhic Mind*, 101. See also Cohen, *Religion of Reason*, 421. Apparently, R. Soloveitchik also wanted to conceal the abysmal gap separating Cohen and the other idealists from *homo religiosus*.

Halakhic man's cognition and consciousness, however, are built according to Cohen's idealism and according to the methodology of the mathematical natural sciences on which they are predicated, as explicitly noted in *Halakhic Man*: "I desire only to elucidate the nature of halakhic man by drawing upon the philosophical understanding of mathematics as an a priori science which deals with ideal constructions" (146, n. 18).[53] R. Soloveitchik feels uneasy with the exclusivity of this idealist outlook, and his critique of the mathematization of knowledge in Cohen's approach has already been noted.[54] His reservations and his personal reluctance to endorse the one-dimensional halakhic man of the Brisk dynasty, however, do not prevent R. Soloveitchik from relying on Cohen's epistemological idealism in his description. He admired the halakhic men who were his mentors, and this admiration is one of the elements that drove him to write his dissertation. He knew already then that Cohen's thought provided the most precise philosophical tools for describing the consciousness of halakhic man. And yet, despite his spiritual closeness and his deep respect for his grandfather, R. Hayyim Soloveitchik of Brisk, his father, R. Moshe, and his uncle, R. Yitzhak Zeev, R. Soloveitchik understands that the figure of halakhic man hardly fits his own personality and outlook.

Halakhic Idealism

"When halakhic man approaches reality, he comes with his Torah, given to him from Sinai, in hand" (19). I will analyze the approach of halakhic man to the senses, to sensorial experience, and to pure experience, and trace their parallels with Cohen's idealism. R. Soloveitchik opens with the well-known example of the spring and its connection to the laws of purity.[55]

> When halakhic man comes across a spring bubbling quietly, he already possesses a fixed, a priori relationship with the real phenomenon: the complex of laws regarding the halakhic construct of a spring. The spring is fit

---

[53] The closeness between scientific cognition and a priori halakhic cognition goes beyond this comparison, as shown in ch. 8 below.

[54] See Munk, *The Rationale of Halakhic Man*, 25.

[55] See Kaplan, "Rabbi Joseph Soloveitchik's Philosophy of Halakhah," 153–154; Almut S. Bruckstein, "Halakhic Epistemology in neo-Kantian Garb: J. B. Soloveitchik's Philosophical Writings Revisited," *Jewish Studies Quarterly* 5 (1984), 356.

> for the immersion of a *zav* (a man with a discharge); it may serve as *mei hatat* (waters of expiation) [See Maimonides, *Laws of Immersion Pools* 9:8]. When halakhic man approaches a real spring, he gazes at it and carefully examines its nature. He possesses, a priori, ideal principles and precepts which establish the character of the spring as a halakhic construct, and he uses the statutes for the purpose of determining normative law:[56] does the real spring correspond to the requirements of the ideal Halakhah or not? Halakhic man is not overly curious, and he is not particularly concerned with cognizing the spring as it is in itself. Rather he desires to coordinate the a priori concept with the a posteriori phenomenon. (20)

Yet, although halakhic man does observe the real spring and examines it carefully, he has no real interest in it: "he is not particularly concerned with cognizing the spring as it is in itself." Why, then, does halakhic man examine the real spring? This spring leads the cognition of halakhic man to plunge deeply into "a priori, ideal principles." The concrete spring presents halakhic reason as an evolving process ("he uses the statutes for the purpose of determining normative law"). The bubbling spring stimulates the consciousness of halakhic man "to coordinate the a priori concept with the a posteriori phenomenon." Sense-impressions pose a problem to reason, a problem demanding solution. The passage above hints at a process involving four stages:

1. The encounter with the real spring ("he gazes at it…").
2. The encounter evokes discussion about the place of the spring as a conception in the halakhic system of rules (laws of purity and impurity: "He possesses, a priori, ideal principles and precepts…") formulated in the books of law (*The Code of Maimonides*, Caro's *Shulkhan Arukh*, and so forth). The halakhic system is the only law for halakhic man, and he tries to determine its foundations and conditions.
3. The real spring disappears, is infinitesimally reduced, and cognition creates it from the start as a *halakhic object* ("essence") through analytical distinctions ("*hillukim*"). At this stage, halakhic man is still entirely indifferent to the concrete spring.
4. A critical examination of the process of cognition: do the pure models and the halakhic objects created in cognition indeed correspond to the spring's concrete reality (return to "the a posteriori phenomenon").

[56] For the original Hebrew phrasing, *shma'teta aliba de-hilkheta*, see TB Yoma 26a.

This process corresponds to four stages or layers in the creation of ideal consciousness in Cohen's philosophy:

1. Sense-impression and the encounter with the qualitative-sensorial world (*Wahrnehmung*), which serves as a stimulus, posing a problem or a demand to cognition.[57]
2. Experience, that is, the rules of mathematical-physical science ("the fact of science"). Philosophy recognizes existing science and seeks to disclose the conditions of its possibility.
3. The conceptual creation of scientific objects through rational judgments, beginning with the judgment of origin (infinitesimally small) and up to the appearance of the object in cognition (the objectification process). "The judgment of origin is creative."[58] The analysis so far covers the "naïve" stage of knowledge, in Cohen's terms.
4. A critical judgment as to whether intra-epistemic analytical creation fits the sensorial-qualitative reality, marking the appearance of the critical stage of reason, at which consciousness (*bewusstsein*) emerges.[59] The process begins with the judgment of possibility, which is analogous to the judgment of origin at the "naïve" stage,[60] and concludes with the judgment of necessity.

The sense of the qualitative world, then, stimulates halakhic cognition to launch the process of creating the ideal objects and their elementary-structural foundations. The sense and the qualities *per se*, that is, the question of whether the bubbling spring fits ideal halakhic rules, is not really significant. External reality has no intrinsic value and its only

---

[57] Cohen's sense-impression (*Empfindung*) seems to differ from the encounter with the spring, since sense-impression does not include constructs and definitions. The encounter with the spring evokes a sense of humidity and flow, and not of a spring. But R. Soloveitchik tries to cover up for this with such formulations such as "when halakhic man comes across a spring" or "when halakhic man looks to the . . . horizon" (20). The impression, then, is one of randomness and coincidence. As noted, this stage does not entirely overlap Cohen's sense-impression and, apparently on these grounds, R. Soloveitchik enlists the conventionalist outlook from philosophy of science that opens with knowledge of the concrete qualities.

[58] *Logik der reinen Erkenntnis*, 587.

[59] R. Soloveitchik claims that consciousness is involved in two relationships: (1) With the "self"; (2) With the concrete world outside cognition. R. Soloveitchik is critical of Cohen: thought criticizing itself necessarily implies self-consciousness, whose existence Cohen rejects. See *Das reine Denken*, 56. Hence, in *Halakhic Man*, R. Soloveitchik refers to the relationship between consciousness and the reality outside cognition.

[60] *Logik der reinen Erkenntnis*, 454.

purpose is to awaken cognition to create itself, that is, its principles and objects, as evident also from the analogy to mathematics, which pays "no attention to concrete correlatives" (19). Maimonides' halakhic method in the *Code* is not anchored in temporal reality, as evident in his laws concerning the Passover *seder*, which include discussion of the paschal offering. This is also the path of cognitive man: "Will the mathematician worry that the ideal, irrational number does not correspond to the real number? Both the halakhist and the mathematician live in an ideal realm and enjoy the radiance of their own creations" (25).

What is the basis for this description of halakhic man? Disregarding for the moment the theological component of revelation, discussed below, the claim that in this description of halakhic man R. Soloveitchik adopts Cohen's outlook almost entirely is indeed accurate, even if the attitude of halakhic man to the sensorial datum does not claim to be clear-cut.[61] R. Soloveitchik adopts Cohen's outlook at two levels, even though Cohen's system of laws is scientific whereas the system of halakhic man is normative:[62]

1. *Cognition*. Cohen's epistemic model provides a philosophical explanation of the stages in the process of halakhic man's cognition.
2. *Morality*. Cohen transposes the model's four stages to the realm of morality, and the law replaces scientific cosmic order.

Consider Cohen's epistemic outlook. In the second chapter of his dissertation, R. Soloveitchik discusses the unity of thought. R. Soloveitchik clarifies that the creativity of thought is an essential element of both Kantian philosophy and of the Marburg school. The Marburg school, unlike Kant, states that thought is absolute. Whereas Kant contends

[61] See below, 130–131.

[62] Scholars have already discussed the difficulty of reconciling halakhic cognition, which is predicated on norms and laws, and idealist cognition, which is predicated on the laws of science. Some have tried to rely on the principle of origin, which links the two realms. See Bruckstein, "Halakhic Epistemology in neo-Kantian Garb," 357, n. 55. The solutions to this problem are discussed at length in ch. 8 below, and here I confine myself to a brief mention: (1) For R. Soloveitchik, halakhic cognition rests on physical-mathematical science ("objective, qualitative measurements") that can be reduced infinitesimally and rebuilt as a system of epistemic objects ("*hillukim*"). (2) The transcendental method in Cohen's outlook also applies, as noted, to the moral realm, where the law serves as a "fact of science." Cohen himself draws an analogy between the realms. (3) The discussion of halakhic creativity shows that R. Soloveitchik does not avoid other idealist philosophical influences, such as Fichte, which enable a fusion between cognition and morality, as shown below (328–330).

with the source of cognition and the meaning of its objectivity through the concept of the datum (*Gegebenheitsbegriff*), Cohen, as noted, claims that thought *per se* is absolute and creates its objects.[63]

In other chapters of his essay, R. Soloveitchik discusses the developmental and creative character of thought. He presents the view of Heinrich Maier, his dissertation advisor, who argues that thought shapes concrete reality through its link with it. A kind of dual process is present here: thought applies to the whole of reality, and the individual subjects engage in infinite movement (*unendlicher Annäherung*) in order to shape it. Furthermore: according to Maier, "universal thought (*das universale Denken*) is real, and its reality is determined by universal consciousness."[64] Cohen rejects these claims and holds that pure thought is not determined by its link with reality or with any other factor. Thought is the absolute principle, not to be founded on anything else. For Maier, the supreme and ultimate principle is being, whereas Cohen sets an ideal world above it, from which being derives. In addition, R. Soloveitchik emphasizes that Cohen's view of thought as process means that infinite progress applies not only to individual subjects but also to pure thought as such.

The creative nature of thought is a condition of its unity. The foundations and the process of thought are one. Cohen emphasizes that thought is a pure process and, therefore, the contents of thought cannot be distinguished from its function, since any distinction would collapse its unity. Similarly, no distinction separates thought from the experiential object, meaning he does not accept the duality of a knowing, judging object vis-à-vis a concrete, known object. Indeed, Cohen refers to the functioning of thought as creativity (*Erzeugen*).[65] The ways in which thought creates itself according to the principle of origin and the infinitesimal, which R. Soloveitchik discusses at length in his dissertation, will not be considered here in detail. An account confined to thought as a dynamic process of self-creativity and as creating its basic underlying principles and objects, as found in R. Soloveitchik's analysis of Cohen thought, will suffice to understand the sources used in the description of halakhic man's consciousness.

---

[63] *Das reine Denken*, 34.
[64] Ibid., 61.
[65] Ibid., 64.

The "Brisk" Approach and the Art of Writing

Halakhic man's cognition, then, is described in distinctively idealist terms. The analogy to the mathematical natural sciences, presenting the epistemic outlook of halakhic man as fitting that of cognitive man, was discussed above. Other features are added here: halakhic man's thought is a creative process prompted by sense-impressions of the qualitative world. Sense-impressions do not play an essential role in the self-creative process of halakhic cognition, which is not surprising given that the analytic cognition developed by the Brisk school is wholly founded on the abstract analysis of halakhic terms. In practice, the concrete halakhic fact is of no value vis-à-vis study, or "*lomdus*"—the collapse of halakhic terms into their qualitative elements *ad infinitum* and their re-creation as analytic structures and objects of thought. Brisk cognition is composed of masterly analyses that are mostly summed up through the term "*shnei dinim*" [two laws]. These analyses are equivalent to the breakup of the halakhic term into *be-koʾah u-be-foʿal* [potentially and actually], *heftsa ve-gavra* [object and subject], action and situation, and so forth.[66] These analytic processes were perceived as an essential component of the *iyyun* [study] sessions that took up most of the students' time and energy in Lithuanian yeshivot. Halakhic rulings dealing with actual subjects were viewed as a "technical" and shallow pursuit in the Brisk tradition. "The foundation of foundations and the pillar of halakhic thought[67] is not the practical ruling but the determination of the theoretical Halakhah. Therefore, many of the greatest halakhic men avoided and still avoid serving in rabbinical posts. They rather join themselves to the group of those who are reluctant to render practical decisions" (24).

---

[66] On the Brisk method see Shlomo Yosef Zewin, *Men and Methods: An Anthology on Halakhists and their Methods* [Hebrew], (Tel-Aviv: Abraham Zioni, 1958), 43–85; Norman Solomon, "*Hilluq and Haqirah*: A Study in the Method of the Lithuanian Halakhists," in *Diné Israel* 4 (1973), LXIX–CVI; Norman Solomon, *The Analytic Movement: Hayyim Soloveitchik and His Circle* (Atlanta, Ga.: Scholars' Press, 1993); Shaul Stampfer, *The Lithuanian Yeshiva* [Hebrew] (Jerusalem: Zalman Shazar Center, 1995), 105–114; Shalom Carmy, "Polyphonic Diversity and Military Music," *Tradition* 34, 4 (2000), 6–32; Benjamin Brown, *The Hazon Ish: Halakhic Philosophy, Theology, and Social Policy as Expressed in His Prominent Later Rulings* [Hebrew] (Ph.D. dissertation: Hebrew University of Jerusalem, 2003), 82–100.

[67] According to the opening of Maimonides' *Code* (*Laws of the Foundations of the Torah* 1:1).

The reluctance of nineteenth-century Lithuanian scholars to serve in rabbinic posts is a phenomenon with social-historical roots.[68] For R. Soloveitchik, however, halakhic-idealist cognition refers to practical halakhic rulings (such as, for instance, a question concerning a specific spring), in an analogy to Cohen's attitude to the sensorial realm. In sum: the qualitative-sensorial layer has no independent status, and serves only as a hint ("*hinweis*") that will act as a stimulus for thought. R. Soloveitchik, therefore, ascribes the reluctance to officiate in rabbinic positions that deal solely with practical ruling to the structure of ideal-halakhic cognition.[69]

Let me stress again. The contents of the Brisk-yeshiva type of cognition cannot be divorced from the thought process. In fact, thought as a whole is an active theoretical process, where cognition develops and creates its fundamental objects and conditions through the analysis of theoretical terms. The term *Halakhah iyyunit* (theoretical Halakhah) refers to the analytical creation of principles of thought from and within the thought process.

The term "Halakhah" in *Halakhic Man* does not, as noted, refer to rulings or actual observance of the commandments, and its meaning is confined to the Brisk method of study.[70] In *The Halakhic Mind* and in "From Thence You Shall Seek," however, the term "Halakhah" refers precisely to actual observance and to halakhic rulings. *The Halakhic Mind* makes no reference to "*lomdus*."

Why does R. Soloveitchik resort to Cohen's idealism to describe the Brisk halakhic man? Is he so fascinated by the analogy that he builds his internal halakhic description on external philosophical idealism? Finally: can R. Soloveitchik indeed not find any such analogies in Jewish sources?

For sure, R. Soloveitchik's philosophical education challenges him to connect these two vastly different worlds—the Brisk yeshiva and

---

[68] See Stampfer, *The Lithuanian Yeshiva*, 47; Immanuel Etkes, *The Gaon of Vilna: The Man and his Image*, tr. Jeffrey Green (Berkeley, Ca.: University of California Press, 2002), 210–216.

[69] Compare with Etkes' comments: "Moreover, new methods of study were introduced, connected with the names of Rabbi Hayyim of Brisk and Rabbi Shimon Shkop and others. These approaches entailed deep theoretical analysis of the talmudic text, with a certain distance from its practical application, perhaps reflecting the spiritual world of yeshiva heads who, at that time, were not involved in offering practical Halakhic guidance" (ibid., 230).

[70] Except for the final critical stage of reconciling between cognition's ideal creations and reality.

the academy in Marburg (and in Berlin)—pointing to the simultaneous growth of parallel phenomena inside and outside Judaism and, in their wake, to the enrichment of the cultural world. But my intention is to show that these two worlds are not so estranged from one another. Quite the contrary: halakhic cognition and the philosophical cognition of Cohen's philosophical idealism share common contents and features.[71] In other words, the parallel between halakhic cognition and Cohen's epistemology is not only formal. Cohen's outlook is a philosophical tool that allows for a suitable fit between halakhic man's cognition and consciousness.

Another factor deserves emphasis: R. Soloveitchik was trying to perpetuate the yeshiva world when it appeared to be gone forever. He saw this essay as a memorial to the Eastern European yeshivot destroyed during the Holocaust. At the time of his writing, surviving scholars were beginning to arrive to the United States and the revival of the yeshiva world seemed a questionable endeavor. R. Soloveitchik, then, had to translate the inner world of the yeshivot into terms understandable to Western culture and enjoying its respect. R. Soloveitchik draws a parallel between the characteristics of halakhic man and idealist philosophy in order to draw them closer to the world of American Jews, a modern world whose cultural orientation was far removed from his own and from that of Eastern Europe. Many thinkers and public figures in the 1940s thought it valuable to rely on Kant's epistemic and ethical philosophy.[72] Their knowledge of neo-Kantian philosophy was not too broad, to put it mildly, but the Kantian connection ensured the cloak of respectability afforded by modern thought.

R. Soloveitchik cannot exploit the conclusions of *Halakhic Man* to the end and present them openly for two reasons: (1) The undeniable elitism typical of Brisk yeshivot does not allow the full exposure of halakhic man; (2) The difference between the cultural orientation of Eastern European yeshivot and the modern, liberal, pragmatic, and individualist reality that characterizes the United States forces him to moderate his statements, hinting at the authentic meaning of halakhic man's outlook only between the lines. On these grounds, he cannot clarify,

---

[71] See below ch. 8.

[72] Instances are the thought of Nehemiah Nobel and Moshe Avigdor Amiel on the one hand and the circle of R. Abraham Kook, particularly R. Kook himself and David Cohen (*Ha-Nazir*), on the other. See Dov Schwartz, *Faith at the Crossroads: A Theological Profile of Religious Zionism*, tr. Batya Stein (Leiden: Brill, 2002), ch. 2.

for instance, that almost nothing binds halakhic man and *homo religiosus*; that the religious experience is unintelligible to halakhic man and is therefore perceived as a danger, and that the personality of halakhic man has several characteristics that are almost inhuman.[73] In *Halakhic Man*, R. Soloveitchik tries to show that such a connection does exist, but his critique of Cohen's epistemology in his dissertation (explicitly) and in *The Halakhic Mind* (implicitly), together with the identification of halakhic man with Cohen's idealist philosophy, necessarily lead to the conclusion that no such connection exists. Although these tensions can obviously be resolved by noting the *dialectic*, the term seems to point to a problem rather than offer a solution.

The esoteric writing style does not preclude the assumption that, for R. Soloveitchik, the cognition of halakhic man eludes full systematic description. This cognition requires an intellectual experience of insightful and abstract analytical thought, together with a certain ethos, a "Brisk" yeshiva mode of life, and a correspondent scale of values that can hardly, if at all, be internalized by anyone who has not experienced it. *Halakhic Man*, then, can be presented as an attempt to formulate what cannot be formulated.

Realization—Present and Future

R. Soloveitchik re-emphasizes in section vi of *Halakhic Man* that, as such, the sensorial dimension lacks any value. Although only some talmudic treatises have halakhic-practical relevance in contemporary terms, he notes, all of them were studied at the Volozhin yeshiva. For Maimonides himself, the halakhic man of the *Code*, current time poses no limitations. His laws relate to the remote past, when the Temple was still standing and the people of Israel led an autonomous life ruled by the Torah, as well as to a remote eschatological future (the laws on the Messiah at the end of the *Laws of Kings*). The concrete present has no meaning whatsoever in the development of ideal halakhic cognition: "The theoretical Halakhah, not the practical decision, the ideal creation, not the empirical one, represent the longing of halakhic man" (24). According to the idealist neo-Kantian criteria typical of halakhic man,

[73] See below, ch. 9.

his cognition surpasses time,[74] and is unaffected by either present or past events. Between the lines, R. Soloveitchik relates to the obvious question: what does scholarly halakhic man make of the messianic idea? Since the immediate or the remote future is meaningless to him, and since the external empirical world has no essential standing in his epistemic world, the messianic idea becomes pointless. Given that R. Soloveitchik cannot, nor is he willing, to admit this cost, he writes as follows:

> The Halakhah remains in full force, and we hope for and eagerly await the day of Israel's redemption when the ideal world will triumph over the profane reality.
>
> And when halakhic man stands up and prays, "May it be Thy will… that Thou wilt replenish the deficiency of the moon and it will no longer be diminished,"[75] he refers to the replenishing of the deficiency of the real cosmos which does not correspond to the ideal image of reality. Halakhic man's yearnings for the national redemption, for the coming of the Messiah, and for the building of the eternal Temple[76] draw upon his hidden longings for the full and complete realization of the ideal world in the very nub of concrete reality, for that era when the Halakhah will shine in all its majesty and beauty, in the midst of our empirical world. Then all of life will benefit from the image of this exalted and resplendent divinely willed construction. (28–29)

The question still remains: the empirical world functions only as a "stimulus" for ideal halakhic cognition to expose its principles and create its foundations in a continuous and ongoing process. The halakhic principles that emerge do not depend on the empirical world that is beyond cognition, and the proof is that the Lithuanian learning tradition was not confined to talmudic treatises of current interest and dealt also with the laws of purity and holiness in the Temple.[77] According to this passage, halakhic man strives for the full realization of the ideal halakhic world. In other words, we are speaking of the first type of halakhic man. And the question is: What for? Such a realization will contribute nothing to halakhic cognition, which is already fully revealed

---

[74] On the neo-Kantian critique concerning temporality, see Martin Heidegger, *The Basic Problems of Phenomenology*, tr. Albert Hofstadter (Bloomington, Ind.: Indiana University Press,1988), 317.

[75] Sanctification of the Moon prayer, and see TB Hullin 60b.

[76] In Hebrew original, *biniyan bayit adei ad*, according to Ketuboth 8a (*birkat hatanim*).

[77] See Yonah Ben-Sasson, "The Spiritual World and the Educational Doctrine of the Lithuanian Yeshiva's Founders" [Hebrew], in *Humanity: Education and Mission* (Jerusalem: Ministry of Education, 1967), 185.

now, or, more blatantly: Will the future implementation of, for instance, the ruling on the stubborn and rebellious son or the four varieties of capital punishments, add anything to the creative process of halakhic knowledge?![78] The messianic longing of halakhic man becomes formal and redundant.

And yet, R. Soloveitchik describes halakhic man as yearning for an eschatological future. To clarify his description, he uses an analogy to non-Euclidean geometry. R. Soloveitchik's use of geometry in several places to refer to the ideal world of halakhic man as a structure parallel to the empirical world deserves mention.[79] For instance: "He [halakhic man] approaches existential space[80] with an a priori yardstick, with fixed laws and principles, precepts that were revealed to Moses on Mount Sinai… He perceives space by means of these laws just like the mathematician who gazes at existential space by means of the ideal geometric space" (21–22). In the present discussion, however, geometry is related to messianic-eschatological space in a particular way. The esoteric style of *Halakhic Man* is again found here, when R. Soloveitchik writes:

> Such is also the way of the mathematician! When Riemann and Lobachevski discovered the possibility of a non-Euclidean space, they did not pay any attention to the existential space in which we all live and which we encounter with all our senses, which is Euclidean from beginning to end. They were concerned with an ideal mathematical construction, and in that ideal world they discerned certain features of a geometric space different from ours. Afterward, physicists such as Einstein and his circle appeared, and they utilized the concept of a non-Euclidean space in order to explain certain physical phenomena. The ideal-geometric space then found its actualization in the real world. (However, according to modern epistemological doctrine, and as many leading mathematical physicists such as Hertz, Einstein, Planck, and Eddington have admitted, even the physicist does not simply photograph reality, but rather creates a world of constructs that only parallels a concrete, empirical correlative). (29)

The analogy is simple: halakhic realms that are not currently relevant parallel Riemann's and Lubatchevsky's geometry. And as non-Euclidean geometry was ultimately revealed as applicable, so, in the future messianic era, abstract halakhic principles on purity and holiness derived

---

[78] See Bruckstein, "Halakhic Epistemology in neo-Kantian Garb," 358.

[79] On the a priori and the empirical in geometry see *Das reine Denken*, 38.

[80] The context ("When halakhic man looks to the…horizon") suggests that this is a real space, that is, the sensorial qualitative world. The same formulation ("existential space" in the sense of "real") is repeated in the next passage.

from talmudic treatises will also be revealed as applicable. This analogy relies on the assumption that physical reality ultimately confirms the applicability of abstract mathematical models, such as non-Euclidean geometry.[81] Had R. Soloveitchik confined himself to this declaration, he would appear to have settled my query, since ideal structures depend on empirical reality as a test of their truth value.

But halakhic cognition does not require a verification criterion. The fact is that R. Soloveitchik includes a theological component in the cognition of halakhic man: God, and no other, implants the laws of "experience" in halakhic cognition. The "fact of Halakhah," and the encounter with the empirical bubbling spring leads halakhic cognition to expose these principles and analyze them. "The essence of the Halakhah, which was received from God, consists in creating an ideal world and cognizing the relationship between that ideal world and our concrete environment in all its visible manifestations and underlying structures" (19–20). God, then, creates the cognition of halakhic man according to the epistemic-idealist model. As shown below, halakhic man acts as if God were an inner epistemic component of halakhic-ideal cognition.[82] The perception of halakhic cognition as a divine act and, in fact, as a distinctively divine activity, provides its own verification—God. This cognition is therefore autonomous, creating itself and its thought processes independently of any external element, certainly as verification criterion. "We require neither miracles nor wonder to prove the existence of God, for the Halakhah itself bears witness to its Creator" (86).

---

[81] Thinkers and scholars used this view as their starting point when seeking to refute Kant's perception of consciousness that, after Newton, rests its image of space on Euclidean geometry as an a priori science. On this issue see, for instance, Ernest Nagel, *The Structure of Science: Problems in the Logic of Scientific Explanation* (London: Routledge, 1961), 218–219; Yirmiyahu Yovel, *Kant and the Rehabilitation of Metaphysics* [Hebrew] (Jerusalem: Bialik Institute, 1973), 126–129; Shmuel Sambursky, *Naturerkenntnis und Weltbild: zehn Vortraege zur Wissenschaftsgeschichte* (Zurich : Artemis, 1977) 243–244; Judson C. Webb, "Immanuel Kant and the Greater Glory of Geometry, in *Naturalistic Epistemology: A Symposium of Two Decades*, ed. Abner Shimoni and Debra Nails (Dordrecht: D. Reidel, 1987), 17–70.

[82] The perception of God as an epistemic component presents the scholarly Brisk cognition of halakhic man as autonomous. See below, ch. 10. Compare: "Underlying the modern wording about halakhic creativity is a rather conservative perception of Halakhah as the revelation of God's word, and creativity is only meaningful in the pure intellectual realm." Avi Sagi, "Rabbi Soloveitchik and Professor Leibowitz as Theoreticians of the Halakhah" [Hebrew], *Daat* 29 (1992), 134. These remarks are indeed relevant to practical halakhic creativity, but not to halakhic man's cognition.

My puzzlement concerning the meaning of the messianic idea increases given the sentence in parentheses at the end of the cited passage, which can also serve to illustrate R. Soloveitchik's esoteric style in *Halakhic Man*. He begins the passage with the customary realistic formulations, stating that the abstract mathematical structure explains empirical reality directly and is therefore true. The sentence in parenthesis, however, hints at the conventionalist view of the philosophy of science, whereby the scientist chooses one method out of many, all adequate and applicable to reality. The scientist's choice tends to rest on convenience; no particular scientific theory is truer than another, and theories represent abstract mathematical structures ("constructions"). According to an extreme interpretation of conventionalism, "it is impossible to make an objective statement about the geometry of physical space and [that] we are dealing with subjective arbitrariness only: the concept of geometry of real space was called meaningless."[83]

Why, then, does R. Soloveitchik suggest this approach, which creates an unbridgeable gap between ideal structures and sensorial reality? Presenting halakhic man's cognition in conventionalist terms does make messianic longings irrelevant. Halakhic cognition is self-contained and, as R. Soloveitchik indicates in previous pages, essentially unrelated to sensorial data.

Ostensibly, R. Soloveitchik is merely offering a scholarly note concerning the alternative possibility ("modern epistemological doctrine" "leading mathematical physicists . . . have admitted"). The situation, however, is far more complex: the two references to Einstein in the above passage are mutually contradictory, exposing two contradictory trends in the philosophy of science:

1. *Realism*: Scientific theories return to the concrete-qualitative world and provide an explanation of it; "Einstein and his circle" realize the non-Euclidean geometric structures in the empirical realm outside cognition. The structure of concrete reality rests on non-Euclidean foundations.

---

[83] Hans Reichenbach, *The Philosophy of Space and Time*, tr. Maria Reichenbach and John Freund (New York: Dover, 1958), 36–37. Reichenbach objects to the totality of this statement. In "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah,"160, Kaplan tries to distinguish between the ideal nature of halakhic concepts and that of scientific concepts. But his distinctions, however correct, do not change the fact that the structure of halakhic consciousness derives from the idealism based on the mathematical natural sciences.

2. *Conventionalism*: Scientific theory does not provide a description of the real world. The supreme interest for Einstein and his colleagues (Hertz, Planck, and Eddington) is not returning to the world but creating structures parallel to it. This approach does not pretend to say anything about the structure of reality.

The solution to this contradiction is obvious: the first trend deals with the first type of cognitive man, who yearns to realize ideal structures in the real world. In the second trend, in the addition in parentheses, the second type of cognitive man appears, one altogether uninterested in the realm outside cognition. The discerning reader will know the type that R. Soloveitchik intends; after all, in the addition in parentheses he explicitly refers to the admission of modern physicists concerning the autonomy of scientific structures. This leads to the type analogous to cognitive man, namely, halakhic man: the discerning reader understands that, for the genuine halakhic man who parallels the second type of cognitive man, future messianic longings are not truly meaningful. For him, halakhic cognition creates itself fully at all times, unconnected to temporality. He is entirely indifferent to the adaptation of ideal halakhic structures to empirical-qualitative reality. The realization of Halakhah in the concrete world, to be fully realized in the messianic era, is meant to satisfy the standard reader who does not search for what is written "between the lines."

Several questions arise at this point: are there traces here of an inner spiritual rift? Is R. Soloveitchik torn between idealist-Brisk cognition and the elementary religious-messianic faith that demands a return to the real world? Is R. Soloveitchik trying to offer readers various options so that they can decide for themselves, or experience the flux between the poles in their own souls? Finally, could he be writing without any search for systematic consistency and skipping between methods? All these are acceptable options. Yet, I hold that R. Soloveitchik strives to present halakhic man in terms acceptable to modern *homi religiosi*. R. Soloveitchik tries to blur as far as possible—since the characteristics of halakhic man do not enable his genuine integration in the community, as shown below[84]—the unique and exceptional in halakhic man. His aim is to include halakhic man in the current religious community that has adopted *homo religiosus* as its dominant model, and the only

[84] See below, chs. 9 and 10.

way to attain this is to resort to dual writing, which requires a wise and understanding reader. This writing downplays indifference to the real world. Cognitive man and halakhic man do indeed create structures correlative to the qualitative-sensorial reality, but do not strive to realize them. The messianic idea, by contrast, is conditioned by the realization of these ideal constructs in the empirical, non-epistemic world.

The next chapter, dealing with the authentic meaning that R. Soloveitchik confers upon the messianic concepts of *redemption* and *the world to come*, will show that ideal-halakhic cognition indeed leaves no room for the conventional interpretation of a future, cosmic, and external event.

Summary

This chapter shows that the cognition and consciousness of halakhic man are fully explained in light of Hermann Cohen's epistemic idealism. Epistemologically, the consciousness of halakhic man contains no "residue" that cannot be explained in the terms of Marburgian epistemic idealism. When halakhic man encounters religious phenomena that are not amenable to halakhic-categorical elaboration and pretend to be epistemic, he is entirely indifferent to them. Were halakhic man asked concerning his faith in redemption, he would certainly affirm it enthusiastically, fervently believing in the truth of his words. But this response would be entirely dogmatic: this realm does not concern him at all, and he is entirely indifferent to it. This approach is quite radical, and will be expanded and deepened in the next chapter.

The reader again confronts R. Soloveitchik's uniquely esoteric style. This style, in my view, is intended to bring halakhic man closer to the community of *homi religiosi*, to which R. Soloveitchik himself belongs. A comparison between Maimonides' motivation for concealment and those of R. Soloveitchik might be helpful. According to hypotheses raised by scholars of Maimonidean esoteric writing, a profound difference separates the beliefs of the sage from those of the multitude. At the practical level, the sage and the multitude perform the same religious activity. R. Soloveitchik too claims that, in the concrete world, the sage (meaning the Lithuanian yeshiva head or scholar) and the multitude share a religious activity. What separates the elect from the multitude is the halakhic methodology, the idealist process, the autonomous cognition that creates its halakhic objects. As in the esoteric exegeses

of Maimonides, so in *Halakhic Man* the difference is not practical. The contents in these two cases are obviously entirely different, since Maimonides is concealing metaphysical knowledge whereas halakhic men conceal the logical and methodological-analytical.

In section v, R. Soloveitchik traces the contradictory path that guides *Halakhic Man* throughout: the skipping between two types of halakhic man, one striving to realize his cognition in the real world, and the other altogether indifferent to the world outside it. The first is closer to the social-religious realm since he is guided by concrete ideals, whereas the second is entirely indifferent to the external world. This genuine dialectic will become far stronger in the second part of *Halakhic Man*.[85] The fluctuation, however, cannot be fully understood without reference to the essay's apologetic needs. Even if R. Soloveitchik holds that halakhic man belongs fundamentally to the second type (who does not realize Halakhah), the communal-social character of Judaism requires the presence of the first type (who realizes Halakhah). And yet, R. Soloveitchik does know that the pure halakhic type is entirely enclosed within epistemic activity.

[85] See below, chs. 11, 12, and 13.

CHAPTER SIX

THE NEGATION OF METAPHYSICS AND OF THE MESSIANIC IDEA

The previous chapter was devoted to the cognition of halakhic man and to a positive description of its characteristics, including an extensive review of the sources that R. Soloveitchik relied upon in his description of this cognition. The present chapter focuses on a negative description of halakhic man's cognition. From a purely philosophical perspective, *Halakhic Man* is utterly indifferent to metaphysics, meaning it is entirely oblivious to the existence of supra-epistemic and supra-conscious worlds; from a religious perspective, this essay marks the end of Jewish thought in the model that had characterized it for centuries. For halakhic man, the transcendent lacks all significance. The implications of such an approach for the traditional belief in redemption will be discussed below.

Cognition, Not Metaphysics

The view of halakhic cognition as a variation of the idealist cognition of Cohen's philosophy, which relies on mathematical thought, is extremely radical. The cognition of halakhic man involves nothing beyond the halakhic categories that reveal themselves as experience and as the recreation of their own foundations. For halakhic man, external events as such are meaningless, at two levels:

1. *The mental-emotional and aesthetic level.* The rising and setting of the sun, for instance, in themselves thrilling and inspiring events (20, 38), are meaningless to halakhic man unless perceived in terms of the halakhic categories that make up his cognition.[1] The natural, cosmic, and aesthetic event merely stimulates ideal, a priori halakhic cognition to create its own foundations.

[1] Gerald J. Blidstein, "On the Halakhic Thought of Rabbi Joseph B. Soloveitchik: The Norms and Nature of Mourning," *Tradition* 30, 4 (1996), 128.

2. *The metaphysical-spiritual level.* The epistemic outlook of halakhic man leaves no room for other worlds and for reality layers other than his own epistemic world. Spiritual essences beyond cognition, such as angels and seraphs, are irrelevant to him. A cosmic-fantastic future world (the messianic era, the resurrection of the dead, and so forth) is irrelevant as well. Halakhic man is also unaware of any spiritual existence other than that derived from his cognition, such as eternal life after death ("the world to come").

These levels assume meaning, if any, within a description of how halakhic cognition evolves. If halakhic cognition can find no meaning or correspondence with a spiritual or imaginary experience or with an aesthetic value, halakhic man will ignore this experience or these values as if they did not exist. In section vii, R. Soloveitchik describes at length the absolute indifference of halakhic man to a spiritual existence beyond cognition. At the opening of this section, he writes as follows:

> Halakhic man's relationship to transcendence differs from that of the universal *homo religiosus*.[2] Halakhic man does not long for a transcendent world, for "supernal" levels of a pure, pristine existence, for was not the ideal world—halakhic man's deepest desire, his darling child[3]—created only for the purpose of being actualized in our real world? It is this world which constitutes the stage for the Halakhah, the setting for halakhic man's life. It is here that the Halakhah can be implemented to a greater or lesser degree. It is here that it can pass from potentiality into actuality. It is here, in this world, that halakhic man acquires eternal life! "Better is one hour of Torah and mitzvot in this world than the whole life of the world to come," stated the tanna in Avot [4: 17], and this declaration is the watchword of the halakhist. Not only will the universal *homo religiosus* not understand this statement, but he will have only contempt for it, as if, heaven forbid, it is intended to deny the pure and exalted life after death. (30)

In the previous chapter, I noted the distinction that R. Soloveitchik posits between Cohen's epistemic idealism and Berkeley's metaphysical idealism. R. Soloveitchik argues that Marburg idealism distances the subjective and spiritual world from the world of actuality or objective

---

[2] On the connection between religion and transcendence see Benson Saler, *Conceptualizing Religion: Immanent Anthropologists, Transcendent Natives, and Unbounded Categories* (New York: Berghahn Books, 2000), 50–64.

[3] In Hebrew original *yeled shaʿashuʿim*, according to Jeremiah 31: 19.

reality (*Wirklichkeit*), which is defined as existence in space and time. The "spiritual" facts (*Die geistigen Tatsachen*), in R. Soloveitchik's terminology, are the ideal rather than the real. Furthermore: according to Marburgian idealism, cognition is not a mental or "spiritual" process. Thought shapes physical and mental existence as its objects. R. Soloveitchik argues that, contrary to Berkeley and Fichte, Cohen refrains from assuming nature's dependence on the "spirit," that is, on an element that transcends cognition.[4] This characterization of Marburgian idealism enables an understanding of halakhic man's cognition as detached from "spiritual" worlds. The ideal world of halakhic man is not a spiritual sphere relying on a different type of reality. If any connection exists between halakhic cognition and an element external to it, it is a connection to the empirical senses and to inferior qualities (both as a challenge to cognition and as offering confirmation when consciousness appears), rather than to spiritual spheres supposedly beyond it. The ideal world of halakhic man is (or can be) adjusted only to the sense-qualitative world.

This and other passages point to several approaches in R. Soloveitchik's writings concerning the nature and role of sense (*Empfindung*) vis-à-vis ideal cognition (in its early, naïve stage). R. Soloveitchik presents, or at least hints at, no less than three views. I begin with the view formulated in section vi:

1. *A Demand and a Problem*. The discussion of section vi of *Halakhic Man* showed that the sensorial world (*Wahrnehmung*) does not play an essential role in halakhic man's cognition. Halakhic man is not interested in the concrete spring, or in the real dawn and sunset. In this section, sense is perceived as stimulating cognition and demanding it create its own foundations and conditions, as in Cohen's philosophy.[5]

By contrast, in section vii, which is my concern in this chapter, the role of the sense is perceived as follows:

2. *A Task* ("was not the ideal world . . . created only for the purpose of being actualized in our real world?"). R. Soloveitchik endorses here an outlook resembling Natorp's, who views sense as assigning

[4] *Das reine Denken*, 110.

[5] See ch. 5 above. According to Cohen, cognition ultimately returns to the senses to confirm its abstract structures, as ideal-a priori Halakhah ultimately returns to the concrete spring to issue a ruling in its regard.

cognition a role or a task ("mission"). The ongoing, infinite task incumbent on cognition is to solve the problem of the sensorial-qualitative world.[6] R. Soloveitchik goes a step further and argues that the halakhic-ideal world aims to be realized in the concrete world.

3. *A Substratum*. The sensorial-qualitative world described in the passage cited above serves as a "substratum" for the halakhic world and a "disposition" toward it. This approach fits the idealist parallel of Heinrich Meier, R. Soloveitchik's mentor and advisor. Meier views the "datum" (*das Gegebene*), meaning the content of the cognition that is the multiplicity perceived within space and time, as an independent element alien to cognition, "which confronts consciousness and thought." Cognition gives the datum its form and its character.[7] The role of the sense derives directly from this viewpoint, which is fundamentally Kantian.

Why does R. Soloveitchik present different approaches concerning the role of the sense? R. Soloveitchik had already suggested in his dissertation that, according to Cohen, the difference between the various approaches, or at least between (1) and (2), is not as deep as it appears at first sight.[8] The true answer, however, seems to lie in the aim of the discussion at this point. The topic of section vii of *Halakhic Man* is the rejection of spiritual and transcendent realms. R. Soloveitchik seeks to explain this negatively: halakhic man's cognition is entirely indifferent to other worlds and to supernal spheres. In this sense, Marburgian neo-Kantian thought provided R. Soloveitchik evidence and support. Cohen, Natorp, and Cassirer, all use the term *metaphysics* to denote "certain bad habits of thought inherited from a crude and unenlightened past."[9] Various facets of neo-Kantian philosophy, then, provide the clear and correct meaning of the analogy with halakhic man: halakhic

---

[6] See above, 75–77. R. Soloveitchik emphasizes that Cohen rejects the perception of sense as a task. According to Cohen, thought sets itself its own tasks, and sensorial perception is a "hint" to a task.

[7] *Das reine Denken*, 77. On the various approaches concerning the problem of the datum see Avinoam Rosenak, "Philosophy and Halakhic Thought: A Reading of Rabbi Joseph Soloveitchik Talmud Lessons in Light of Neo-Kantian Models" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 281–284.

[8] *Das reine Denken*, 95–96.

[9] William Curtis Swabey, "Cassirer and Metaphysics," in *The Philosophy of Ernst Cassirer*, ed. Paul Arthur Schilpp (Evanston, Ill: Library of Living Philosophers, 1949), 126.

cognition creates its principles according to its own special methodology, in a specific relationship (which R. Soloveitchik avoids identifying unequivocally) with sense. For critical halakhic cognition, the reference field is the world "below" it, meaning the qualitative-sensorial world, rather than the spiritual and metaphysical worlds "above" it. Whether sense is perceived as a demand for understanding, or as a task, or as a susbstratum, is irrelevant: cognition is built solely through its association with the sensorial datum. Halakhic cognition is not related to metaphysical layers and has no relationship whatsoever with what is above and beyond. As Cohen bewares of sliding into metaphysical idealism, so does R. Soloveitchik beware of allowing halakhic cognition to slide into the mysticism and spiritualization of the religious world.

The passage cited shows that halakhic man and *homo religiosus* cannot engage in genuine discourse. Differences of cognition and character between them open up an abyss that resists conceptual bridging. R. Soloveitchik never tires of hinting at the rift between them, and the meaning of the style he adopts is my concern below.

This World, Not the World to Come

This epistemological-idealist view of halakhic man's cognition requires from R. Soloveitchik to make an essential renunciation in the realm of religious faith: granting halakhic recognition to pure halakhic men—the Lithuanian scholars and yeshiva heads—demands an affirmation of temporal life and indifference to an eschatological future or to the individual's eternal life.[10] If halakhic man's cognition is "created only for the purpose of being actualized in our real world" (30), a redeemed life in a new cosmic world is not part of it. Halakhic man, who also relates to the immortality of the soul as a spiritual fact beyond cognition, emerges as a well-adjusted figure. "The world to come" as spiritual existence, the immortality of the soul beyond material life and beyond the cognition emerging in its wake, is a psychological and metaphysical

[10] "Temporal life" has two aspects: (1) A moral-behavioral aspect, which includes a negation of radical asceticism. (2) A theological-ideological aspect, representing a shift from eternal life after death or from the future messianic era to the present. My concern here is with the second aspect, which touches directly on the idealist structure of halakhic man. Concerning the first, behavioral aspect, see: Allan L. Nadler, "Soloveitchik's Halakhic Man: Not a Mithnagged," *Modern Judaism* 13 (1993), 120–126.

concept. Hence, a whole and self-contained halakhic cognition is not interested in a cosmic, messianic future drama and in a "world to come" as an eternal spiritual life after death. Halakhic cognition, explained in terms of epistemic idealism, rejects subjectivity and metaphysics. Events and concepts such as redemption and the world to come are distinctively transcendent and, as noted, elements beyond cognition do not exist for halakhic man except for the sensorial-qualitative dimension. The hope of a different life in the terrestrial world and for eternal life in a spiritual world is meaningless for halakhic man:

> Many religions view the phenomenon of death as a positive spectacle, inasmuch as it highlights and sensitizes the religious consciousness and "sensibility."[11] They, therefore, sanctify death and the grave because it is here that we find ourselves at the threshold of transcendence, at the portal of the world to come. Death is seen as a window filled with light, open to an exalted, supernal realm. Judaism, however, proclaims that coming into contact with the dead precipitates defilement. Judaism abhors death, organic decay, and dissolution. It bids one to choose life and sanctify it. Authentic Judaism as reflected in halakhic thought sees in death a terrifying contradiction to the whole of religious life. Death negates the entire magnificent experience of halakhic man. "I am free among the dead" (Psalms 88:6)—when a person dies, he is freed from the commandments…[12]
>
> The Halakhah is not at all concerned with a transcendent world. the world to come is a tranquil, quiet world that is wholly good,[13] wholly everlasting, and wholly eternal, wherein a man will receive the reward for the commandments which he performed in this world. However, the receiving of a reward is not a religious act; therefore, halakhic man prefers the real world to a transcendent existence because here, in this world, man is given the opportunity to create, act, accomplish, while there, in the world to come, he is powerless to change anything at all. (31–32)

Halakhic cognition is basically "terrestrial," as can be learned from its two meanings. According to the common meaning of Halakhah as active doing, halakhic cognition is normative and, as such, lacks metaphysical features. According to the meaning that R. Soloveitchik assigns Halakhah as yeshiva learning, its mechanism of action and its

---

[11] Death as a gate to another world compensates cognition, as it were, and "heals" it from the constraint to recognize the sense and material life.

[12] PT Kilayim, 9, 32a; PT Ketuboth 12, 34d; TB Shabbat 30a, 151b; Niddah 61b.

[13] According to PT Hagigah 2, 77b; TB Kiddushin 39b; Hullin 142a, and other sources.

development is explained in terms of epistemic idealism and then, the only "transcendent" element it is forced to acknowledge is obviously reality—the sensorial-qualitative world. The world to come is, at most, a dogmatic belief for halakhic man and, as such, has no place in his cognition since it is not a "religious act." R. Soloveitchik's style becomes increasingly precise. At first, it appears as if halakhic man only "prefers" reality; later, however, R. Soloveitchik presents halakhic man's true attitude to the world to come: "Temporal life *becomes* transformed into eternal life" (35).[14] All that halakhic man has, then, is halakhic activity within his temporal life. Since he ascribes no importance to eternal life, viewing it as a metaphysical element beyond cognition, the fear of death becomes the fear of nothingness. Fear of death is for him fear of "organic decay" (ibid.). The wide leniency of *pikuah nefesh* [life-saving] laws, expressing radical affirmation of material life beside fear of death, is characteristic of typical halakhic men.

R. Soloveitchik must have realized that his success in performing the task he had undertaken—drawing halakhic man closer to his contemporaries, most of them modern *homi religiosi*—was limited. The cited passage ends with a reference to the radical opposition between *homo religiosus* and halakhic man: "Not only will the universal *homo religiosus* not understand this statement ["Better is one hour . . . in this world than the whole life of the world to come"], but he will have only contempt for it, as if, heaven forbid, it is intended to deny the pure and exalted life after death" (30).

R. Soloveitchik deliberately uses the term "deny" (from the root *k-f-r*) as a dogmatic distinction between *homo religiosus* and halakhic man given that Maimonides, for instance, makes the immortality of the soul a principle of faith. The immortality of the soul was also a latent issue in discussions about religion at the end of the twelfth and the first half of the thirteenth centuries.[15] The political-religious element emerges here between the lines: halakhic man might be presented as a heretic (*kofer*), with *homo religiosus* as the accuser and the zealot. The confrontation between halakhic man and *homo religiosus* appears inevitable, and halakhic man must defend himself. The tactic is to admit the relevance and objectivity of the terms *redemption* and *the world to come*, but pour

[14] My emphasis. The hermeneutical implications are discussed below.

[15] See Dov Schwartz, *Messianism in Medieval Jewish Thought* [Hebrew], (Ramat Gan: Bar-Ilan University Press, 1997), 91–111.

different meaning into them. R. Soloveitchik rallies to the defense of halakhic man (essentially an hermeneutical task, seeking new contents suited to his world), although the pure idealist-cognitive type he proposes can dispense with this apologetic reinterpretation since halakhic man is indifferent to the transcendent. This reinterpretation, which will enable an inner epistemic element of halakhic man to be perceived in eschatological terms, exacts a price: foregoing these terms' deep-seated original meaning.

A New Interpretation (1): Redemption

R. Soloveitchik seeks to change the meaning of *redemption* and *the world to come* in order to present them as components of halakhic man's cognition. For this purpose, he adopts a dual strategy: first, he intimates that true redemption is realized here and now. He holds that he can present a view of redemption unfolding within material life, and no alternative spiritual worlds are necessary for this purpose. Redemption is personal, it reflects the individual's redeemed life, and does not necessitate a change in the laws of nature or even a significant social change. Second, R. Soloveitchik offers a new interpretation of life after death. Consider the interpretation of future redemption in this passage:

> The ideal of halakhic man is the redemption of the world not via a higher world but via the world itself, via the adaptation of empirical reality to the ideal patterns of Halakhah. If a Jew lives in accordance with the Halakhah (and a life in accordance with the Halakhah means, first, the comprehension of the Halakhah per se and, second, comparing the ideal Halakhah and the real world—the act of realization of the Halakhah),[16] then he find shall find redemption.[17] A lowly world is elevated through the Halakhah to the level of a divine world.[18] (37–38)

Redemption, then, is a situation representing the proper functioning of halakhic cognition. When the sensorial-concrete world ("the real world") stimulates cognition and awakens it to create ideal models in

[16] R. Soloveitchik hints here at two types of halakhic men, one wholly focused on the development of ideal halakhic cognition, and another that also strives to realize it in the concrete world.

[17] See Leviticus 25, 31, 48.

[18] In the Hebrew original, *olam ha-atsilut*. Note the use of a kabbalistic term to denote the activity of halakhic cognition, which has no theosophical dimensions.

an unbroken process and these models indeed parallel the real world, cognition evolves fully and redemption comes to the world. Redemption applies to the "Jew," that is, it is expressed at the personal-intimate level. R. Soloveitchik presents here a classic view of personal redemption that is realized in the material world, an outlook compatible with his later writings. Contrary to these writings, however, which focus on concrete-existential life,[19] personal redemption here necessarily derives from the idealist perception of halakhic man's cognition.

To clarify the view that redemption is realized in the world of halakhic man, R. Soloveitchik refers to a story about his father who was contemplating the sunset on the Day of Atonement before the *Ne'ilah* service and was moved to think about the halakhic category of sunset that atones sins:

> R. Moses, a halakhic man par excellence, turned to me and said: "This sunset differs from ordinary sunsets for with it forgiveness is bestowed upon us for our sins" (the end of the day atones). The Day of Atonement and the forgiveness of sins merged and blended here with the splendor and beauty of the world and with the hidden lawfulness of the order of creation and the whole was transformed into one living, holy, cosmic phenomenon. (38)

What is the meaning of this event in the context of an outlook that perceives redemption as realized here and now? The story presents halakhic cognition as it is created. The cosmic event, the sunset, assumes its true meaning in light of its atonement dimension. The halakhic perception of the sunset is equivalent to the amendment and sanctification of the world. In this sense, applying halakhic categories to the cosmic event is interpreted as a quasi-apocalyptic redemption. The concrete-sensory event (the sunset) leads to two developments:

1. It locates the sunset within experience, that is, within the halakhic order that is perceived and organized through a halakhic perspective (the "space" and "time" of Halakhah).
2. It creates the analytical construct of an atoning sunset (the Day of Atonement) as opposed to a sunset that does not atone (an ordinary day).

---

[19] See Dov Schwartz, *Faith at the Crossroads, A Theological Profile of Religious Zionism*, tr. Batya Stein (Leiden: Brill, 2002), 193–210; Benjamin Ish-Shalom "Language as a Religious Category in the Works of Joseph Ber Soloveitchik" [Hebrew], in *Rabbi Mordechai Breuer Feswtschrift: Collected Papers in Jewish Studies*, ed. Moshe Bar-Asher (Jerusalem: Academon Press, 1992), 799–821.

Building the halakhic model of the atoning sunset in the cognition of halakhic man is equivalent to redemption. R. Soloveitchik ends his account of this event by sanctifying the universe ("living, holy, cosmic phenomenon"), to intimate that the actualization of halakhic cognition replaces the cosmic-apocalyptic redemption that supports the creation of a new cosmos in the distant future.[20] This prophetic vision of the future is intended, as it were, to actualize halakhic cognition in the external world. To some extent, this is a far more radical interpretation than Maimonides' naturalistic messianism, which assumes that redemption will result in visible transformations in the shape of social and political change.[21] For halakhic man, however, redemption occurs at the epistemic-halakhic level, and its concern is to grasp the cosmic event through halakhic "forms of sensibility" and order it into halakhic categories.

A New Interpretation (2): The World to Come

The second hermeneutical move changes the accepted meaning of the world to come as a full and eternal spiritual life. R. Soloveitchik writes at the end of section vii:

> When the righteous sit in the world to come, where there is neither eating nor drinking, with their crowns on their heads, and enjoy the radiance of the divine presence,[22] they occupy themselves with the study of the Torah, which treats of bodily life in our lowly world. "Now they are disputing in the heavenly academy thus: If the bright spot [of the leper] preceded the white hair, he is defiled; if the reverse, he is clean. If [the order is] in doubt, the Holy One, blessed be He, ruled he is clean; while the entire heavenly academy ruled he is defiled."[23]... The Creator of worlds,[24] revealed and unrevealed,[25] the heavenly hosts, the souls of the righteous all grapple with halakhic problems that are bound up with the empirical

---

[20] Again, the contents and the aesthetic-poetic style are in stark contrast to a content that replaces the cosmic vision with normative laws. Halakhic cognition encounters this vision as long as it appears in a clear halakhic-legal context. Compare Zachary Braiterman, "Joseph Soloveitchik and Immanuel Kant's Mitzvah-Aesthetic", *AJS Review* 25 (2000/2001), 8–9.

[21] Schwartz, *Messianism in Medieval Jewish Thought*, 69–89, for additional bibliography.

[22] According to Berakhot 17a; Kallah Rabbati 2:3.

[23] TB Bava Metzia 86a.

[24] According to Zohar (*Ra'aya Meheimana*), 3, Pinhas, 239a.

[25] See Zohar 1, Toledot, 134b; Zohar 2, Va-yakhel, 209b.

> world—the red cow, the heifer whose neck is to be broken, leprosy, and similar issues. They do not concern themselves with transcendence, with questions that are above space and time, but with the problems of earthly life in all its details and particulars. And when the sages stated, "The day consists of twelve hours; during the first three hours the Holy One, blessed be He, sits and occupies himself with the Torah, etc.,"[26] they referred to the Torah, which was given to us—the Torah, which deals with civil law, forbidden foods, forbidden sexual relations, marriage and divorce, *hametz* and *matzah*, *shofar, lulav, sukkah*, and all other similar commandments.
>
> The universal *homo religiosus* proclaims: the lower yearns for the higher. But halakhic man, with his unique mode of understanding, declares: The higher longs and pines for the lower. (38–39)

R. Soloveitchik's understanding of the term *the world to come* is simplistic. Contrary to the teaching of the early authorities, who search for hidden mysteries in the legends about the sages,[27] R. Soloveitchik endorses a literal interpretation of these legends: in the heavenly world, they discuss halakhic issues. The world to come, the heavenly academy, the world of the Holy One, blessed be He—all are perceived by both unsophisticated and intelligent readers as supernal-spiritual worlds, where existence is different and unknown ("enjoy the radiance of the divine presence"). By contrast, according to R. Soloveitchik, the contents of these worlds are halakhic,[28] meaning that the world to come and the divine world are not transcendent to halakhic cognition. Quite the contrary: angels, seraphs and other supernal beings are expressions of ideal halakhic cognition. R. Soloveitchik stresses: "revealed and unrevealed." In other words, no realm is a "thing in itself"; there are no hidden realities to which halakhic cognition does not relate. "Supernal" entities could be said to assume their meaning according to halakhic cognition and within it, since there is no "actuality," no objective existence beyond halakhic cognition and beyond the sensorial datum that awakens it. The cognition and consciousness of halakhic man are therefore absolute. Metaphysical existences are interpreted in light of halakhic cognition. This view, then, is in tension with a perception of the world to come

---

[26] TB Sanhedrin 38a; TB Avodah Zarah 3b.

[27] See, for instance, Mark Saperstein, *Decoding the Rabbis: A Thirteenth-Century Commentary on the Aggadah* (Cambridge, Mass.: Harvard University Press, 1980); Norman E. Frimer and Dov Schwartz. *The Life and Thought of Shem Tov ibn Shaprut* [Hebrew], (Jerusalem: Yad Yitzhak Ben Zvi and the Hebrew University, 1992), 57–87.

[28] On the adoption of an experiential outlook alien to halakhic man, see "From Thence You Shall Seek," 189.

as a pure halakhic activity as opposed to merely a "reward," which is precisely how R. Soloveitchik presents the world to come in the passage cited above from the end of section vii.

R. Soloveitchik is obviously aware of the enormous implications of his claims. What is the meaning of relating to Halakhah without the sensorial-qualitative dimension? R. Soloveitchik's examples in the passage above range from the whole past to the partial present. The examples at the beginning (the red cow, the heifer whose neck is to be broken, and leprosy) were concretized only in the distant past, whereas the others (civil law, forbidden sexual relations, and so forth) are valid today as well. These and these "are bound up with the empirical world." R. Soloveitchik, then, seeks to clarify that Halakhah is not contingent on the extent of its realization but on its realization per se. Although feelings and qualities are a necessary condition for the emergence of ideal cognition, they are not its components but only a "problem" (in Cohen's terms). Hence, if Halakhah is devoid of a material dimension, it is meaningless. Halakhic cognition originates and grows in the sensorial world and there is no existence outside it: "Temporal life becomes transformed into eternal life; it becomes sanctified and elevated with eternal holiness" (35).

Halakhic man's ideal cognition, then, focuses solely on the temporal, whereas the dominant traditional faith (of *homi religiosi*) centers on eternal-spiritual existence after death or in the future. Halakhic cognition is indifferent to the existence that transcends it just as, according to Cohen, there is no transcendent existence separate from thought.[29] By contrast, the prevalent form of belief emphasizes this type of existence. The epistemic-halakhic idealism typical of halakhic men is indifferent to the concrete existence of redemption or of the world to come, whereas traditional belief makes them the center of existence. R. Soloveitchik does not deal with the actual existence of the world to come. He refrains from easing the tension and the contradictions inherent in the descriptions of halakhic man. One explanation is that R. Soloveitchik is thereby perpetuating his own personal misgivings. At the same time, however, R. Soloveitchik is clearly refraining from problematic statements because the indifference of his grandfather, his father, and their scholarly circles to such terms as "redemption" and the "immortality of the soul" could be viewed as a denial of them. The cognition and

[29] *Das reine Denken*, 92.

the method of halakhic man are rigid, consistent, and unequivocal. R. Soloveitchik wishes to prevent the modern reader who encounters the remnants of the Brisk dynasty to back away from them and, for this purpose, he formulates his ideas in colorful language:

> God does not wish to hand over His Torah to the ministering angels, the denizens of a transcendent world. Rather, he handed over His Torah to Moses, who brought it down to the earth and caused it to dwell among human beings, "who reside in darkness and deep gloom" (Psalms 107:10). The earth and bodily life are the very ground of the halakhic reality. Only against the concrete, empirical backdrop of this world can the Torah be implemented; angels, who neither eat nor drink, who neither quarrel with one another nor are envious of one another, are not worthy and fit for the receiving of the Torah. (33–34)

These statements are intended to cushion and glamorize the indifference: since halakhic cognition is built on a cognition that creates its objects, and since this cognition is the only epistemic path available to halakhic man, no room is left for any discussion of epistemic components external to his world.

The discussion about the transformation of messianic-traditional terms into components or expressions of halakhic-ideal cognition actually denotes the emptying of cognition from its metaphysical contents. Areas that had been essential to Jewish thought for centuries—theology, God's relationship with the world and with human beings, and other theological matters branching out from them, become irrelevant. They will only have meaning, if at all, within the context of halakhic cognition. Metaphysics supersedes theoretical Halakhah.

Rejecting the Synthesis

Finally, I wish to analyze the incident R. Soloveitchik cites in section vii as reflecting the systematic motifs covered in this section.

> My uncle, R. Meir Berlin [Bar-Ilan], related the following incident to me. Once he and R. Hayyim of Brisk happened to be staying in the same hotel in Libau on the shore of the Baltic. One fine, clear morning he arose at sunrise and went out on the balcony there to find R. Hayyim sitting—his head between his hands, his glance fixed upon the rays of the rising sun, entirely absorbed in the aesthetic experience of such a glorious cosmic spectacle and, at the same time, entirely bent beneath the oppressive weight of a soul-shattering melancholy and a black despair.

> R. Berlin took hold of R. Hayyim's shoulder and shook it: "Why are you so troubled and disturbed, my master and teacher?[30] Is something in particular responsible for your distress?"
>
> "Yes," replied R. Hayyim, "I am reflecting upon the end of every man—death."

This is how R. Soloveitchik analyzes this incident:

> Halakhic man enjoyed the splendor of sunrise in the east and swelling sea in the west, but this very experience, which contained in miniature the beauty of the cosmos as a whole and the joy of sheer existence, precipitated in him despair and deep depression. The beauty and splendor of the world on the one hand, and the fate of man, who can enjoy this mysterious magnificence for only a brief, fleeting moment,[31] on the other hand, touched the chords of his sensitive heart, which sensed the entire tragedy concealed with this phenomenon: a great and resplendent world and man, "few of days, and full of trouble" (Job 14:1). The fear of death is transformed here into a quiet anguish, a silent pain, and a tender and delicate sadness that are adorned with the precious embellishment of a profound and lofty aesthetic experience. However, the individual who undergoes such an exalted experience is not the type who longs for transcendence, yearning to break out of the realm of the concrete, for why should such a one be disheartened and grieved on account of the beauty of this world,[32] which is but a pale reflection of a hidden, supernal existence. The halakhic man who gazed at the first rays of the sun and reflected upon the beauty of the world and the nothingness of man in an ecstatic mood of joy intermixed with tragedy is a this-worldly man, an individual given over to concrete reality, who communicates with his Creator, not beyond the bounds of finitude, not in a holy, transcendent realm enwrapped in mystery, but rather in the very midst of the world and the fullness thereof.[33] (36–37)

This incident reflects R. Soloveitchik's unrelenting effort to ascribe halakhic man a dimension of religious experience. This experience involves a sense of sublimity and exaltation ("the beauty of the cosmos") on the one hand, and dejection, despondency, and gloom ("deep depression") on the other. It also conveys the dialectic sway between finitude ("few of days") and infinity, and between pleasure and pain. Finally, the experience of halakhic man is presented as involving a distinctive

---

[30] In Hebrew original, *rabbi va-alufi*, from Kallah 1:21.
[31] In Hebrew original, *'afa ke-halom*, according to Job 20:8.
[32] See TB Berakhot 5b.
[33] In Hebrew original *tevel u-melo'ah*, according to Psalms 50:12; 89:12.

emotional-ecstatic dimension. The experience of halakhic man, then, is tailored precisely according to the description of the classic religious experience found in the religious-phenomenological literature, which strongly influenced R. Soloveitchik's thought, as well as in the anthropological, psychological, and philosophical scholarly literature dealing with the religious experience.[34]

This experience describes halakhic man as filled with wonder when contemplating dawn ("the rays of the rising sun"). His cognition is entirely experiential. He is not looking for definitions and halakhic correlatives within the poetic-cosmic event, nor does the experience lead him to disclose the basic principles of halakhic cognition. Is such an experience possible after saying: "When halakhic man looks to the western horizon and sees the fading rays of the setting sun or to the eastern horizon and sees the first light of dawn and the glowing rays of the rising sun, he knows that this sunset or sunrise imposes upon him anew obligations and commandments" (20)? Halakhic cognition, then, is founded on a priori knowledge of the halakhic principles concretized and developed in light of the sensorial and experiential world. The imposition originates in halakhic man's cognition, and the sunset prompts the halakhic-methodological impositions. Halakhic man is characterized by one type of cognition only. Is R. Soloveitchik adding here a different type? After all, halakhic man does not change his personality, nor does he have other types of experiences.

The experience of the Brisk rabbi, then, rather than cognitive, was a pure moral-emotional and aesthetic experience. R. Hayyim of Brisk pondered "the end of every man," not as a cognition but in a mental-emotional and moral situation. The experience of human worthlessness vis-à-vis the sublimity and eternity of the cosmos is mainly an experience of the *worthy*. The moral and aesthetic feeling reveals death as bad, and non-existence as negative. The moral-aesthetic experience discloses the distinction between good (life) and bad (death). At the same time, halakhic cognition presents the material and temporal world, to which halakhic categories apply, as the true reality. The relationship between halakhic cognition and the religious experience largely

---

[34] See, for instance, Greta Hort, *Sense and Thought: A Study in Mysticism* (London: G. Allen and Unwin, 1936), 151–152; Robert Charles Zaehner, *Mysticism Sacred and Profane: An Inquiry into Some Varieties of Praeternatural Experiences* (Oxford: Clarendon Press, 1957), 86–88; Erich Neumann, "Mystical Man," in *The Mystical Vision*, ed. Joseph Campbell (Princeton, NJ: Princeton University Press, 1968), 395–411.

parallels the relationship suggested in Cohen's philosophy between scientific cognition on the one hand, and morality and religion on the other.[35] From the perspective of halakhic cognition, the sunset is only a source for new obligations and commandments; from the perspective of the religious-moral and the religious-aesthetic feeling, the sunset is the source for a mental-emotional flux between a sense of the sublime and the fear of death.

The aim of the story is certainly negative: R. Soloveitchik tries to distinguish between the experience of halakhic man and the experience of *homo religiosus*. The personality of halakhic man is entirely focused on earthly reality and his experience will therefore not lead him to a hidden reality. By contrast, the experience of *homo religiosus* seeks the hidden, the miraculous, and the transcendent beyond the concrete. Hence, the death experience of *homo religiosus* involves aspects that are not depressive and melancholic; the thought of death may not lead him to despondency because he is convinced that the end of earthly life is the beginning of celestial, "genuine" life. *Homo religiosus* views death as a corridor to a world beyond, which is all good, an experience that is alien to halakhic man. R. Soloveitchik concludes the passage by setting halakhic man's experience "in the very midst of the world and the fullness thereof." Ostensibly, then, the difference lies in the identification of the experiential realm: *homo religiosus* is attracted to the realm beyond, and halakhic man to the earthly-concrete realm. The distinction between them, however, is clarified in *The Halakhic Mind*. The experience of *homo religiosus* in *The Halakhic Mind* is distinctively cognitive, beginning in the concrete world and moving to subjective and intimate worlds beyond it. The *homo religiosus* of *Halakhic Man* also adopts an epistemic outlook seeking supernal transcendent worlds beyond the experiential datum, worlds that halakhic man's cognition does not acknowledge.

Halakhic man, then, is entirely different from *homo religiosus*, opposed to him in his characteristics and in his actions. The utterly different cognition of these two figures shapes an equally different emotional-aesthetic and moral experience. But R. Soloveitchik tries, as it were, to ease the tension between these two types or, more precisely to blur it and cover it up. The fact that halakhic man also has a taste of experience ("aesthetic," in his formulation) appears to bring him closer to

[35] See Eliezer Schweid, "Foundations of Hermann Cohen's Religious Philosophy," [Hebrew], *Jerusalem Studies in Jewish Thought* 2 (1983), 274–275.

homi religiosi. He also feels attraction and rejection, love and awe, finitude and infinity. They are essentially different, however, and even contradictory to some extent: whereas *homo religiosus* fears what is beyond, halakhic man fears nothingness; whereas *homo religiosus* strives for other worlds, halakhic man longs for worldly ends. The reason lies in the basic contrast between them: whereas the cognition of halakhic man is solely mathematical and normative, the cognition of *homo religiosus* strives for the hidden and the subjective. The distinction extends to experiences shaped by their different cognitions: the experience of halakhic man is the mental-emotional fear of nothingness and non-existence, whereas the experience of *homo religiosus* focuses on the expectation of the concealed and the transcendent sublime.

Summary

We can now trace the literary structure of the sections describing halakhic man. In section v, R. Soloveitchik discusses the structure of cognitive man's cognition according to Cohen's epistemic-mathematical idealism, as background and preparation for an understanding of halakhic cognition. The two types of cognitive man he presents between the lines help to clarify the complexity of halakhic man, who rests entirely on the characteristics of cognitive man. In section vi, R. Soloveitchik presents the epistemological foundations of halakhic cognition per se and vis-à-vis the sensorial datum. In this section, he clarifies that halakhic cognition does not depend on the concrete datum and that, after encountering it, halakhic cognition develops intra-epistemic autonomous foundations. In section vii, R. Soloveitchik discusses the relations of logic to ethics, aesthetics, and hermeneutics, that is, the transition from a description of ideal halakhic cognition to a discussion of the world of feelings and experiences, and of the moral, hermeneutical, and aesthetic values that cognition compels. In other words, from a description of cognition as determining the attitude to earthly-experiential reality to a rejection of death and its portrayal as negative. The hermeneutical implications are that personal, eschatological, and universal terms change their literal meaning when new halakhic-ideal contents are poured into them. The incidents described serve to clarify the emotional and experiential-aesthetic dimensions that halakhic cognition determines.

In the description of the transition from logic to realms beyond cognition, R. Soloveitchik includes various signs of religious experience to

create a connection between halakhic man and *homo religiosus*. On closer scrutiny, however, this connection is revealed as artificial and shallow. For halakhic man, a religious experience means the activity of layers outside cognition, which is expressed in mental impressions such as exaltation or, alternatively, melancholy, all focused on this world rather than on transcendent realms, as in the experience of *homo religiosus*. Essentially, the religious experience has no bearing on the cognition of true halakhic men and is not an epistemic component. As such, it is uninteresting to halakhic man. Epistemologically, halakhic man is a unique figure that can only be understood through an analogy to the idealist epistemology of Cohen and his circle.

CHAPTER SEVEN

MYSTICISM, KABBALAH, AND HASIDISM

Scholarship has already discussed the links of R. Soloveitchik's thought to Kabbalah and to mysticism.[1] Views are divided concerning the actual or metaphorical meaning that R. Soloveitchik assigns to kabbalistic terms and concerning his use of terms considered "kabbalistic," but not concerning his basic attitude toward Kabbalah. The scholarly consensus is that halakhic man believes Kabbalah is holy and values it highly. Scholars also disagree concerning the characterization of R. Soloveitchik's thought in *Halakhic Man* as "*mithnagged*."[2] The dispute, however, focuses mainly on the "inner" aspect of "*mithnagdut*" as a way of life and an independent scale of values, such as asceticism as opposed to the affirmation of earthly life, rather than on the polemical dimension of its objection to kabbalistic-Hasidic mysticism and the way of life it developed. All agree that R. Soloveitchik honors and respects mysticism, though not counting himself among its practitioners.

In this chapter, I deal with the attitude of halakhic man to mysticism in general, and to Kabbalah and Hasidism in particular. My claim is that halakhic man utterly rejects mysticism in all its manifestations, through disregard, indifference, and suggestions of misgivings and reservations. Strong opposition to Jewish mysticism and a perception of it as potentially dangerous surface between the lines of *Halakhic Man*. In this chapter, I conduct a detailed analysis of sections viii and ix of the essay because this critique of mysticism reflects, by implication, the nature of halakhic-theoretical cognition and becomes one of its essential elements.

---

[1] The articles of Rivka Horowitz, "Rav Soloveitchik's Attitude to the Religious Experience and to Mysticism" [Hebrew], 45–74, and Lawrence Kaplan, "Kabbalistic Motifs in Rav Soloveitchik's Thought: Meaningful or Ornamental?" [Hebrew], 75–93, appear in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1997).

[2] See Eugene B. Borowitz, "The Typological Theology of Rabbi Joseph B. Soloveitchik," *Judaism* 15 (1966), 203–210; Allan Nadler, "Soloveitchik's Halakhic Man: Not a *Mithnagged*," *Modern Judaism* 13 (1993), 119–147.

In R. Soloveitchik's thought, the mystic or the kabbalist is a particular instance of (general) *homo religiosus*. The mystic expresses the radical subjectivity of religious consciousness and the obsessive search for transcendent worlds and for a reality beyond cognition and beyond consciousness. The discussion of R. Soloveitchik's attitude to mysticism will therefore shed light on the tense relationship (or, more precisely, on the absence of a relationship) between halakhic man and *homo religiosus*. It will also help to clarify the distinction between halakhic man and R. Soloveitchik himself: whereas halakhic man ignores mysticism and is wary of its destructive potential (a potential that the kabbalists themselves have emphasized), R. Soloveitchik presents mysticism as one of the poles underlying the religious phenomenon. This distinction marks the deep difference between *Halakhic Man* on the one hand, and "From Thence You Shall Seek" and *The Halakhic Mind* on the other.

An Asymmetric Change of Direction

Ostensibly, sections viii and ix of *Halakhic Man* deal with the close similarities between halakhic man and *homo religiosus*. Precisely at this point, R. Soloveitchik would be expected to present their shared characteristics. And yet, these sections are actually devoted to a presentation of the distinctions between them.

At the opening of section viii, R. Soloveitchik seems to retreat from conclusions drawn in previous discussions and presents a negative claim: temporal life does not exhaust the experience of halakhic man. Previously, halakhic man's cognition had been shown to be indifferent to personal immortality ("the world to come") or to the messianic apocalyptic idea, given their very definition as transcendent realms. Halakhic man had been presented as focused on temporal life and utterly ignoring whatever is beyond. Now, however, halakhic man is presented as attracted to the transcendent realm. Prima facie, this is the only feature that halakhic man shares with *homo religiosus*, as R. Soloveitchik claims:

> And yet, on the other hand, halakhic man is not a secular, cognitive type, unconcerned with transcendence and totally under the sway of temporal life.[3] God's Torah has implanted in halakhic man's consciousness both

[3] In original Hebrew, *hayyei sha'ah*. See TB Shabbat 10a; 33b; TB Betsah 15b; TB Ta'anit 21a.

> the idea of everlasting life and the desire for eternity. As the benediction preceding the reciting of the Torah states: "And everlasting life has He planted in our midst."[4] Halakhic man is also a *homo religiosus* in all his loftiness and splendor. His soul, too thirsts for the living God,[5] and these streams of yearning surge and flow to the sea of transcendence, to "God who conceals Himself in His dazzling hiddenness" [the first line of a kabbalistic piyyut recited at the conclusion of the third Sabbath meal].[6]

For R. Soloveitchik, the exclusive focus on finitude and temporal life is an expression of secularism that the religious outlook finds intolerable. For a religious person, finitude is a threat that religious existentialism tries to overcome through faith. "Faith in the almighty God," writes Paul Tillich "is the answer to the request for courage which is sufficient to conquer the anxiety of finitude."[7] According to Tillich and others, divine eternity also helps to live with the anxiety of finitude. Halakhic man appears to overcome finitude by yearning for eternity. He thereby resembles *homo religiosus*, who longs for communion with transcendent reality.[8]

What is the meaning of halakhic man's yearning for eternity? Is it not clear that halakhic man's cognition leaves no room for any realms beyond it? And perhaps the present discussion is not cognitive at all and, in his feelings and longings, halakhic man merges with *homo religiosus*? According to R. Soloveitchik, the contrast between eternity and temporal life reflects the contrast between the transcendent (concealed) dimension and the empirical (revealed) world. R. Soloveitchik adopts a philosophical-idealist terminology when describing the longing for eternity. "Halakhic man's consciousness"[9] includes "the idea of everlasting

---

[4] Soferim 13: 6.

[5] According to Psalms 42: 3.

[6] The piyyut follows Isaiah 45: 15. See also, for instance, Judah Halevi, *Diwan* (Berlin: Mekitse Nirdamim, 1901), 69.

[7] Paul Tillich, *Systematic Theology* (Chicago: University of Chicago Press, 1951), vol. 1, 273. See Dov Schwartz, "On Finitude and its Existential Sources in Hartman's Thought" [Hebrew], in *Renewing Jewish Commitment: The Work and Thought of David Hartman*, ed. Avi Sagi and Zvi Zohar (Jerusalem & Tel Aviv: Shalom Hartman Institute and Hakibbutz Hameuhad Publishing House, 2001), 493–516.

[8] See Evelyn Underhill, *Mysticism: A Study in the Nature and Development of Man's Spiritual Consciousness* (New York: Noonday Press, 1955), 98.

[9] In Hermann Cohen's philosophy, consciousness (*Bewusstsein*) develops from the judgments of critical thinking (*Das reine Denken*, 52). See also above, 114. Yet, as shown below, R. Soloveitchik is not referring to consciousness in its philosophical-critical meaning but to the emotional implications that accompany the development of this consciousness, that is, to the phenomenological meaning of the term as well.

life and the desire for eternity" (40). And, as noted, "Halakhah is not at all concerned with a transcendent world" (32). What, then, is the meaning of making eternity and the yearning for it part of cognition? In an attempt to answer these questions, my focus will be on the distinction between *homo religiosus* and halakhic man precisely at this point of similarity between them: the search for transcendence. This distinction, as noted, is represented by two options:

> The only difference between *homo religiosus* and halakhic man is a change of courses—they travel in opposite directions. *Homo religiosus* starts out in this world and ends up in supernal realms; halakhic man starts out in supernal realms and ends up in this world. *Homo religiosus*, dissatisfied, disappointed, and unhappy, craves to rise up from the vale of tears,[10] from concrete reality, and aspires to climb to the mountain of the Lord. He attempts to extricate himself from the narrow straits[11] of empirical existence and emerge into the wide spaces of a pure and pristine transcendental existence. Halakhic man, on the contrary, longs to bring transcendence down into this valley of the shadow of death[12]—i.e., into our world—and transform it into a land of the living. Basically, *homo religiosus* is a romantic who chafes against concrete reality and tries to flee to distant worlds that will restore his spirits with their purity and pristine clarity. Halakhic man, however, takes up his position in this world[13] and does not move from it. He wishes to purify this world, not to escape from it. "Flight goeth before a fall [Sotah 8: 6]."[14] Halakhic man is characterized by a powerful stiff-neckedness and stubbornness. He fights against life's evil and struggles relentlessly[15] with the wicked kingdom and with all the hosts of iniquity in the cosmos. His goal is not flight to another world that is wholly good, but rather bringing down that eternal world into the midst of our world. (40–41)

Even at first glance, in R. Soloveitchik's formulation concerning opposite directions (*homo religiosus*—upward; halakhic man—downward) the symmetry is revealed as merely formal. In fact, *homo religiosus* strives to replace the present reality with another, whereas halakhic man purportedly seeks a synthesis. *Homo religiosus* is not interested in integration;

---

[10] According to Psalms 84: 7.
[11] According to Psalms 118: 5.
[12] According to Psalms 23: 4.
[13] In the original Hebrew, *ʿag lo ʾugah*, according to M. Taʿanit 3: 8; PJ Taʿanit 3; 66b; TB Taʿanit 23a.
[14] See also *Sifre Deuteronomy*, tr. Reuven Hammer (New Haven: Yale University Press, 1986), # 198, "flight is the beginning of defeat" (p. 216); TB Sotah 44b, and so forth.
[15] In original Hebrew, *be-ketev meriri*, according to Deuteronomy 32: 24.

he abhors the material, temporal world. Halakhic man seeks to merge the eternal and the ephemeral, that is, to realize eternity within the temporal. For halakhic man, transcendence does not replace concrete reality but is realized within it. By contrast, *homo religiosus* yearns for liberation from all earthly concreteness. Hence also the difference in the actions ascribed to the two types: *homo religiosus* flees, whereas halakhic man remains steadfast in his place.

R. Soloveitchik apparently holds that even the transcendent contents are entirely different. *Homo religiosus* seeks the world beyond because such a world cannot be realized within earthly reality. As the apocalyptic visions in the ancient Jewish world that began to spread during the Hasmonean period were tied to tannaitic and amoraic mysticism, so does *homo religiosus* despair from the realization of a perfect world in the present reality. Pure divine realms cannot be reduced to the turbid, earthly reality of pain and suffering, and *homo religiosus* therefore yearns for separation from the sordid, crumbling world. By contrast, the "transcendent" contents of halakhic man can be realized within the real world.

This line of thought shows that the world of *homo religiosus* is alien to halakhic man. Both use the same terms in their discourse, for instance "divine world" [*'olam atsilut*] (38) and "Divine Presence" [*Shekhinah*] (41); both quote the same sources. The contents they pour into these terms and these sources, however, are entirely different, and *homo religiosus* yearns for a transcendence unlike that sought by halakhic man.

The transcendent contents of *homo religiosus* are known and familiar—they are the hidden components of the divine world. Unquestionably, *homo religiosus* seeks communion with the world of the *deus absconditus* portrayed in various mystical doctrines. R. Soloveitchik clarifies in these sections that Kabbalah and Hasidism provide the hidden theosophical contents that *homo religiosus* yearns for and seeks to impose in his world against those trying to hinder them. Cleaving to the *sefirot* and to infinity on the one hand, and waging a mythical war against "husks" and damaging agents on the other, are the aim of *homo religiosus*. The conceptual notions of eternity and perfection that halakhic man longs for are entirely different. What eternal contents does halakhic man try to draw down to the terrestrial world? Against what "evil" does he wage the relentless struggle that R. Soloveitchik emphasizes at the end of the cited passage?

I begin with contents labeled *transcendent* in halakhic man's terminology. R. Soloveitchik appears to have broken the antithetical symmetry between *homo religiosus* and halakhic man. The transcendent contents

are, in my view, pointers to theoretical Halakhah, namely, to the ideal halakhic cognition made up of the pure elements created and exposed in the analytical process. But how are these contents transcendent? Do they not deal with "the gritty realia of practical Halakhah" (4)? The answer is that, in previous sections, R. Soloveitchik has already explained that ideal halakhic cognition is the "true" world to come, the reality beyond.[16] Ideal cognition is realized in response to the stimuli of sensorial, "earthly" reality. The halakhic man who "takes up his position in this world" is no different from "a mathematician who fashions an ideal world and then uses it for the purpose of establishing a relationship between it and the real world" (19). Halakhic man, then, continues the process of transforming transcendent terms from metaphysics into the halakhic-ideal world. Just as the mathematician's ideal world is built of mathematical and mathematical-physical models that cognition creates in response to a problem posed by sense-perception, so the world of halakhic man is built of halakhic models (laws of *hametz* and *matzah*, laws concerning the Temple, laws of neighbors, and so forth) that evolve in response to the stimulation of senses and qualities outside cognition. Just as experience ("the fact of science") is the scientific and mathematical-physical order for Hermann Cohen, so in the cognition of halakhic man, experience is the set of laws found in the relevant literature (Maimonides' *Code*, *Arba'ah Turim*, *Shulkhan Arukh*, and so forth). The "ideal" world is merely the set of halakhic laws as formulated in the legal books. Finally: just as exposing, and even creating, the laws of science is a cognitive act, so exposing the foundations of halakhic thought is the epistemological act of the halakhic man from the Brisk yeshiva. Through the method of *shnei dinim* [two laws], the division between person and object, and so forth, halakhic man creates, from the point of "origin" (*Ursprung*) and by means of experience (ideal halakhic laws), the halakhic objects parallel to Cohen's terminology. For halakhic man, then, the true meaning of the lofty divine spheres, of the redeemed-apocalyptic world of the future, and of the spiritual world to come, is in the foundations of ideal Halakhah as they keep evolving. Metaphorically, the halakhic structures are referred to as "transcendent" for two reasons:

[16] See above, ch. 6. Further on, in the discussion about *tzimtzum*, R. Soloveitchik explicitly states that halakhic man does not pour metaphysical but halakhic contents into this term (49). See also below.

1. In realistic-structural terms: The structures exist within cognition, which transcends the empirical-qualitative world.
2. In teleological terms: The hope of halakhic man or, at least, of the first type of halakhic man for whom the "practical" aspect is important, is to adjust the sensorial to the ideal halakhic world. Although this hope is indeed messianic, it is the foundation of halakhic man's pure will.

"Bringing down" the halakhic foundations into the world outside cognition reflects their ideal character. On the other hand, their contents may correspond to the sensorial world, as was the case with scientific-mathematical constructions (such as non-Euclidean geometry and irrational numbers).

What, then, *is* the evil halakhic man is fighting? At this stage, the reader is still unaware of all the meanings R. Soloveitchik ascribes to evil, which will only be revealed at the beginning of the second part of *Halakhic Man*.[17] So far, evil is defined as a situation in which the qualitative-sensorial world inducing the process of halakhic cognition (be it "the fact of science" or the exposure of "origin") fails to correlate with halakhic experience. Without a Temple and without sacrifices, or worse, when even laws that could be observed are not, qualitative reality fails to match halakhic cognition. In other words, the struggle is waged against a secularized world that prevents the implementation of halakhic laws, and vice-versa—an earthly world where Halakhah is fully observed induces the full process of halakhic cognition.

But the importance of the struggle against evil, that is, against reality's imperviousness to ideal halakhic categories, should not be exaggerated: for halakhic man, the full realization of Halakhah is not an essential demand. As noted, the development of halakhic cognition does not depend on the partiality or totality of the present.[18] The sensorial world functions merely as a flow prompting and awakening disordered qualities (according to the philosophy of science's conventionalist tradition, which R. Soloveitchik uses to describe halakhic man). The halakhic cognition of scholars and yeshiva heads will develop *to the full* in any event, regardless of sensorial and qualitative stimulation. One example is Maimonides' discussion of the Passover night (27–28), which shows that halakhic cognition evolves regardless of concrete application. Exile did

[17] See below, chs. 10, 12, and 13.
[18] See above, 122–123.

not hinder Maimonides from exposing the halakhic foundations of an ideal order that can only be realized when the Temple exists. Halakhic cognition does not depend on the present. For halakhic man, however, the only possible meaning of the messianic idea is the full realization of halakhic experience in an actual world, that is, the restoration of sacrificial offerings, sabbatical and jubilee years, and so forth. This meaning, as noted, is not essential to halakhic cognition, but if halakhic man does "long for eternity" and if he is moved to embrace religion's constitutive dogmas, this is their only possible expression. The hope of redemption, then, is the passion and the yearning for the fullness of Halakhah. Although the "longing for eternity" is not a component of halakhic cognition, it is a natural element of it, as a pure feeling and a moral-teleological will typical of its association with the non-cognitive realm. The longing for wholeness is a basic human feeling that, in the context of ideal halakhic cognition, becomes manifest in the wish to realize Halakhah in all areas of life.

R. Soloveitchik's choice of such categories as eternity, temporality, or finitude ("bringing down that eternal world") is thus meant to denote the contrast between the hidden world and revealed reality. Eternity can be considered a characteristic of halakhic cognition in that it fully expresses halakhic foundations, even those inapplicable to exile. Given that R. Soloveitchik clarifies at the end of section vii that eternal life after death is merely the process of developing ideal halakhic cognition, it is now clear that theoretical Halakhah replaces mysticism as the "transcendent" component in halakhic man's cognition.

A comparison between R. Soloveitchik's view of Halakhah and that of David Cohen (known as the Nazir), a religious-Zionist thinker who was his contemporary, could be highly illuminating. According to both, Halakhah reveals divine knowledge and reflects "transcendence." For the Nazir, Halakhah reflects the special logic that is also sustained in Kabbalah and prophecy. The seal of divine knowledge is therefore evident in Halakhah. According to the Nazir, then, one could claim that the source of halakhic logic is in the transcendent realm of Kabbalah and prophecy.[19] For R. Soloveitchik's halakhic man, by contrast, Halakhah does not reflect another realm, be it mystical or prophetic. Rather, divine knowledge is reflected within the halakhic-ideal process *per se*,

[19] See Dov Schwartz, *Religious Zionism between Logic and Messianism* [Hebrew] (Tel Aviv: Am Oved, 1999), 234–272.

when analytical thought discloses and creates Halakhah's fundamental principles. For the Nazir, then, halakhic logic is transcendent, whereas halakhic contents have human beings as their partners; for R. Soloveitchik, by contrast, halakhic laws, rules, and experience originate in revelation, whereas halakhic logic in its entirety (*hillukim*, pure analytical constructs, and so forth) is a product of creative human cognition.

A Feigned Partnership

Toward the end of the passage from *Halakhic Man* cited above (40–41), R. Soloveitchik adds a note referring the reader to note 4. This extensive note, discussed at length in Chapter One above, deals with a dangerous and destructive *homo religiosus* who staunchly denies the authority of reason. R. Soloveitchik views religiously inspired philosophical schools as essentially associated with the emergence of racist ideology and Nazism. In the first sections of *Halakhic Man*, however, R. Soloveitchik tries to create the impression of a division and a distinction between two types of *homi religiosi*: one wholly addicted to irrational elements, and another who bases his religious experience on scientific laws.[20] Maimonides and Kant are examples of the second type.

In sections viii–ix, when discussing the penchant for the transcendent that characterizes *homi religiosi*, R. Soloveitchik disregards this distinction. *Homo religiosus*, *by definition*, is guilty of sin and moral distortion:

> *Homo religiosus*, his glance fixed upon the higher realms, forgets all too frequently the lower realms and becomes ensnared in the sins of ethical inconsistency and hypocrisy. See what many religions have done to this world on account of their yearning to break through the bounds of concrete reality and escape to the sphere of eternity. They have been so intoxicated by their dreams of an exalted supernal existence that they have failed to hear the cries of "them that dwell in houses of clay" (Job 4: 19), the sighs of orphans, the groans of the destitute.[21] Had they not desired to unite with infinity and to merge with transcendence, then they might have been able to do something to aid the widow and orphan, to save the oppressed from the hand of the oppressor.[22] There is nothing so physically and spiritually destructive as diverting one's attention from this world. (41)

---

[20] See above, ch. 2.

[21] In Hebrew original, *enkat evionyim*, according to Psalms 12: 6. See also at the end of the *nishmat kol-hai* prayer, which ends the *pesukei de-zimra* on Sabbaths and holidays.

[22] See Jeremiah 22: 3.

This description of *homo religiosus*, corrupt but seeking spirituality, could be influenced by the Jewish image of Christianity, and yet, it also portrays the Jewish *homo religiosus* present, as it were, in halakhic man. R. Soloveitchik states outright: the search for the other world is the reason for moral corruption. The reality beyond legitimizes the neglect of earthly reality, and hence the moral decline. He draws no distinction between a search for transcendence based on scientific laws and one without scientific-objective underpinnings.

The attitude toward *homo religiosus* in *Halakhic Man* develops as follows: R. Soloveitchik begins by presenting the subjective and irrational *homo religiosus* as the source of evil and ruin. He then tones down this sweeping generalization by dividing *homi religiosi* first into two types, and then into three.[23] Narrowing definitions highlights the positive type of *homo religiosus* even further. In the end, however, R. Soloveitchik returns to the first and entirely negative denotation: *homo religiosus*, as such, is harmful and destructive. This structure appears to suggest that, from the start, R. Soloveitchik never saw *homo religiosus* as a genuine typological component of halakhic man. The sole cooperation between *homo religiosus* and halakhic man is the very existence of feelings and aspirations, but no comparison is possible between their feelings and desires, which rest on their different epistemic and conscious structure. Feelings and will are elementary human characteristics, and their ascription to *homo religiosus* and halakhic man does not hint at any closeness between them. The similarities between *homo religiosus* and halakhic man, therefore, are artificial and lack any essential basis. This discussion again reflects R. Soloveitchik's wish to bring halakhic man closer to a human and natural religious inclination, because he senses the importance of creating, at all costs, a tie between halakhic man and *homo religiosus*.[24]

Jewish Esotericism and the Tsaddik *Doctrine*

The aim of sections viii–ix in *Halakhic Man* is, as noted, to loosen the ties between halakhic man and the "secular, cognitive type" in order to bring him closer to *homo religiosus*. Yet, both these sections are mostly concerned with the radical distinctions between *homo religiosus* and halakhic man, and a crucial one hinges on the social-communal character

[23] See above, 55–57, 87–88.
[24] See above, ch. 1.

of the two types. *Homo religiosus* is elitist, and addresses a chosen group; his style and activity, then, are esoteric, hidden, and fit for the selected few. The larger community ranks lower. Halakhic man rejects this social-religious hierarchy.

In the discussion that follows, I deal first with the rejection of religious esotericism, and then explore the exoteric description of halakhic man. Cited at length below are passages dealing with the elitism of *homo religiosus*:

> Spiritual aspirations toward transcendence and fixing one's glance upon a higher world result in the religious world view becoming a religious esotericism which the halakhic understanding of the world refutes from the outset. The generation has not yet arisen that is fit to serve God through the negation of concrete existence[25] and through casting off of the yoke of the senses and the body. Therefore, any religious ideology that soars upon the wings of the seraphim[26] and the angels on high[27] and abhors mortal man, flesh and blood, will, perforce, in the end (1) prove unfaithful to itself and be guilty of perpetrating a religious lie, as was stated above; (2) constrict itself to a narrow, dark corner, relinquish the public domain, and give rise to a concept of religious esotericism. A religiosity that centers upon the heavenly kingdom and not upon the earthly kingdom[28]—that can be made to reflect the heavenly kingdom—gives rise to ecclesiastical tyranny, religious aristocracies, and charismatic personalities. And there is nothing that the Halakhah loathes and despises as much as the idea of cultic mediation or the choosing of individuals on the basis of supernatural considerations, to be intercessors for the community. (42–43)
>
> If you desire an exoteric, democratic religiosity, get thee unto the empirical, earthly life, the life of the body with all its two hundred-forty eight organs and three hundred sixty-five sinews. Do not turn your attention to an exalted, spiritual life rooted in abstract worlds. From the perspective of halakhic man, it is not the spirit that is charged with carrying out the religious process but the physical-biological individual, the conative individual who is led astray by the promptings of his *yetzer* and attracted to bodily pleasures. (44)

R. Soloveitchik sharply rejects here the religious esotericism resting on the association with another, transcendent reality, known only to the few. In the first passage, R. Soloveitchik alludes explicitly only to the

---

[25] See, for instance, Mendel Piekarz, *Between Ideology and Reality: Humility, Ayin, Self-Negation, and Devekut in Hasidic Thought* [Hebrew], (Jerusalem: Bialik Institute, 1994), chs. 4 and 6.

[26] See Ruth Rabba 5: 4.

[27] According to Abraham ibn Ezra's long commentary on Exodus 15: 11.

[28] In Hebrew original *malkhuta de-ar'a*, according to TB Berakhot 58a.

Christian hierarchy ("ecclesiastical tyranny") but, as is evident from the rest of the passage, his target is Jewish esotericism, and Kabbalah and Hasidism in particular.[29] From the outset, Kabbalah emerges as resting on close secrecy and as a variation of an ontological, neo-Platonic hierarchy.[30] Several approaches, among them the kabbalistic theory of hypostases, ultimately led to the Hasidic doctrine of the *tsaddik*. "Many great halakhic scholars" writes R. Soloveitchik, "disapproved of the cult of the *tsaddik* in the Hasidic world. These great halakhic men had no sympathy for any practice which, in their opinion, contradicted such a fundamental halakhic principle as religious exoterism" (44).

In the second passage, R. Soloveitchik negates that the aim of religiosity is the "spirit." He could be hinting here at modern Jewish thought, which has been significantly influenced by continental philosophy.[31] Numerous thinkers have interpreted Judaism as an expression of the spirit and its moral aspects, while neglecting actual observance of the commandments. They have offered a spiritual rather than the practical-ritual religiosity that, according to R. Soloveitchik, suits physical-biological existence.[32] This religiosity is elitist, reserved for intellectuals. In sum: religious esotericism is dangerous and destructive, whether its sources are in mysticism or in modern Jewish thought.

Contrary to *homo religiosus*, halakhic man rejects esotericism and its concomitant hierarchy. R. Soloveitchik denies the need for an elitist

---

[29] See, for instance, Moshe Idel, *Kabbalah: New Perspectives* (New Haven: Yale University Press, 1988), 253–256; Piekarz, *Between Ideology and Reality*, ch. 9.

[30] Indeed, immediately after, R. Soloveitchik mentions Platonic and neo-Platonic schools as an instance of the hierarchical attitude of *homo religiosus* (44). Worth noting in this context is Eliezer Schweid's distinction between "the neo-Platonic and Hegelian monism of R. Abraham Kook" and the "Aristotelian and Kantian pluralism of R. Joseph B. Soloveitchik." See Eliezer Schweid, *A History of Jewish Thought in the Twentieth Century* [Hebrew], (Tel Aviv: Dvir, 1990), 374. Halakhic man obviously rejects neo-Platonic monism but also, in a way, Kantian pluralism.

[31] See, for instance, Nathan Rotenstreich, *Contemporary Jewish Thought* [Hebrew], (Tel-Aviv: Am Oved, 1966), 114.

[32] Further on, R. Soloveitchik claims that, according to Hermann Cohen and Morris Lazarus, "the supreme good, [which] is not grounded in a transcendent realm" (47, and 150, n. 51. See, for instance, Moritz Lazarus, *The Ethics of Judaism*, tr. Henrietta Szold, vol. 1 [Philadelphia, Jewish Publication Society, 1900], 114–115). In this note, R. Soloveitchik criticizes their liberalism, which distinguishes between ethical and ritual holiness. In *The Halakhic Mind*, R. Soloveitchik ascribes the mistake of religious liberalism to a methodological fallacy: religious liberalism lets the subjective shape the objective, rather than reconstruct the subjective out of the objective datum. Without assuming the objective datum, there is no assurance that subjective consciousness can ever reach its proper form (*The Halakhic Mind*, 88–91).

stratum close to God to mediate, as it were, between God and human beings:

> No person, according to the Halakhah, needs the aid of others in order to approach God. A person needs no advocates or special pleaders. Every individual is assured by the Halakhah that whenever he will knock on the gates of heaven, they will be opened before him. And just as the Halakhah rejects the notion of human intercessors, so, too, it rejects the notion of transcendental intercessors such as angels and seraphim. (43)

The view of halakhic man, then, can be summed up in two claims:

1. Halakhic man rejects the neo-Platonic hierarchy that assumes a series of stages separating the worshipper praying for divine compassion from his God. The gradation created by mediating entities ("angels and seraphim") becomes irrelevant.
2. The previous claim should not be understood as an ontological-structural statement about the world or as a stance on its nature. In truth, halakhic man is not interested in the ontological dimension of the realm outside cognition, be it the sensorial or the metaphysical world (which he finds irrelevant). What characterizes existence is that the Being refers only to the normative lawfulness of Halakhah, and its sole concern is the ideal mathematical and physical structures (*hillukim*, "objective, quantitative measurements," [57]).

This categorical rejection of religious esotericism deserves closer attention. Two questions arise concerning R. Soloveitchik's strong criticism of the mystical and esoteric doctrines of *homo religiosus*:

1. Maimonides and his rationalist disciples are not targeted in his critique. But is not Maimonides' philosophy unmistakably elitist?
2. Halakhic man's body of knowledge, the analytical scholarship of the Lithuanian yeshivot ("*lomdus*") that creates the basic principles of halakhic knowledge, is absolutely esoteric. How does halakhic esotericism differ from its religious-mystical variation?

One answer will fit both these quandaries: between the lines, R. Soloveitchik draws a distinction between philosophical-theoretical esotericism and empirical-social esotericism. Many philosophers, who present an elitist philosophy unintelligible to and misunderstood by the wider public, do not implement it in social life. Some see themselves above the multitude for various reasons and therefore adopt esoteric behaviors. From an esoteric social-empirical perspective, the distinction is between

halakhic man, who rejects a hierarchy of *tsaddikim* and simple people, and *homo religiosus*, who sustains it. From a conceptual perspective, however, the distinction between halakhic man and *homo religiosus* disappears: the creative-analytical process in Halakhah ("*lomdus*") is not the task of the wider public. The teachings of yeshiva heads that represent halakhic man, such as R. Hayyim of Volozhin and R. Hayyim of Brisk, is not exoteric. Lithuanian yeshiva heads knew that the corpus of knowledge and the thought processes that occupied them and their disciples were not the concern of the ordinary person, or even of the rabbi issuing rulings.[33] As far as public access to theoretical-abstract knowledge is concerned, halakhic men are actually closer to *homi religiosi*. Both deal with an esoteric body of knowledge: *homo religiosus* is engulfed in esoteric contents and halakhic man in esoteric methods and thought processes. Indeed, this could be the *sole* essential similarity between halakhic man and *homo religiosus*. But R. Soloveitchik chooses to dim the genuine similarities—he ignores the potential resemblance and stresses the differences.

Concerning religious esotericism, the *homo religiosus* of *The Halakhic Mind* is different from the *homo religiosus* of *Halakhic Man*. On this question, the *homo religiosus* of *The Halakhic Mind* actually merges with halakhic man, since both reject esotericism:

> *The character of religion is exoteric*. The religious act must be accessible to every member of the human race, philosopher and tyro alike. Aristocracy in the religious realm is identical with the decadence of religion. Whatever the *telos* of religion, be it salvation, perfection, or ontological redemption, it is the dispensation of all mankind. The introduction of spiritualistic interpretations into religion renders the religious act esoteric. Religious introspection is not universal but depends largely upon the uniqueness of individual mentalities.[34]

The context, however, reveals R. Soloveitchik's intention. The context of these remarks is R. Soloveitchik's perception of religious subjectivity as problematic. *The Halakhic Mind* was written in an attempt to clarify that

---

[33] On the public image and the self-perception of yeshiva heads, see Immanuel Etkes, *The Gaon of Vilna: The Man and his Image*, tr. Jeffrey Green (Berkeley, Ca.: University of California Press, 2002), ch. 6. The complex method of study, unsuited to the masses, is already evident in the *pilpul* and "*hillukim*" approach the yeshivot adopted between the sixteenth and eighteenth centuries. See Jacob Katz, *Tradition and Crisis: Jewish Society at the End of the Middle Ages*, tr. Bernard Dov Cooperman (New York: New York University Press, 1993), 166–167.

[34] *The Halakhic Mind*, 80.

true religious philosophy rests solely on the objective religious datum (norms and actions). On closer scrutiny, it is clear that R. Soloveitchik speaks of the ideal and not necessarily of the real. The modern individual (in the eyes of R. Soloveitchik writing in the United States at the end of the Second World War), will not participate in a subjective and esoteric unintelligible adventure. The participation of modern individuals in the religious world requires an exoteric religiosity open to all. The presentation of *homo religiosus* in these two essays, then, is not contradictory. *The Halakhic Mind* and *Halakhic Man* together present *homo religiosus* as a figure naturally inclined to esotericism. The hidden, the subjective, and the transcendent are the fundamental aspiration of homo *religiosus*. Particularly in the modern world, however, *homi religiosi* must refrain from acting on their penchant for esotericism so as to prevent the collapse of the religious structure. In *The Halakhic Mind*, R. Soloveitchik stresses that *homo religiosus* must integrate the objective, open layer with the personal, subjective layer. By contrast, in *Halakhic Man* he describes the personality of *homo religiosus* (which is antithetical to that of halakhic man) rather than his functioning in modern society.

Given the halakhic and the mystical-kabbalistic-Hasidic corpora, esotericism emerges in *Halakhic Man* as a feature that *homo religiosus* and halakhic man share, each according to his character and personality structure. Yet, even where genuine similarities could be found between them, R. Soloveitchik blurs them. Instead, he chooses to stress the feigned, artificial resemblance, that is, the opposite symmetry noted above (flight from the earthly to the transcendent realm, as opposed to bringing down the transcendent to the earthly world). In my view, descriptions such as "dialectical" and "internal misgivings" are not an accurate portrayal of R. Soloveitchik's stance, since they do not explain the emphasis on form (symmetry) vis-à-vis the toning down of content (the esoteric character halakhic man shares with *homo religiosus*). A more plausible assumption is that R. Soloveitchik wishes to offer the modern reader the religious characteristics present in the figure of halakhic man, while signaling to the more discerning one that the two types are not truly similar.[35]

According to this principle, it is clear why R. Soloveitchik disregards Maimonides as a significant figure of medieval intellectual esotericism. The reason is not only Maimonides' key role in the Brisk learning

[35] See Dov Schwartz, *R. Soloveitchik's Philosophical Thought* [Hebrew] (Tevunot: Alon Shevut, 2004, 374–378.

tradition and, as such, in the cognition of halakhic man. Maimonidean esotericism is distinctively philosophical, as opposed to social-historical and halakhic. Since the message of Maimonides' *Code* is not one of social elitism,[36] it leaves no room for the cult of the *tsaddik* or, more precisely, for the intellectual contemplating eternal truths. R. Soloveitchik again relies, between the lines, on the division he created in *The Halakhic Mind* between the *Code*, where Maimonides succeeds in reconstructing religious-subjective consciousness, and the *Guide of the Perplexed*, where he fails.[37] R. Soloveitchik certainly holds that Maimonides, in his empirical social life, abided by the rules of the *Code* rather than by those of the esoteric *Guide*.

R. Soloveitchik, then, rejects the social-elitist and arrogant dimension of esotericism. He again intimates between the lines that he finds esoteric subjectivism alluring, since he himself is not a halakhic man in the "pure" Brisk model. Consider the aesthetic description reflecting the hierarchy between man and his God:

> At that climactic moment of the day when the setting sun has reached the treetops and the community of Israel, lovesick[38] and suffused with longing, feels the embrace of her Beloved and pours out her heart in psalms and hymns of praise "for the thirteen attributes [of mercy] and for the gate of tears, for it is not locked," many great Jewish scholars skipped the lovely stanza in the piyyut *Ezkerah elohim* ["When I remember this, O God"]: "Divine attribute of mercy, intercede for us! Present our supplication before the Lord…for each heart is sick, each head is ailing"[39] [in a note: Similarly, they skip the piyyut "Angels of mercy"].[40] The Halakhah views this prayer and other similar prayers as a deviation from legitimate halakhic prayer, which is fundamentally exoteric in nature. (44)

For R. Soloveitchik, the style of the prayers is "lovely" and successfully reflects the worshipper's circumstances at the *Ne'ilah* service on the Day of Atonement. In sharp contrast, halakhic man negates this style; open interpretation is not a banner he will wave. Pure halakhic

---

[36] A characteristic that is also evident in the question of the "reasons for the commandments," which is related to esotericism. See Isadore Twersky, *Introduction to the Code of Maimonides* (New Haven: Yale University Press, 1980), 400–401.

[37] See above, ch. 3.

[38] According to Song of Songs 2: 5; 5: 8.

[39] See Daniel Goldsmith, *The Selihot Service: The Practice in Poland and in Most Communities in Eretz Israel* [Hebrew], (Jerusalem: Bialik Institute, 1965), 208, lns 5–7.

[40] Ibid., 33, line 1. This issue has been discussed at length. See, for instance, Hatam Sofer, *Responsa*, I, #166; Moses Feinstein, *Responsa Iggerot Moshe* (New York: Rabbi M. Feinstein, 1974*), Orah Hayyim* 5, #43.

man (unlike R. Soloveitchik) cannot tolerate educational-psychological interpretations ("pouring out one's heart") that ignore the (literal) concrete-empirical interpretation. After all, the writers of these *piyyutim* could have intended them as a psychological-experiential contribution to the atmosphere of repentance and supplicatory prayers of the Day of Atonement, and most probably never thought of them as deliberate ontic statements about a hierarchy of entities traversed by the prayers (God → the measure of mercy/angels → man).

Furthermore, halakhic man does not reject the wording of the supplication prayers lest the multitude mistake their intention and interpret them in ontic-concrete terms; he rejects it because they represent a "deviation" from the cognitive conscious-halakhic world. Halakhic cognition is anti-hierarchical; it does not acknowledge the existence of a gradual component, and is hence opposed to its use, even metaphorically. Truth never changes, not even in poetic and educational contexts. Halakhic man does not weigh gains and losses, or experience as opposed to concreteness. Only truth will guide his way.[41] Finally, halakhic man is not a *homo hermeneuticus* concerning tolerance of open interpretation; experiential, aesthetic, and educational values are not central for him.[42]

Holiness

R. Soloveitchik, as noted, makes metaphorical use of metaphysical and theological concepts that have the ideal foundations of Halakhah as their signified. The concept of *holiness*, ostensibly reflecting a dimension that is definitely transcendent,[43] is fully translated into material earthly terms. Holiness "appears in our actual, very real lives"; it "consists of a life ordered and fixed in accordance with Halakhah" (46).[44]

---

[41] On this characteristic in another context see *Halakhic Man*, 88–89.

[42] See above, 140–144.

[43] R. Soloveitchik relies on Rudolf Otto's essay *The Idea of the Holy* (*Halakhic Man*, p. 150, n. 50), who argues that the category of holiness has "a specific element or 'moment'… that completely eludes apprehension in terms of concepts" (Rudolf Otto, *The Idea of the Holy: An Inquiry into the Non-Rational Factor in the Idea of the Divine and its Relation to the Rational*, tr. John W. Harvey (London: Oxford University Press, 1950), 5. Otto presents holiness as a synthesis of the rational and the irrational, where the transcendent element is constantly present.

[44] See Dov Schwartz, *The Land of Israel in Religious Zionist Thought* [Hebrew], (Tel-Aviv: Am Oved, 1997), 194–195; Almut S. Bruckstein, "Halakhic Epistemology in neo-Kan-

R. Soloveitchik chooses sexual holiness (Laws of Forbidden Relations) as a first instance of holiness bereft of transcendence, precisely because it is a blatant and direct reflection of the earthly life of which it is part. The identification of holiness with forbidden sexuality precludes any possibility of perceiving holiness as an external-autonomous element: "Holiness is created by man, by flesh and blood" (47).

R. Soloveitchik presents this "ordinary" holiness as an intermediate link between the holiness of the beginning and that of the end: "The beginnings of holiness are rooted in the highest heavens,[45] and its end is embedded in the eschatological vision of 'the end of days'" (46). Does earthly holiness mediate between two hallowed transcendent elements? For halakhic man, as noted, the terms and events of the end of days are meaningful only insofar as they reflect the halakhic-ideal process,[46] and it is plausible that the beginnings, which are symmetrical to the end, are also bereft of cosmic metaphysical meanings.[47] The daily ordinary holiness of halakhic life, then, is found to be no different from the holiness of either the beginning or the end of days, in the sense that it leaves no room for concrete transcendence beyond halakhic cognition.

Drawing Down and Tzimtzum

R. Soloveitchik presents two additional transcendent motifs from mystical literature as metaphors of the ideal-halakhic epistemic structure and its process of development: drawing down and contraction (*tzimtzum*). He also links them together, as follows:

> And here the standard is reversed, and we bring the glory of God[48] down into the lower world, into the very midst of the sense realm, into the midst of space and time, into the domain of quantitative measurement…

---

tian Garb: J. B. Soloveitchik's Philosophical Writings Revisited," *Jewish Studies Quarterly* 5 (1984), 352. On the displacement of the term holiness to earthly life and its problems, see Nathan Rotenstreich, "On the Sanctity of Life" [Hebrew], in *Sanctity of Life and Martyrdom: Studies in Memory of Amir Yekutiel* [Hebrew], ed. Isaiah M. Gafni and Aviezer Ravitzky (Jerusalem: Zalman Shazar Center for Jewish History, 1992), 29–30.

[45] In Hebrew original *me-ruma ila'a*, according to Targum Jonathan of Isaiah 6: 3, and in the prayer version in *Kedusha de-Sidra*.

[46] See above, 120–145.

[47] See below, 280–286, and see also in the passage cited below: "This mystery of *tzimtzum*, of 'contraction,' in the Halakhah does not touch upon questions of cosmogony."

[48] According to Psalms 19: 2.

> Infinity contracts itself; eternity concentrates itself in the fleeting and transient, the Divine Presence in dimensions and the glory of God in measurements, it is Judaism that has given the world the secret of *tzimtzum*, of "contraction," contraction of the infinite within the finite, the transcendent within the concrete, the supernal within the empirical, and the divine within the realm of reality. When the Holy One, blessed be He, descended on Mount Sinai, He set an eternally binding precedent that it is God who descends to man, not man who ascends to God. When He said to Moses, "And let them make Me a sanctuary, that I may dwell among them" (Exod. 25: 8), He thereby revealed the awesome mystery[49] that God contracts His divine presence in this world.
>
> This mystery of *tzimtzum*, of "contraction," in the Halakhah does not touch upon questions of cosmogony. Unlike the kabbalists and (*mutatis mutandis*) Philo, Plotinus, the Neo-platonists, and the Renaissance philosophers, the Halakhah does not concern itself with metaphysical mysteries. Nor does it inquire into that which is too remote for it regarding the creation of the universe. The law of Halakhah is a practical-utilitarian one. Therefore, one should not compare the concept of *tzimtzum* in the Halakhah with the concept as it appears in mystical doctrine. There (in mystical doctrine) this idea expresses a metaphysical system that penetrates into the hidden recesses of creation, that contemplates the foundation stones of the cosmos, being and nothingness, the beginning and the end; here (in the Halakhah) the concept of *tzimtzum* does not pertain to the secrets of creation and the chariot but rather to law and judgment. Therefore, halakhic man's ontological outlook differs radically from that of the mystic. Their different interpretations of the concept of *tzimtzum* give rise to major divergences in their respective ontological stances. (49)

Scholarly research has discussed R. Soloveitchik's perception of *tzimtzum* at length, here and elsewhere, and I also deal with this topic below. His outlook concerning the "bringing down" of the divinity as it appears in this and other passages, however, has not received similar attention. R. Soloveitchik uses the term *horadah*, which is found throughout Jewish literature almost as often as the term *tzimtzum* and originates in magic-astral outlooks.[50] According to this comparison, as the magician draws down the spirituality of stars upon talismans for his own

---

[49] In Hebrew original *ha-raz ha-nora*, according to TB Shabbat 88a.

[50] On *horadah* see Dov Schwartz, *Studies on Astral Magic in Medieval Jewish Thought*, tr. David Louvish and Batya Stein (Leiden-Boston: Brill, 2005); Idem, *Amulets, Properties, and Rationalism in Medieval Jewish Thought* [Hebrew], (Ramat-Gan: Bar-Ilan University Press, 2004). For modern expressions of this approach, see Moshe Idel, *Hasidism: Between Ecstasy and Magic* (Albany: SUNY Press, 1995), for instance, 156–160; Jonathan Garb, *Manifestations of Power in Jewish Mysticism: From Rabbinic Literature to Safedian Kabbalah* [Hebrew] (Jerusalem: Magnes Press, 2005); Dov Schwartz, *Challenge and Crisis in Rabbi Kook's Circle* [Hebrew] (Tel Aviv: Am Oved, 2001), 178–193.

utilitarian needs, so, metaphorically, halakhic man coerces the divine to come down from its lofty abode and express itself in two realms at least: (1) In experience, that is, in ideal halakhic laws. (2) In the realm outside cognition, when experience is affirmed by reality at the stage of consciousness (*bewusstsein*). Obviously, these terms are only metaphorical, since the divine is present in halakhic cognition as a given, and does not "come down" from a world external to it.[51]

R. Soloveitchik adopts the allegorical meaning endorsed by Habad Hasidism concerning *tzimtzum*.[52] Thus, *tzimtzum* is not the contraction of the divine within itself to make room for the creation of the worlds; *tzimtzum* means the adaptation of the divine to the capability of human perception. The divine dims its light, as it were, so that human beings might reach it. *Tzimtzum* is manifest at two levels, according to R. Soloveitchik: "This wondrous principle expresses itself in two parallel dimensions: in the real world—in empirical reality—and in the ideal world—in halakhic constructions" (56). Kaplan has already clarified that R. Soloveitchik refers here to "a double *tzimtzum*. First, God contracts himself within the ideal system of Halakhah's a priori concepts . . . Second, when man realizes ideal Halakhah within the concrete world, at the 'navel of reality,' he thereby brings down the divine presence, the transcendence that is already present in ideal Halakhah, into this actual world."[53] According to Kaplan, R. Soloveitchik uses *tzimtzum* in order to resolve "the tension between the empirical world and the one beyond it in the consciousness of halakhic man, which comprises the consciousness of cognitive man bound by temporal life and that of *homo religiosus* longing for transcendence."[54]

---

[51] See above, end of ch. 5.

[52] As he explicitly notes in *Halakhic Man*, 151, n. 54. See Moshe Hallamish, *The Theoretical System of Rabbi Shneur Zalman of Lyady: Its Sources in Kabbalah and Hasidism* [Hebrew] (Ph. D. Dissertation: Hebrew University of Jerusalem, 1976), 95–106; Yoram Jacobson, "The Doctrine of Creation in the Thought of R. Shneur Zalman of Lyady" [Hebrew], *Eshel Beer Sheva* 1 (1976), 316–331; Rachel Elior, *The Paradoxical Ascent to God: The Kabbalistic Theosophy of Habad Hasidism*, tr. Jeffrey M. Green (Albany: SUNY Press, 1993), 79–91.

[53] Kaplan, "Kabbalistic Motifs in Rav Soloveitchik's Thought," 83. See also Eliezer Goldman, *Expositions and Inquiries: Jewish Thought in Past and Present* [Hebrew], ed. Avi Sagi and Daniel Statman (Jerusalem: Magnes Press, 1996), 145–146.

[54] Kaplan, "Kabbalistic Motifs in Rav Soloveitchik's Thought," 82.

Tzimtzum: *Two Meanings*

The very existence of the first *tzimtzum*—from the realm beyond cognition (a transcendent God) to the intra-epistemic (halakhic thought)—should apparently be questioned, for two reasons:

1. The analysis so far shows that the role R. Soloveitchik assigns to a realm beyond ideal halakhic reason remains unclear. If halakhic cognition is indeed all encompassing, in the spirit of Hermann Cohen's epistemic idealism, there is no room for discussing an element beyond cognition that contracts inward. In other words: if objective reality (analogous to Cohen's *Wirklichkeit*) is determined by halakhic reason, then God too is, above all, an objective entity, and his presence outside cognition is simply uninteresting. Reality outside cognition, although it undoubtedly exists, is blurred and hazy. Halakhic man perceives and defines God according to ideal halakhic foundations, and divine revelation is an objective revelation within cognition. R. Soloveitchik, as noted, does not detail whether God is the whole of theoretical Halakhah or perhaps the supreme element within it.[55] In halakhic man's thought, however, there is no room for discussing any reality beyond it.
2. Relying on the analogy with R. Soloveitchik's interpretation of messianic terms as a symbol of ideal halakhic cognition, the longing for transcendence was shown to differ in *homo religiosus* and halakhic man, even in its contents. Halakhic man does not yearn for a reality beyond but for pure, perfect knowledge of the halakhic foundations, and transcendence is for him solely metaphorical.

The first meaning of *tzimtzum*, then, is only metaphorical. What is the explanation of this metaphor? I hold that the second view of *tzimtzum* is mainly metaphorical as well, although it does have an empirical dimension. The two meanings of *tzimtzum* are clarified anew below:

1. *Divine Tzimtzum.* From halakhic man's cognitive perspective, the very fact that the concept of God is fully reflected in ideal halakhic cognition means *tzimtzum*. Halakhic cognition, by nature, does not allow the divinity's transcendent expression, suggesting to the outside observer (but not to halakhic man) a certain renunciation

[55] See below, 252–259.

of the classic traditional belief in an omnipotent omnipresent God. The divine contracts by adapting to the endless development of analytic halakhic cognition. This meaning is certainly metaphorical, since no concrete *tzimtzum* is evident: its concern is God's presence in a priori halakhic cognition.

2. *Tzimtzum of Epistemic Elements into Concreteness.* This *tzimtzum* appears at the convergence of self-contained halakhic cognition and concrete Halakhah, which are sustained in the qualitative-sensorial world. The theoretical halakhic foundations (metaphorically "divine honor") fade and pale when linked to the sensorial world.[56] The conceptual-ideal spring contracts and descends from its conceptual rung when its link with the real spring is revealed. In this sense, the *tzimtzum* of the divinity is only a metaphor for the actual *tzimtzum* of the perfect world of theoretical Halakhah to the world of qualities and senses. The only role of this sensorial world is to "stimulate" the ideal halakhic cognition creating and developing its own foundations on the one hand and, on the other, to affirm the objectification process of cognition or the creation of ideal halakhic objects. This is the literal meaning of R. Soloveitchik's words at the opening of the passage: bringing down "infinity . . . the Most High who dwells in concealment . . . the Almighty who abides in the deep darkness [Psalms 91: 1]" and so forth "into the very midst of the sense realm [*Empfindung* in Kant's and Cohen's terminology], into the midst of space and time, into the domain of quantitative measurement [*Realität*]" (48).

Both meanings rule out any actual *tzimtzum* within the divinity. God's transformation is only metaphorical. In the second sense, however, a real contraction occurs, not of God directly but of the ideal halakhic order and of its underlying pure structures. The meaning of R. Soloveitchik's statement in the discussed passage, whereby "one should not compare the concept of *tzimtzum* in the Halakhah with the concept as it appears in mystical doctrine," is now clear. The absence of a shared basis for comparing Halakhah and mysticism is not only the result of the difference between the two realms; it also hinges on halakhic man's very negation of cognition in the transcendent (supra-epistemic) realm.

[56] R. Soloveitchik will present this *tzimtzum* below from an opposite perspective: the infinite stream of sensual-impressions contracts into the quantification of cognition.

Rather than God, what contracts is ideal halakhic cognition, which can be called "divine" because of its source.

R. Soloveitchik then proceeds to sharpen the distinction between the notion of *tzimtzum* in Hasidism and in its halakhic parallel even further, by adding the value-ethical dimension:

> The mystic sees the existence of the world as a type of "affront," heaven forbid, to God's glory; the cosmos, as it were, impinges upon the infinity of the Creator. The Kabbalah senses and empathizes with the anguish of *Shekhinta be-galuta*,[57] the Divine Presence in exile—the glory of God that emerged from the hiddenness of infinity, that became embodied in the creation of the cosmos, and that became contracted in it and by it…The creation of the world took place on account of God's goodness, for He descended, as it were, from absolute transcendence to the domain of concrete existence and inflicted a "blemish" upon His great and awesome glory that negates all reality even before it was created. The act of creation is a "descent" for the glorious name of the Holy One, blessed be He, and the very "attribute" predicated of God, God of the world, inflicts a blemish, heaven forbid, upon the idea of the infinite, for indeed there is no existence apart from Him. (49–50)

R. Soloveitchik points out, as noted, a difference between the contents of kabbalistic-Hasidic *tzimtzum* and halakhic *tzimtzum* ("major divergences"). Here, R. Soloveitchik refers to the value-ethical implications of the mystical-kabbalistic outlook in light of halakhic man's outlook. *Tzimtzum* and the creation of worlds did indeed occur on account of God's goodness, and this is the only positive fact mentioned in the cited passage. By contrast, the negative character of *tzimtzum* is reviewed at length: blemish, descent, and affront.[58] R. Soloveitchik places these terms in quotes to mask his criticism of the kabbalistic-Hasidic view of *tzimtzum*. "Mystical doctrine…senses and empathizes with the anguish of the *Shekhinah*, of the Divine Presence" (50). The reader can discern between the lines that, for halakhic man, Hasidism and Kabbalah are the cause of divine anguish. The negative overtones in his allusions to kabbalistic doctrine turn into strong open criticism when R. Soloveitchik presents halakhic man as the antithesis of *homo religiosus*:

---

[57] This term appears often in the *Zohar*. See, for instance, *Zohar*, Genesis, I, 27b.

[58] According to *Halakhic Man* 151, n. 58, citing R. Shneur Zalman of Lyady: "Is a great descent [for Him] and [it is only] through His grace—as it is stated, 'the world is built upon grace' (Psalms 89: 3)—that He lowers Himself."

> Halakhic man does not chafe against existence; rather, he reads with the simplicity and innocence that is typical of him, the verse in Genesis, "And God saw everything that He had made, and, behold it was very good" (Gen: 1: 31), and accepts its verdict. He does not wish to free himself from the world, and he knows nothing about the idea of the *Shekhinta be-galuta*, of the Divine Presence in exile, if taken to mean that the Divine Presence is held captive in the tresses[59] of the cosmos and the chains of reality. He is completely suffused with [within forty-nine gates of] an unqualified ontological optimism and is totally immersed in the cosmos. On the contrary, as he sees it, the task of man is to bring down the Divine Presence to the lower world, to this vale of tears.[60] The mystery of *tzimtzum* should not precipitate metaphysical anguish but rather gladness and joy. Man resides together with his Creator in this world, and it is only by cultivating that togetherness in the here and now that man can acquire a share in the world to come. The creation of the world does not inflict any "blemish" upon the idea of divinity, does not infringe upon infinity; on the contrary, it is the will of God that His *Shekhinah*, His Divine Presence, should contract and limit itself within the realm of empirical reality. The great promised destiny, "In that day shall the Lord be one, and His name one" (Zech. 14: 9) instead of referring to the mystical dream of the overcoming and negation of reality, refers to the era in which the Halakhah will find its fulfillment, its total realization in this world. (51–52)

Halakhic man is vexed by and critical of this pessimism: "The mystery of *tzimtzum* should not precipitate metaphysical anguish." At the beginning of the passage, R. Soloveitchik clarifies that halakhic man's response to Kabbalah is total disregard: "He knows nothing about the idea of the *Shekhinta be-galuta*." Indifference toward Kabbalah and Hasidism is, in my view, the most blatant form of rejection. Halakhic man does not bother to confront mystical doctrines and expose the "affront" to the purity of the divinity. Genuine discourse between halakhic man and *homo religiosus* is again revealed as impossible, since contents essential to *homo religiosus* have no room in halakhic man's cognition. *Homo religiosus* remains unintelligible to halakhic man. The values most important to the mystical kabbalist, who represents here the *homo religiosus*, are irrelevant to halakhic man. The forty-nine gates given to Moses[61] are ascribed vast significance in mystical literature

---

[59] In Hebrew original, *asurah be-rehatei*, according to Song of Songs 7: 6.

[60] According to Psalms 84: 7.

[61] TB Rosh Hashanah 21b; TB Nedarim 38a. This is a frequent kabbalistic motif as, for instance, in the doctrine of sabbatical years, based on seven worlds, each comprising seven *sefirot*.

but are merely symbols of the earthly world. Halakhic man ignores transcendent entities, which do not exist in his cognition. Whereas the kabbalistic doctrine of intentions [*kavannot*] is constitutive for the mystic, halakhic man does not think it worthy of attention: "Heaps upon heaps of mystical intentions and unifications have been piled up by the mystics to lead man's consciousness to hidden worlds; halakhic man knows nothing, however, about such mysteries" (60). Halakhic men surely knew about the existence of these intentions, but their response was absolute indifference. "Concerning Kabbalah," R. Hayyim of Brisk is rumored to have said, "we do not understand anything."[62]

In order to clarify his arguments in the cited passage, R. Soloveitchik again resorts, as he often does, to the messianic idea ("the great promised destiny"). He rejects the apocalyptic interpretation of the messianic idea,[63] endorsing instead the naturalistic-Maimonidean version. For halakhic man, the world to come is a natural world where Halakhah is fully realized.[64] Whereas *homo religiosus* yearns for another world that is wholly good in order to restore the situation that had prevailed before the *tzimtzum*, halakhic man does not seek another reality, even in the future. Whereas *homo religiosus* makes redemption contingent on the end of the earthly world ("the overcoming and negation of reality"), halakhic man knows no other reality beyond the terrestrial order. The difference between (apocalyptic) *homo religiosus* and (naturalistic) halakhic man on the messianic question contributes to the rift between them. Their cognitive and hermeneutical orientations are diametrically opposed. Their different, and even antithetical, moral value systems lead to tension and hostility between them.

The chasm between halakhic man and *homo religiosus* results in two different interpretations of the theological underpinnings, helping to

---

[62] R. Meir Bar-Ilan *From Volozhin to Jerusalem* [Hebrew], vol. 1 (Tel-Aviv: Committee for the Publication of R. Meir Bar-Ilan's Writings, 1971), 262. On a possible link between the establishment of the Volozhin yeshiva and opposition to Hasidism see Shaul Stampfer, *The Lithuanian Yeshiva* [Hebrew] (Jerusalem: Zalman Shazar Center, 1995), 31–36. Stampfer objects to this association. Nevertheless, R. Hayyim of Volozhin's chosen response of "quiet" ideological opposition without concrete expression would eventually characterize other heads of yeshivot. *Halakhic Man* describes such a figure, as it emerges from our discussion.

[63] See above, ch. 6.

[64] Contrary to the original Maimonidean approach that views the full realization of Halakhah as a means for attaining intellectual perfection, *Halakhic Man* clarifies that this is the ultimate aim of the messianic era.

clarify the claims of halakhic man concerning the flaw in the morality of *homo religiosus*. R. Soloveitchik enters into an abstract theological inquiry that helps him to discern the fundamental differences between halakhic man and *homo religiosus*, whose opposite theological orientations come to the fore in the Creation story:

> The creation of the world is, in essence, the revelation of the will of God and is not a manifestation of His goodness and grace.
>
> R. Simha Zelig, the disciple and friend of R. Hayyim, related to me the following incident: Once he and R. Hayyim visited someone's house in Vilna. While they were waiting for their host to appear, R. Hayyim glanced through some works of Habad Hasidism that were lying on the table. The books apparently discussed the question of God's motivation in creating the world and cited two opinions: (1) God created the world for the sake of His goodness; (2) He created it for the sake of His grace. R. Hayyim turned to R. Simha Zelig and with utter seriousness told him: "Both views are incorrect, the world was created neither for the sake of His goodness, nor for the sake of His grace but for the sake of His will." This view,[65] set down by Maimonides as a firm principle in the *Guide* and prevalent in many forms in voluntaristic religious and metaphysical systems—e.g., that of Solomon ibn Gabirol in *Mekor Hayyim* [Fountain of Life] and that of Duns Scotus (who was influenced by the former)—is the very seal of halakhic man. The world was created in accordance with the will of God, who wills to contract His Divine Presence in it. Therefore, we are called to act and to arrange our lives in accordance with this fundamental idea.
>
> While the mystic shares in the anguish of *Shekhinta be-galuta*, of the Divine Presence in exile, the Divine Presence of "God who conceals Himself in His dazzling Hiddenness," "lofty and exalted, abiding in the heavens" [from a piyyut recited on the High Holidays], that descended into the midst of the cosmos, halakhic man declares that the true home of the Divine Presence is in this world. The Divine Presence goes into exile, according to the opinion of halakhic man, when it departs from this world to the hidden and awesome transcendental realm. (52–53)

In a narrative context, R. Soloveitchik presents three views concerning the cause of Creation, all part of long-standing traditions in both

---

[65] That is, R. Hayyim of Brisk's view stating that the universe was created "for the sake of his will." In a tape of R. Soloveitchik's lessons ("Lesson of Rav Soloveitchik on Terumah"), a slightly different version appears: instead of "for the sake of this goodness" he says "for the sake of his greatness." The book *Magen Avot* is mentioned as the source of this distinction, probably referring to R. Shlomo Zalman Shneursohn's essay, which was published in 1902.

universal and Jewish thought. The first two are ascribed to Habad and cited from Habad writings. R. Soloveitchik seems to have intended these approaches:

1. *For the Sake of His Goodness*. The world was created because God is good, and it is natural for God to bestow this goodness on others. Goodness per se, without beneficiaries, is meaningless. The world, then, was created so that God might spread his goodness to other beings. God depends to some extent on the world as the necessary object of his goodness. This outlook can already be found in Sa'adia Gaon's *The Book of Beliefs and Opinions*, at the beginning of Treatise III.
2. *For the Sake of His Grace*. According to this view, God does not need Creation at all. The world was not created because God needed objects in order to benefit them, but wholly as an act of grace. No assumption is made about a dependence necessitating Creation, which is a gratuitous favor.
3. *For the Sake of His Will*. According to this view, which R. Soloveitchik ascribes to Solomon ibn Gabirol, Maimonides, and Dons Scotus, the world was created as a result of divine will, without any of the rational arguments adduced in the two previous views. Ibn Gabirol emphasizes the presence and the action of divine will in the cosmos ("expanding from the supernal to the nether").[66] According to Maimonides and Scotus, divine will involves an element of arbitrariness, "to will and not to will";[67] "Will (voluntas) has alternatives, that is, it is not intrinsically determined to this action or its opposite or for that matter to acting or not acting at all."[68] Over the centuries, many thinkers have indeed endeavored to differentiate between divine will and divine wisdom.[69]

---

[66] *Mekor Hayyim* 5, 38. See Jacques Schlanger, *La philosophie de Solomon ibn Gabirol: Etude d'un neoplatonism* (Leiden: Brill, 1968), 277–284.

[67] Maimonides, *Guide of the Perplexed*, tr. Shlomo Pines (Chicago: University of Chicago Press, 1963), 2: 18, 301. See, for instance, Avraham Nuriel, *Concealed and Revealed in Medieval Jewish Philosophy* [Hebrew] (Jerusalem: Magnes Press, 2000), 41–63.

[68] Duns Scotus, *Quaestiones in Metaphysicam* IX (Louvain la-Neuve: Editions de l'institut superieur de philosophie, 1981), q. 15. See also, William A. Frank and Allan B. Wolter, *Duns Scotus, Metaphysician* (West Lafayette, Ind.: Purdue University Press, 1995), 200–203.

[69] See Aviezer Ravitzky, *Al Da'at Ha-Maqom: Studies in the History of Jewish Philosophy* [Hebrew], (Jerusalem: Keter, 1991), 219–221; Dov Schwartz, *Contradiction and Concealment in Medieval Jewish Thought* [Hebrew] (Ramat-Gan: Bar-Ilan University Press, 2002), 97–101.

Through the story about R. Hayyim of Brisk, R. Soloveitchik sets the view of ibn Gabirol, who assumes the presence of divine will in "earthly" worlds of matter and form, within the conceptions of Maimonides and Scotus. According to these thinkers, will is the inner divine element (attribute) that enables the one-time deed of creation, an act to some extent irrational from a pure Aristotelian or neo-Platonic perspective on creation. Divine will is responsible for the creation of our world. According to the arbitrary doctrine of will, the world in its present form is a given. The material world is viable as such, without any ethical-rational dependence on the reality beyond (such as divine goodness or grace), since this is the decision of the divine will.

R. Soloveitchik thus adapts this theological construct to the world view of halakhic man. For halakhic man, "the true home of the Divine Presence is in this world." Divine will expresses the fullness and autonomy of halakhic cognition, which accepts the appearance of the "earthly" world as well as God's presence in it as an arbitrary datum. Hence, halakhic man does not suffer pangs of conscience for abusing the divine grace or for coercing the divinity's presence in the earthly realm. Halakhic man, as noted, is openly oblivious to any realms outside halakhic cognition, since he finds them meaningless: he is indifferent to their existence.

R. Soloveitchik also presents the value implications of perceiving halakhic man as epistemically self-contained, and his treatment of this issue gradually exposes his strong condemnation of the kabbalists. For halakhic man, the place of the *Shekhinah* is the material world, and "when it departs from this world to the . . . transcendental realm" it goes into exile, as it were. The accusation that halakhic man levels at the mystic again surfaces between the lines: the mystic's behavior leads the *Shekhinah* to leave the world. Simply: if the divinity's mature manifestation is located within halakhic cognition, and since this cognition is predicated on the normative fullness of the earthly realm, thrusting it into the supernal words is tantamount to sending it into exile. According to R. Soloveitchik, halakhic man interprets the kabbalistic motif of the "*Shekhinah* in exile" in precisely opposite terms. Whereas the kabbalists claim that original sin and its ramifications led to the separation of the Divine Presence and its descent from the divine realm, for halakhic man it is the mystics' approach that, so to speak, uproots the *Shekhinah* from its natural abode. In sum: the *Shekhinah*'s place is in the

earthly domain, and sin removes it from it:[70] "because of man's sins, the Divine presence betook itself on high" (55).[71]

In his account of events, R. Soloveitchik ascribes to Habad Hasidism the view that goodness and grace drive Creation on the one hand, and the disregard of the divine will on the other. R. Hayyim of Brisk is the one who bases Creation on the alternative motif of "for the sake of his will." But, as pointed out, the notes to the text are essential to an understanding of R. Soloveitchik's intentions in *Halakhic Man*. R. Soloveitchik presents in a note to this story (152, n. 65), and this time openly, a view contrary to the one in the text: "…even Habad doctrine understood creation from a voluntaristic standpoint.… But this entire matter is of exceptional profundity."[72]

The concluding remarks ostensibly refer to the kabbalistic view of the *sefirah* of *keter* as supreme will, but could also be pointing to some concealed cue. R. Soloveitchik may have tried to draw a distinction between R. Hayyim's approach to mysticism and his own. The perspective of halakhic man is one-dimensional: it rejects the alloy of Halakhah and mysticism. According to authentic halakhic man, no synthesis is possible between idealist and mystical consciousness. R. Soloveitchik does not identify with the protagonist of the story (concerning his judgment of *homo religiosus* and his mystical doctrines), as he does not identify with other halakhic men. Whereas "pure" halakhic man rejects synthesis, R. Soloveitchik views synthesis or, more precisely, the reconstruction of subjective-mystical consciousness out of objective halakhic action, as a constitutive foundation of his personal world.

Contraction and Quantification

After R. Soloveitchik clarifies the single or dual metaphorical view of *tzimtzum* (a transcendent being that, as it were, contracts into halakhic cognition, and the "adaptation" of halakhic-ideal cognition to the external-sensorial world), he adds:

---

[70] This symmetry is obviously only formal. In truth, halakhic man's cognition leaves no room for any realms beyond it.

[71] According to TB Pesahim 56a; TB Yoma 22b; TB Taʿanit 21b; and others.

[72] Given that Habad writings mention all these three approaches, it is obvious that R. Hayyim merely glanced at the book. See, for instance, Hallamish, *The Theoretical System of Rabbi Shneur Zalman of Lyady*, 112–113.

> Halakhic man resembles somewhat the mathematician who masters infinity only for the sake of creating finitude, delimited by numbers and mathematical measures, and cognizing it. The Halakhah, from the perspective of the process of contraction, also uses the method of quantification; it quantifies quality and religious subjectivity in the form of concrete, objective phenomena that are standardized and measurable. "The laws relating to standards, interpositions, and partitions are laws revealed to Moses on Mount Sinai" [Eruvin 4a; Sukkah 5b]. The Halakhah fixes firmly established and clearly delimited laws, statutes, and measures for each and every commandment—what constitutes eating and what are its measurements, what constitutes drinking and what are its standards, what constitutes a fruit and what are its stages of development and distinguishing characteristics, the thirty-nine categories of work on the Sabbath and their measurements, the measurements of a tent that defiles, partitions, units of monetary value, and many more.
>
> "Now because the commandments are given to us by way of being clothed in the attribute of strength and the contraction of the light . . . therefore most commandments have a delimited, 'contracted' measure. For instance, the length of the *tzitzit* [must be] twelve times the width of the thumb; the phylacteries, two fingers by two fingers and necessarily square; the *lulav*, four handbreadths; the *sukkah*, seven handbreadths; the *shofar*, one handbreadth the *mikvah*, forty se'ahs. Similarly, the sacrifices have a delimited, 'contracted' measure as regards age, as, for instance 'lambs of the first year' (Exodus, 29: 38) . . ."[73] R. Shneur Zalman of Lyady, the founder of Habad Hasidism, that great luminary of Halakhah and mysticism, sensed that the fundamental method of the Halakhah is that act of quantification which is so integral a part of the mystery of *tzimtzum*. This wondrous principle expresses itself in two parallel dimensions: in the real world—in empirical reality—and in the ideal world—in halakhic constructions. (55–56)

This passage, which deals mostly with quantification and creativity, is best understood in light of R. Soloveitchik's dissertation. The quantification of being is an essential principle in Hermann Cohen's epistemology, and the quantification of nature plays an important role in objectification, that is, in the process of creation. For Cohen, as noted, being and becoming are two sides of the same coin.[74] Becoming from the infinitesimal beginning is a constitutive epistemic foundation. Mathematizing the creation of objects from the origin and until the shaped object (objective reality, *Wirklichkeit*) is the driving force behind R. Soloveitchik's critique of Cohen, since the "ontological" problem

[73] A note there refers the reader to *Likutei amarim, Iggeret ha-kodesh*, ch. 10, p. 115a.
[74] *Das reine Denken*, 84.

(in R. Soloveitchik's terms) is at the focus of his philosophical concern. But the price of Cohen's heroic attempt to release being from reliance on the senses is the blurring of its ontological dimension. Cohen, claims R. Soloveitchik, separates being as an epistemic characteristic, from reality, "which describes [reflects] everything except true being."[75] Reality characterizes the world of senses and qualities, to which Cohen denies any objectivity, whereas *being*[76] is associated with the internal epistemic objective reality. According to R. Soloveitchik, however, Cohen fails to clarify in his writings the question of what is being.[77] In his view, Cohen should have placed the category of being before mathematical judgments. In any event, Cohen argues that cognition as the process of creating objects follows the model of the mathematical natural sciences, and consciousness too is built on quantitative rather than qualitative data.[78]

Qualities and senses are perceived in Cohen's philosophy as posing a problem to cognition. R. Soloveitchik raises another critical issue in his dissertation: how does reason cope with a problem that is entirely alien to it? The answer of the Marburg school is that the qualitative world can pose a problem to cognition because qualities can be quantified, and reason functions according to the quantification methods of the mathematical natural sciences.[79] After all, Newton "was always the mathematician, seeking ways to embrace phenomena within the quantified fold,"[80] and Cohen was influenced by the conventionalist school of

---

[75] Ibid., 86.

[76] The term being (*Sein*) also characterizes scientific laws, for instance, and not only what is perceived in space and time.

[77] See Rainier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 48. When examined objectively, disregarding the religious or existentialist background, R. Soloveitchik's critique is unintelligible. Concerning the claim that Cohen's interest is ontological: Kant negates the very existence of ontology, and this is precisely the meaning of the Copernican revolution. A well-known controversy surrounding Kant is whether the three *Critiques* are prolegomena to a positive philosophy or whether Kant's discussion in these works exhausts the subject. Clearly, however, an entity divorced from cognition is meaningless after Kant. As for the vagueness of the concept of being in Cohen's writings: nothing more can be said about being after Cohen, who reduces the "given" to infinity. Does R. Soloveitchik paradoxically expect Cohen to supply a Heideggerian description of being?! The theory of the infinitesimal was formulated precisely for this purpose. R. Soloveitchik's critique, then, exposes his dissatisfaction with the all-inclusive mathematization of cognition and consciousness.

[78] *Das reine Denken*, 100.

[79] Ibid., 99.

[80] G. A. J. Rogers, "The System of Locke and Newton," in *Contemporary Newtonian Research*, ed. Zev Bechler (Dordrecht: D. Reidel, 1982), 225.

philosophy of science. R. Soloveitchik clarifies that, according to Cohen, physics as a science dealing with the quantification of the sensorial qualities is not subject to the senses. Physics is merely a method of scientific abstraction that disregards the qualitative and relates to the quantitative correlate. Reason, then, rejects any kind of external input; when it creates itself, qualitative impressions become physical-quantitative abstractions.[81] Cohen claims that the task of cognition is to unite basic physical categories (such as, for instance, space and movement) with the category of origin. Cognition thereby builds experience, meaning the laws of the mathematical natural sciences, from its origin. Cognition, then, does not require a transcendent world beyond and creates the laws of mathematical natural sciences by itself. "Movement (*Bewegung*)," states Cohen, for instance, "must become creativity."[82] Mathematical reason plays an essential role in Cohen's thought, and is even more dominant in R. Soloveitchik's thought, as noted.[83]

Halakhic man's cognition is built precisely according to the same model. Quantification is the way in which halakhic cognition creates its objects, since:

1. It clarifies the ideal halakhic boundaries founded on the defined quantities of "objective, quantitative measurements" [*shi'urim u-middot*] and reduces them to infinity. The scholarly thought of Brisk proceeds to characterize halakhic objects with a physical-mathematical dimension. It reduces this dimension to infinity until what remains is pure quality and then, through its judgments [*hillukim*], rebuilds the halakhic objects [laws] anew as mathematical-physical objects. "*Hillukim*" thus replace rational judgments.
2. The sensorial-qualitative world that posits the problem to halakhic cognition can also be converted into models of objective quantitative measurements ("concrete phenomena"). The length of the actual *sukkah* and the volume of the real *mikvah*, for instance, are mathematical expressions. Halakhic laws thereby draw closer to those of the mathematical natural sciences ("the fact of science").

R. Soloveitchik offers a mathematization of halakhic cognition. Halakhic cognition *per se* is a process of pure thought according to rules of

[81] *Das reine Denken*, 101.
[82] *Logik der reinen Erkenntnis*, 237.
[83] See above, 102–104.

quantitative-ideal analysis, a process that creates analytical halakhic definitions. Religious subjectivity perceives itself as a parallel to the qualitative world absorbed through the senses. Halakhic man is entirely indifferent to this subjectivity, except for its role as posing a problem. The only way in which halakhic man knows or, more precisely, creates his halakhic baggage, is through quantitative-ideal reason. The central role of objective quantitative measurements in Halakhah leads R. Soloveitchik to shape halakhic man's cognition according to Cohen's model of the mathematization of cognition. R. Soloveitchik's critique of Cohen in his dissertation, then, applies to halakhic cognition as well. He evidently has reservations about the radical quantification of creativity in halakhic man's cognition and, in other words, about the identification between halakhic and cognitive man, a perception that leads to a split between R. Soloveitchik and halakhic man. The concept of being in Heidegger's thought, for instance, is truly significant for R. Soloveitchik, but he knows that this is not how the cognition of the men who founded and developed the Brisk school—his grandfather, his father, and his uncle—is built. For them, being is a product of creative mathematical cognition, and has no essential need for any anchor outside it.

In the cited passage, the concept of *tzimtzum* is again used in classic metaphorical fashion. This is not the contraction of an external baggage into internal cognition but the characterization of experience or "the fact of science" (and by analogy "the fact of Halakhah") in legal-quantitative terms ("an ideal dimension"), or the "drawing down" of the rules of cognition and their application to the real world ("a real dimension"). This distinction between theoretical halakhic consciousness and the consciousness of *homo religiosus*, in this case the (Habad) mystic, is intimated in R. Soloveitchik's literary style. At first glance, this passage appears to suggest a perfect parallel between halakhic-mathematical *tzimtzum* and the mystical "*tzimtzum* of the light" in Habad Hasidism, but this is not the case. Mathematical infinity is not parallel to the kabbalistic-Habad starting point. Mathematical infinity is infinity in the reduction (or in the addition); it means that for every positive number ε, however small, there is a whole number n so that $1/n < \varepsilon$ (in Augustin Cauchy's definition). By contrast, kabbalistic infinity is an *actual* datum, namely, the unknown world of the divinity that adapts in halakhic man's cognition to measured, regulated halakhic order. Two claims, one contextual and one systematic, support the view that R. Soloveitchik was aware of the distinction between a reduced infinity

(a scientific/mathematical meaning) that is potentially infinite, and actual infinity (a kabbalistic meaning):

1. R. Soloveitchik was aware of developments in modern mathematics, as evident from the sources cited in *The Halakhic Mind*. In the spirit of late nineteenth and early twentieth century scientific tradition that so decisively influenced R. Soloveitchik's thought, Cauchy and Karl Weierstrass sealed the option of "actual" infinity for R. Soloveitchik, and he approaches it only as potential.[84]
2. In the cited passage, the contraction of mathematical infinity into finitude hints at Cohen's *Ursprung* theory. Sense, as noted, poses a problem to cognition, to be solved by inferring it and constructing it from the origin or, in Kantian terms, through an "anticipation of the sense." Cognition creates its objects in a continuum from their infinitesimal origin until they appear as its finished objects. (Diminished) mathematical infinity is perceived as the origin of finitude. "Numbers are not the magnitudes of origin, but derive from the reduced infinitesimal (*undendlich Kleinen*)."[85] This idealist background draws on actual infinity, since R. Soloveitchik relies on Cohen's idea of cognition when he speaks of the association between the infinite and the finite number ("the mathematician who controls infinity only for the sake of creating finitude").[86]

---

[84] See Carl B. Boyer and Uta C. Merzbach, *A History of Mathematics* (New York: John Wiley, 1991), 565–566; Penelope Maddy, *Realism in Mathematics* (Oxford: Clarendon Press, 1990), 22, 24; Stephen Körner, "On Kant's and some Post-Kantian Conceptions of A Priori Knowledge" [Hebrew], in Asa Kasher and Shalom Lappin, *Modern Trends in Jewish Philosophy* (Tel Aviv: Yahdav, 1982); Zev Bechler, *Three Copernican Revolutions* [Hebrew], (Haifa: University of Haifa Press, 1990). On Hermann Cohen, see Norbert M. Samuelson, *An Introduction to Modern Jewish Philosophy* (Albany: SUNY Press, 1989), 165–173. A trend objecting to the existence of infinite objects in mathematics is intuitionism and yet, mathematicians are still discussing actual infinity today. R. Soloveitchik, however, does not seem to be acquainted with Cantor's group theory, which resorts to actual infinity. For various reasons, as noted, the more plausible assumption is that R. Soloveitchik is referring to potential infinity.

[85] *Das reine Denken*, 83.

[86] In his book about the infinitesimal method (*Das Prinzip der Infinitesimal-Method und seine Geschichte*), Cohen does not relate to actual infinity. But infinitesimal calculus is for him the distinctive scientific expression of the Kantian qualitative principle, which enables physics (*Antizipationen der Wahrnehmung*). According to this principle, the sensorial perception of a concrete object is (intensive) inner size, which is exposed through continuous gradation. For Cohen, infinitesimal calculus is predicated on the continuity principle. Combining the perception of inner size and the principle of continuity precludes actual infinity. R. Soloveitchik notes that when Cohen formulated critical

Clearly, then, mathematical infinity is not actual; by contrast, the source of contraction in R. Shneur Zalman of Lyady is certainly actual infinity. R. Soloveitchik tries to suggest that the comparison between the mathematician and the (Habad) mystic lacks any true basis.

The negation of this parallel may also be inferred from the fact that R. Soloveitchik refrained from citing several lines preceding the quoted passage from *Iggeret ha-Koddesh*, where it is explicitly stated that *gevurah* [divine power] "is as the *tzimtzum* of the light and of the vitality that emanates from the light of *En-sof*, so that it might rest upon the actions of the *mitzvot*."[87] These lines clearly reflect the actuality of infinity according to Kabbalah in general and Habad Hasidism in particular. R. Soloveitchik, however, tones down Habad's idea of infinity by speaking about mathematical infinity in order to conceal the difference between the way *homo religiosus* and cognitive man interpret this concept. As noted, R. Soloveitchik clearly wished to ascribe the "rational mysticism" of Habad to halakhic man, presenting it as a dimension of a *homo religiosus* who has feelings, experiences, and mystical features. R. Shneur Zalman of Lyady is, after all, "the great luminary of Halakhah and mysticism" (56). But the terminologies reflect an essential difference between the mystic and halakhic man, who resembles the mathematician and the scholar of the mathematical natural sciences.

Tzimtzum: *A Third Meaning*

The discussion above focused on the distinction between two concepts of infinity, but another aspect is worth noting. R. Soloveitchik adds a new element to *tzimtzum* and considers it from an entirely different angle. In the cited passage, R. Soloveitchik claims that *tzimtzum* refers to a process whereby Halakhah "quantifies quality and religious subjectivity." Further on he writes:

---

idealism in *Logik der reinen Erkenntnis*, he excluded extensive size from the system; his epistemic theory allows only for intensive size (*Das reine Denken*, 106). The reason is, *inter alia*, that Cohen ascribed a receptive side to pure cognition in his early period, but rejected this viewpoint in his extreme idealist period (ibid., 101).

[87] *Iggeret ha-Koddesh* 10, 114b. The contraction of infinity through the performance of a *mitzvah* recurs concerning various particular commandments. See, for instance, Moshe Hallamish, "R. Shneur Zalman of Lyady and his Concept of Charity" [Hebrew], *Daat* 1 (1978), 132–133.

> For just as the qualitative reality to which our senses are exposed lends itself to quantification by cognitive man, who turns qualities into quantities, precepts into equations, so, too the supernal illumination "which may be perceived by means of the many mighty contractions which it undergoes as the different levels [of reality] emanate from one another," is placed within and under the dominion of the delimited, "contracted," quantitative act. The "movement" from quality to quantity, from experience to equations, which takes place in the real, empirical world, also finds its expression in the ideal realm of Halakhah. (56–57)

R. Soloveitchik, in my interpretation so far, makes *tzimtzum* synonymous with "bringing down," meaning that the supernal element (in the epistemic sense) adapts itself to the lower element (in the exo-epistemic sense). *Tzimtzum*, however, can be presented from an entirely different perspective: the concrete world, which has an infinite stream of qualities and is perceived through the flow of different senses, undergoes a process of contraction and adaptation to the quantitative realm of halakhic cognition. Reality is perceived as the subjective realm, its quantities contracting into infinity. Henceforth, objects are built through a mathematization process ("objective, quantitative measurements") within the realm of cognition. The two dimensions of *tzimtzum*, the ideal and the real, are from now on mutual opposites: divinity contracts (in a metaphorical sense) and is expressed in halakhic cognition, and the subjective-qualitative world contracts (in a real sense) into scientific-mathematical cognition. Endorsing the perspective of the second *tzimtzum* leads to the following conclusion: the source of scientific "*tzimtzum*" is the qualitative world of the senses, which ranks lower than halakhic-quantitative cognition in the comparison between concrete-subjective and real-objective.[88] By contrast, the source of Habad *tzimtzum*, which is divine infinity, is far more sublime than the world of earthly commands. The three forms of *tzimtzum*, then, are the following:

1. Divinity contracts into quantitative-halakhic cognition (metaphorical)
2. Halakhic-ideal cognition contracts into the qualitative-real world (metaphorical from the divine perspective and real from the perspective of halakhic-ideal laws).

[88] I discuss in ch. 6 above the standing of the qualitative-real world both in Marburg idealism and in the shaping of ideal halakhic cognition.

3. The qualitative-real world contracts into the halakhic-ideal order of cognition (concrete).

Contraction (3) is the symmetrical opposite of (1). R. Soloveitchik explicitly states (1) and (3), but only hints at (2). The diagram below traces the parallels between *tzimtzum* in the world of halakhic man and in the writings of Habad Hasidism:

Halakhic Man	*Homo religiosus* (Habad)
Divinity ("ideal" dimension)	Infinity (En-*sof*)
↓ *tzimtzum*	↓ *tzimtzum*
Ideal halakhic order ("experience")	Ideal halakhic order
↑ *tzimtzum*	
Qualitative-sensorial world ("real dimension")	

R. Soloveitchik and Habad

R. Soloveitchik carefully develops the feigned association between the Habad source and halakhic man in the course of the essay. This association is part of the impression he seeks to create, suggesting that the personality and cognition of halakhic man leave room for the dispositions of *homo religiosus*. Why does Habad Hasidism characterize *homo religiosus*? He could have chosen kabbalists preceding Hasidism, who upheld the notion of *tzimtzum* as metaphor. The closeness to Habad in *Halakhic Man* is ascribed to the following:

1. *The biographical factor*. R. Soloveitchik grew up in the community of Hasloviz, Byelorussia, where Habad was a significant presence, and he even studied with a Habad teacher (R. Baruch Rizberg).[89]

[89] See Aaron Rakefet-Rotkof, "The Biography of R. Joseph B. Soloveitchik," in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1997), 19. The affinity with Habad plays an important role in the hagiographical literature on R. Soloveitchik. See, for instance, Zvi Schechter, *Nefesh ha-Rav* (Jerusalem: Beth ha-Midrash de-Flatbush, 1999), 39, n. 5; idem, *Mi-Pninei ha-Rav* (Jerusalem: Beth ha-Midrash de-Flatbush, 2001), 16, 175. During his stay in Berlin, R. Soloveitchik prayed in a Hasidic "*shtibel*" (ibid., 61).

The biographical element emerges as an important influence in R. Soloveitchik's thought.

2. *The topical factor*. Habad Hasidism began striking roots in the United States in the early 1900s. For the American reader, this movement could be an expression of authentic mysticism, bringing halakhic man closer to a familiar form of religiosity.
3. *The ideological factor*. Habad Hasidism ascribes crucial importance to the study of Torah for its own sake, and can also claim a leadership dynasty that made significant halakhic contributions. R. Soloveitchik therefore relies on a long quotation from the "Alter Rebbe" in *Likutei Amarim* to characterize the idealism of halakhic cognition.[90]
4. *The literary-methodological factor*. Habad Hasidism appears to the discerning reader as a community of *homi religiosi*, and R. Soloveitchik's association with this Hasidic movement does not blur this fact. Bringing Habad into the discussion, then, clarifies to this particular reader that halakhic man sees no legitimacy in the existence of *homi religiosi*, even when they are not far removed from his world and his conceptual system. Habad's closeness to talmudic study actually helps to sharpen the differences between halakhic man and the Habad variety of *homo religiosus*, since this closeness could have led one to assume that there are exceptions in halakhic man's attitude to *homo religiosus*. That is not the case, however: halakhic man rejects *homo religiosus* as such, perceiving him as a threat to his religious world.

Habad sources, then, do not bring halakhic man closer to *homo religiosus*. The writings of R. Shneur Zalman of Lyady create a formal-terminological possibility of shared discourse and, as such, serve R. Soloveitchik's aims in *Halakhic Man*. Habad sources, however, are no more than a literary illustration, an auxiliary device in the esoteric writing characteristic of *Halakhic Man*.

Quantification and Piyyut

The chasm between halakhic man and *homo religiosus* is sharply and clearly delineated in R. Soloveitchik's discussion in section ix of *Halakhic*

[90] *Halakhic Man*, 26. On the value of Torah study in the teachings of R. Shneur Zalman of Lyady, see Hallamish, *The Theoretical System of Rabbi Shneur Zalman of Lyady*, 273–280.

Man. Basing the contradiction on the attitude to the quantification of religious consciousness, R. Soloveitchik writes as follows:

> The fundamental tendency of the Halakhah is to translate the qualitative features of religious subjectivity—the content of religious man's consciousness, which surges and swells like the waves of the sea, then pounds against the shore of reality, there to shatter and break—into firm and well-established quantities "like nails well fastened" (Eccles. 12: 11) that no storm can uproot from their place. The supernal will is reflected both in the mirror of reality and in the mirror of the ideal Halakhah, through the medium of objective, quantitative measurements.
>
> A subjective religiosity cannot endure. And all those tendencies to transform the religious act into pure subjectivity negate all corporeality and all sensation in religious life and admit man into a pure and abstract world, where there is neither eating nor drinking, but religious individuals sitting with their crowns on their heads[91] and enjoying their own inner experiences, their own tempestuous, heaven-storming spirits, their own hidden longings and mysterious yearnings—will in the end prove null and void…
>
> Halakhic man never accepted the ruling of Maimonides opposing the recital of piyyutim, the liturgical poems and songs of praise. Go forth and learn what the *Guide* sought to do to the piyyutim of Israel! "Thus what we do [in prayer] is not like what is done by the truly ignorant who spoke at great length and spent great efforts on prayers that they composed and on sermons that they compiled.… This kind of license is frequently taken by poets and preachers or such as think what they speak is poetry, so that the utterances of some…contain rubbish and perverse imaginings."[92] Nevertheless, on the High Holidays the community of Israel, singing the hymns of unity and glory, reaches out to its Creator. And when the Divine Presence winks at us from behind the fading rays of the setting sun and its smile bears with its forgiveness and pardon, we weave a "royal crown" of praise for the *Atik Yomin*, the Ancient One.[93] And in moments of divine mercy and grace,[94] in times of spiritual ecstasy and exaltation, when our entire existence thirsts for the living God,[95] [and our whole being cries out and longs for Him][96] we recite many piyyutim and hymns, and we disregard the strictures of the philosophical midrash concerning the problem of negative attributes. The Halakhah does not

---

[91] In the Hebrew original, *va-atarotehem be-rosheihem*, according to TB Berakhot 17a; *Tanhuma Pekudei* 3 ("*Gan ha-Eden*").

[92] *Guide of the Perplexed* 1: 59.

[93] The piyyut *Keter Malkhut* by Solomon ibn Gabirol, which became an integral part of the Day of Atonement liturgy.

[94] According to Psalms 69: 14.

[95] According to Psalms 42: 3, and hinting at the piyyut by R. Abraham ibn Ezra that is part of the Sabbath songs.

[96] See Psalms 84: 3.

> deem it necessary to reckon with speculative concepts and very fine, subtle abstractions on the one hand and vague feelings, obscure experiences, inchoate affections and elusive subjectivity on the other. It determines law and judgment in Israel. (57–59)

Consider the critique of Maimonides, who is targeted for rejecting religious poetry (*piyyut*) because it describes God through positive attributes. R. Soloveitchik is critical of the Maimonidean doctrine of negative attributes and its liturgical implications.[97] Halakhic man's cognition disregards "the strictures of the philosophical midrash concerning the problem of negative attributes." A similar critique appears in *The Halakhic Mind* but on entirely different and, to some extent, contradictory grounds. The difference between *The Halakhic Mind* and *Halakhic Man* lies in the evaluation of Maimonides' doctrine of negative attributes; in *The Halakhic Mind*, it is no less than an expression of "conceptual abstractions and quantitative transfigurations."[98] The Maimonidean notion of negative attributes, then, reflects a *scientific outlook* that does not accept reality as is and creates pure constructions that "duplicate" it. By contrast, the negative attributes in *Halakhic Man* reflect a *religious subjectivity* rooted in the qualitative world. This contrast is the basis for the different interpretation of the proper attitude toward the Maimonidean view, that is, for R. Soloveitchik's support of piyyut and religious poetry. *The Halakhic Mind* views them as a victorious return to the qualitative world and a defeat of the scientific-quantitative approach as the sole epistemic outlook. Religious philosophy develops an alternative epistemic viewpoint, which does not duplicate reality. "The *homo religiosus* moves in a concrete world full of color and sound. He lives in his immediate, qualitative environment, not in a scientifically constructed cosmos."[99] The entrenchment of piyyutim in the liturgy of *homo religiosus* proves the collapse of conventionalism's exclusivity as the sole

---

[97] On piyyut in *Guide of the Perplexed*, which has been discussed at length, see, for instance, Alexander Altmann, "Maimonides' Attitude toward Jewish Mysticism," in *Studies in Jewish Thought: An Anthology of German Jewish Scholarship*, ed. Alfred Jospe (Detroit: Wayne State University Press, 1981), 201; Gerald J. Blidstein, *Prayer in Maimonidean Halakhah* [Hebrew], (Jerusalem: Bialik Institute and Ben Gurion University Press, 1994), 129–131; Judith Dishon, "Judah Alharizi and the Dispute about Reciting Piyyutim on the Sabbath" [Hebrew], in *Piyyut in Tradition*, 2, ed. Binyamin Bar-Tikvah and Ephraim Hazan (Ramat Gan: Bar Ilan University Press, 2000), 97–110.

[98] *The Halakhic Mind*, 39. On the aesthetic aspect of this discussion see Zachary Braiterman, "Joseph Soloveitchik and Immanuel Kant's Mitzvah-Aesthetic," *AJS Review* 20 (2000/2001), 3, 15.

[99] *The Halakhic Mind*, 40.

trend in the philosophy of science. By contrast, *Halakhic Man* views the entry of piyyut into the liturgy as a victory of the scientific-quantitative outlook. R. Soloveitchik explicitly mentions that piyyutim are part of the liturgy in many communities. Halakhic cognition "determines law and judgment in Israel." Halakhic man's affirmation of piyyut can be understood in two ways:

1. The exalted feelings at the height of the Day of Atonement so splendidly described here go through a process of quasi-quantification and fixation when they appear in the prayer book. Subjective poetry and intangible feelings appear in the prayer book in fixed doses.
2. Halakhic man is not afraid of his cognition being swept away by the mental-emotional layer. Halakhic man is convinced that he will succeed in maintaining the distinction. He is also sure he will succeed in avoiding a positive and mistaken perception of the divine attributes.

Incidentally, R. Soloveitchik includes the two options when discussing the personality of halakhic man in section xiv:

> When ecstasy seizes hold of *homo religiosus*, he bursts forth in song and psalm and is very casual with the phrases and linguistic forms he uses. Halakhic man, on the contrary, is very sparing in his recitation of the piyyutim, not, heaven forbid, on account of philosophical qualms, but because he serves his Maker with pure halakhic thought, precise cognition, and clear logic. He does not waste his time reciting songs and hymns. (87)

The topic of discussion is the guarded behavior of halakhic man, who does not prattle on and measures his words. Hence, he follows the liturgy precisely and recites piyyutim only sparingly (quantification). At the same time, he does not fear the philosophical mistakes that piyyutim might cause. Halakhic man, then, does not question the piyyut included in the prayers, but relies on it in moderation. This statement attests that halakhic man endorses Maimonides' view of piyyut as a waste of time, but does not think of it as a philosophical obstacle. As long as halakhic lawfulness applies to the piyyutim within the prayer book, however, they also undergo a process of quantification and rationalization.

The different responses to piyyut in these two essays obviously indicate that *The Halakhic Mind* portrays the cognition of *homo religiosus* whereas *Halakhic Man* describes the cognition of Brisk scholars. Neither

homo religiosus nor halakhic man feel at ease with the rejection of piyyut, but each one sees piyyut as reflecting the other's image. *Homo religiosus* fears structural-scientific thinking, and halakhic man fears the qualitative-subjective outlook. *Homo religiosus* recoils from the fixation of ideal models, whereas halakhic man is unresponsive to an entity that is not framed within his halakhic-ideal thinking.

Through his hints, R. Soloveitchik clarifies another issue: although the practical-performative consequence ("objective" in the terminology of *The Halakhic Mind* and "subjective" in that of *Halakhic Man*) is identical for both *homo religiosus* and for halakhic man, their cognition is entirely different. Practically, the two observe the same Torah and abide by the same commands in their performance. Their cognitions, however, are opposed.

The distinction is also evident from the cues about the "world to come" in the cited passage. The subjectivity of *homo religiosus* is described in terms hinting at the world to come, "religious individuals sitting with their crowns on their heads." For *homo religiosus*, as noted, the world to come reflects the reality beyond. For halakhic man, the world to come reflects the halakhic-ideal reality relating only to the inner epistemic world.[100]

Homo religiosus, then, addresses the real world, but guided by a search for the hidden and the concealed. Concrete reality is a platform for another, transcendent and subjective one. On these grounds, *homo religiosus* takes exception to abstract scientific structures as an ultimate explanation of objective reality, since their fullness leaves no room for any other. By contrast, halakhic man sees full objective reality in ideal constructions. For him, there is no metaphysical world beyond, and the choice is between a cognition based on a mathematization process, and a religious subjectivity he rejects.

But a third option does exist: a complex cognition, involving a facet of quantification ("*lomdus*" in the idealist-Brisk style) as well as a reconstructed expression of religious subjectivity. This is the underlying conception in "From Thence You Shall Seek," and represents the Jewish *homo religiosus*. For the classic Brisk halakhic man, however, this is not a real option, and the only alternative is creative halakhic cognition.

---

[100] See above, 137–140.

Rejecting the Doctrine of Intentionality

The doctrine of intentionality plays a crucial role in Kabbalah. This doctrine guides the kabbalist who, through every one of his actions, amends the supernal worlds flawed by original sin and attains communion with the *sefirot*. Halakhic man's oblivion to the doctrine of intentions was noted above.[101] Halakhic men (who claim intention is necessary in the performance of the commandment) will claim: "Halakhah does not require of us any mystical, esoteric intentions directed toward a *mundus absconditus*, a hidden world, but only the clear, plain thought to fulfill via this particular act such and such a commandment" (60). Intention in prayer was a matter of particular concern for kabbalists. R. Soloveitchik cites R. Ezekiel Landau (*ha-Nod'a bi-Yehudah*) who, in a responsum to a question on the formula *le-shem yihud*, expresses concern about statements "bordering on the heretical." R. Soloveitchik omits Landau's harsh censure, and trusts the discerning reader to understand the extreme formulations of halakhic man.[102] R. Soloveitchik's critique

[101] See above, 170. On the doctrine of intentionality see, for instance, Gershom Scholem, *Origins of the Kabbalah*, tr. Allan Arkush (Philadelphia: Jewish Publication Society, 1987), 299–309.

[102] *Halakhic Man*, 59–60. Following is the well-known passage preceding the one R. Soloveitchik chooses to cite: "With regard to the fourth question you have asked regarding the formula *le-shem yihud*, which has only very recently become popular and has been printed in the Prayer Books, behold, in this connection I reply: Rather than ask me the correct formula to be recited, you should have asked whether it should be recited at all. In my opinion this is the grievous evil of our generation. To the generations before ours, who did not know of this formula and never recited it but laboured all their days in the Torah and the precepts, all in accordance with the Talmud and the Codes whose words flow from the spring of living waters, the verse can be applied, 'The integrity of the upright shall guide them' [Prov. 11: 3]. They are the ones who produced fruit on high and whose love was higher than the heavens. But in this generation they have forsaken the spring of living waters, namely, the two Talmuds, Babylonian and Palestinian, to hew out for themselves broken cisterns. They exalt themselves in their arrogant hearts, each one saying, 'I am the seer. To me are the gates of heaven open. Through my merit does the world endure.' These are the destroyers of the generation. To this orphaned generation I apply the verse, 'The ways of the Lord are right, and the just do walk in them; but the Hasidim do stumble therein' [Hos. 14: 10]. There is much for me to say in this connection but just as it is a duty to speak when people will listen it is a duty not to speak when people will not listen. May God have mercy on us." Cited, with an analysis of the responsum and its implications, in Louis Jacobs, *Hasidic Prayer* (London: Routledge and Kegan Paul, 1972), 143–147. See also idem, *Theology in the Responsa* (London and Boston: Routledge and Kegan Paul, 1975), 177–178; Daniel Sperber, *Jewish Customs* [Hebrew], vol. 2 (Jerusalem: Mosad Harav Kook, 1992), 116–120. R. Soloveitchik disregards the wider context of Landau's teachings and focuses on his strong criticism as mirroring the implications that follow from halakhic man's

of the intentionality doctrine clarifies to the reader the distinction between halakhic man and *homo religiosus*. His critique is implicit in a technique essential to the writing of *Halakhic Man*, presenting the account of an event and its interpretation. Following is the story:

> Once my father was standing on the platform on Rosh Ha-Shanah, ready and prepared to guide the order of the sounding of the *shofar*. The *shofar*-sounder, a god-fearing Habad Hasid who was very knowledgeable in the mystical doctrine of the "Alter Rebbe," R. Shneur Zalman of Lyady, began to weep. My father turned to him and said: "Do you weep when you take the *lulav*? Why then do you weep when you sound the shofar? Are not both commandments of God?" (60–61)

R. Soloveitchik interprets this event as follows: the blowing of the *shofar* symbolizes the mystic's rejection of extant reality and his search for a transcendent world. The mystic despairs from redemption and self-realization in the earthly, abject world. "The entire ontological pessimism of mystical doctrine can be heard from the midst of the *shofar*" (61).[103] The taking of the *lulav*, however, symbolizes for the Habad kabbalist the Divine Presence in the terrestrial world ("the *tzimtzum* of the light").[104] The mystic, who is a special version of *homo religiosus*,

---

cognition and consciousness. Hasidic traditions present Landau as a bitter enemy of Hasidism, but scholars have already shown that his approach was more nuanced, as noted. See, for instance, Mordechai Wilensky, *Hasidim and Mithnaggedim: A Study of the Controversy Between Them in the Years 1772–1815* [Hebrew], (Jerusalem: Bialik Institute, 1990), 135; Mendel Piekarz, *The Beginning of Hasidism: Ideological Trends in Derush and Musar Literature* [Hebrew] (Jerusalem: Bialik Institute, 1978), 335–337.

[103] According to TB Rosh Hashanah 33b–34a.

[104] The story is about the taking of the *lulav*. In his commentary, however, R. Soloveitchik refers to the "commandment of taking the *lulav* and the *etrog*." The *etrog* was probably added in the wake of a tradition cited by Landau's disciple, R. Elazar Fleckeles, telling about Landau's categorical refusal to allow a Jew who had preceded the blessing of the *lulav* with the formula "may it be Your will" to proceed with the blessing of his *etrog*. See Arieh Leib Gellman, *The Noda bi-Yehudah in Light of his Rulings and Parables* [Hebrew], (Jerusalem: Mosad Harav Kook, 1960), 68; Sperber, *Jewish Customs*, 117. Although R. Soloveitchik adopted an attitude different from that of his father in his later years, there is no evidence that this was so at the time of his writing *Halakhic Man*: "And it is worth noting that in a *shi'ur* (on Elul 5784 [September 1984]), the Rav said that he did not agree with the view of his father, R. Moshe, of blessed memory…According to R. Moshe, of blessed memory, the commandment of blowing the *shofar* resembles the commandment of taking the *lulav*. According to our Rav's understanding of Maimonides, however, concerning the *shofar* (and concerning the joy of holidays, and mourning, and prayer) there must be *observance in the heart*—praying to God in the sound of the *shofar*, crowning the Creator as Master of the universe, standing in the Holy of Holies, besides awakening to repentance" (Shechter, *Mi-Peninei ha-Rav*, 126). The halakhic distinction is, to some extent, a legal formulation of the conceptual distinction between *shofar* and *lulav*. See David Hartman, *Love and Terror in*

shifts between the two subjective senses symbolized by the two commandments (immanence and transcendence), unlike halakhic man, who does not acknowledge this dialectical flux: "Halakhic man, however, does not distinguish between the two commandments. He is completely immersed in the cosmos[105] whether on Rosh Ha-Shanah or Sukkot" (62). The world of *homo religiosus*, then, is unintelligible to halakhic man. R. Soloveitchik again stresses the lack of any dialogue between halakhic man and *homo religiosus*.

He then goes a step further and states: "The mystics cleave asunder the barriers of the objectivity and the concreteness of the commandment" (62). R. Soloveitchik thereby subtly criticizes the mystic who, ultimately, harms the real-objective as well as the practical dimensions of halakhic lawfulness. Mystics break through the barriers of Halakhah in its various guises. R. Soloveitchik's statement could seem puzzling, since the behavior of the Habad Hasid may be viewed as the standard process of reconstructing the subjective dimension of religion out of the objective one (and, as he shows at length in *The Halakhic Mind*, this is precisely how he thinks a philosophy of religion should be constituted). Yet, it is not really so: *Halakhic Man* is meant to present the perspective gained through the cognition and consciousness of halakhic man, the Brisk scholar, and from an ideal-halakhic perspective, there is indeed no room for any other type of religiosity. *The Halakhic Mind* describes *homo religiosus*. The epistemic outlook of halakhic man knows no other realms and, therefore, views the behavior of *homo religiosus* as inexplicable. For halakhic man, this type of behavior must ultimately undermine the objective dimension of religion.

Summary: R. Soloveitchik's Attitude to Jewish Mysticism

R. Soloveitchik's discussions in sections viii and ix of *Halakhic Man* veil a strong critique of mysticism, Kabbalah, and Hasidism. The writing is complex and convoluted, from two perspectives:

---

the God Encounter: The Theological Legacy of Rabbi Joseph B. Soloveitchik, vol. 1 (Woodstock, Vt.: Jewish Lights, 2001), 24–26.

[105] The term "cosmos" here is a translation of "*havaya*" in the Hebrew original, which I would have preferred to translate here as "being." As in many places in *Halakhic Man*, "being" is used here in its precise denotation in epistemic idealism (*Sein*) as inner epistemic existence, as opposed to transcendent or concrete-qualitative existence.

1. The critique is a necessary projection of the structure of halakhic man's cognition. Mysticism threatens the fullness of halakhic cognition, whose strength is in its clarity and in its mathematical analytical foundations. The concern of halakhic cognition is the revealed, whereas the cognition of *homo religiosus* is particularly interested in the concealed. The critic is indeed halakhic man; R. Soloveitchik himself does not identify with this criticism, and clearly states his view in "From Thence You Shall Seek" and in *The Halakhic Mind*, where halakhic scholarship is combined with mysticism.
2. The critique is often cautiously worded, as fits a writing style demanding from the reader to decode the implications hiding between the lines and inside the various arguments. Only a rigorous analysis of such terms as *horadah*, *tzimtzum*, holiness, and intention exposes R. Soloveitchik's literary and stylistic virtuosity. For obvious reasons, R. Soloveitchik refrains from entirely rejecting Kabbalah and Hasidism, both of which are now partly or fully hallowed in Judaism.

In *The Halakhic Mind*, R. Soloveitchik argues that in order to analyze Jewish religious consciousness, which is based on the "mystery of the God-man relation," the following data is required:

> Passages in the Holy Writ pertaining to divinity and divine attributes; the norms regulating the God-man contact such as the norm of love and fear of God; moments of tension between God and man, as in the case of Job; many halakhic problems where certain attitudes of man towards Divinity have found their expression; all forms of cult, liturgy, prayer, Jewish mysticism, rational philosophy, religious movements, etc.[106]

All these are perceived as components of religion's objective dimension. On the basis of these data, the phenomenology of religion reconstructs subjective-religious consciousness. In "From Thence You Shall Seek," R. Soloveitchik indeed accomplishes this task, relying on this array of sources and including kabbalistic-Hasidic viewpoints as well. Hence, it is obvious that R. Soloveitchik views Jewish mysticism as an objective-legitimate expression of Jewish religion. Furthermore: in the passage above, mysticism even precedes medieval Jewish philosophy, which R. Soloveitchik approaches with great reservations.[107]

---

[106] *The Halakhic Mind*, 91.

[107] In *The Halakhic Mind*, R. Soloveitchik criticizes medieval Jewish philosophy, which is far too influenced by external sources (*The Halakhic Mind*, 100). By contrast, in "From

Mysticism, Kabbalah, and Hasidism are a crucial axis when describing the consciousness of *homo religiosus* in "From Thence You Shall Seek." Mysticism plays a crucial role in determining the attraction-rejection relationship between God and man. R. Soloveitchik, however, is far from being swept into a mystification of Judaism.[108] One important difference divides *Halakhic Man* and "From Thence You Shall Seek": whereas the Brisk halakhic cognition of halakhic man rejects or ignores mysticism, the consciousness of *homo religiosus* views practical Halakhah (as opposed to the theoretical Halakhah reflecting the Brisk method of study) as the limitation, the regulation, and the channeling of mystical-kabbalistic contents. This is the cognition described at length in "From Thence You Shall Seek."

In *Halakhic Man*, the attitude to mysticism runs the gamut from negation to deliberate disregard because this essay describes the perspective of halakhic man, that is, the implications that follow from the unique structure of his cognition. Genuine halakhic men exposed the dangers of Kabbalah and Hasidism, and some of them were glaringly indifferent to mystical currents. A clear line of development can be traced from R. Hayyim of Volozhin up to the Brisk school, which represents halakhic man: R. Hayyim uses Kabbalah and mysticism (particularly *Zohar*) to present the study of Torah as a supreme value, as an unparalleled divine pursuit. R. Soloveitchik discloses R. Hayyim's theurgic doctrine, basing it entirely on Torah study. Through Torah study, man rules all worlds.[109] Brisk halakhic man draws the warranted conclusion from the endeavor of R. Hayyim of Volozhin[110] and states that, if so, mysticism is redundant. The cognition of pure halakhic man is self-contained, and leaves no room for supplementary components whose value is solely pedagogical. In the cognition of pure halakhic man, "*lomdus*" as a method and a continuous thought process is the sole prism traversed

---

Thence You Shall Seek," he refers to it as "the holy thought of Jewish sages in the Middle Ages" (181, note).

[108] As proven by his description of the messianic vision: "The Jewish people do not pray, like the mystics, for the annulment of the world, but for its amendment" ("From Thence You Shall Seek," 203).

[109] See *Halakhic Man*, 154, n. 96.

[110] This perspective owes its existence to the extreme and uncompromising figure of halakhic man. See below, ch. 9. Obviously, some yeshiva heads in Volozhin did deal with Kabbalah and its sequels, without following as radical a path as that endorsed by the Soloveitchik dynasty. See, for instance, Stampfer, *The Lithuanian Yeshiva*, 59.

by the various domains. The "wavelengths" of some domains, however, will never fit this prism. The contents of mysticism cannot become elements of halakhic man's cognition, and are therefore rejected as such. The abstract study of Torah is an exclusive-autonomous value, accepting no alien companions.

CHAPTER EIGHT

HALAKHIC COGNITION AND THE NORM

The rejection of mysticism discussed in the previous chapter is an essential element in the cognition of halakhic man. After presenting the cognition of halakhic man in positive terms, R. Soloveitchik proceeds to state what it is not: halakhic cognition is not transcendent, that is, it does not take into account either the concrete-qualitative or subjective world (such as that of mysticism) or the metaphysical world. The cognition of halakhic man is composed of a series of judgments, through which objective reality emerges.

In the course of the discussion that begins in section v of *Halakhic Man* and ends in section vii, R. Soloveitchik shows that Cohen's model of epistemic idealism is the most suitable key for understanding halakhic man's creative cognition as well as for cleansing it of the last remnants of *homo religiosus*' cognition, as he endeavors to do. At the basis of halakhic man's cognition is an ongoing process that, using quantitative-ideal models and analytical methods, seeks to expose and re-create its foundations. Given that R. Soloveitchik wrote *Halakhic Man* in an attempt to explain "*lomdus*" to the reader lacking any experience of it, this reader could wonder: What is the difference between Cohen's radical idealism and contemplative-halakhic cognition? This issue is worth clarifying since, according to R. Soloveitchik's analysis in *Halakhic Man*, contemplative-halakhic cognition has several characteristics:

1. It relies on the quantification and mathematization of qualitative features ("quantities and measures"). Quantification enables the infinitesimal method and the creation of objects.
2. It is based on ideal constructions (such as, for instance, the order formulated in *The Code of Maimonides* that parallels the "fact of science"). It is conducted through judgments. The "*hillukim*" are the judgments of halakhic cognition.
3. It creates these fundamental constructions from their origin by relying on experience, both in the sense of laws as understood in the mathematical natural sciences and in the sense of the halakhic order that relies on them (objectification).

4. It is an ongoing, infinite process.
5. It strives to unite various realms, as in the judgments of reason (one "*hilluk*" settles several issues).
6. It excludes from the epistemic realm all that is not pure thought.
7. It negates metaphysics, subjectivity, and mysticism (a characteristic derived from the previous one).
8. It relates to the sensorial-qualitative world as a hint, a stimulus, or a problem posed to cognition.
9. After objectification, it returns to the sensorial world for confirmation.

In his dissertation, R. Soloveitchik deals at length and in highly technical fashion with most of these elements in Cohen's epistemic idealism, and even clarifies his reservations about some of Cohen's central principles. And yet, he still portrays the cognition of R. Hayyim of Brisk, for instance, according to Cohen's epistemic idealism. How, then, does the structure of halakhic cognition differ from Cohen's description of cognition, resting on precisely the same elements? Section x of *Halakhic Man* provides a clear answer to this question: contrary to the absolutely logical-scientific structure of cognition assumed by Cohen, which is founded on the methods of the mathematical natural sciences, the cognition of halakhic man is based on the *norm*, in the sense of a criterion that should guide behavior and action. The experience of halakhic man's cognition is based on the normative principles of Halakhah.

Are these two cognitions entirely different then, one scientific and the other halakhic? Does the identification of halakhic cognition with the norm differentiate it from Cohen's scientific cognition? I will argue that R. Soloveitchik tries to blur the deep difference between natural science and the norm because he strives to formulate a full explanation of halakhic man's cognition according to the criteria of scientific cognition. My aim in this chapter is to point out the various implications of the complex link between Cohen's idealist cognition and halakhic cognition.

Norm as Science: (1) The Mathematization of Halakhah

Halakhah is, distinctively, a legal system. The ideal principles that serve as the basis of the Brisk school's analytical halakhic methods ("the fact of Halakhah") are actually the foundations of Jewish law. The question

posed above can thus be restated as follows: Are Cohen's idealist cognition and halakhic man's cognition merely analogous, even though their epistemologies are identical? Is the difference between them that one relies on the mathematical natural sciences (Newtonian science in particular) and the other on the legal principles of Halakhah? I argue that these two epistemologies are not merely analogous. R. Soloveitchik takes a number of far-reaching steps intended to bring halakhic-scholarly cognition closer to Cohen's epistemic idealism, and even reshapes it for this purpose. At the opening of section x of *Halakhic Man*, R. Soloveitchik states a number of fundamental principles:

> Halakhic man's relationship to existence is not only ontological[1] but also normative in nature. In truth, the ontological approach serves as the vestibule whence he may enter the banquet-hall of normative understanding [cf. Avot 4: 21].[2] Halakhic man cognizes the world in order to subordinate it to religious performances. For instance, he cognizes space by means of religious, a priori, lawful categories in order to realize in it the halakhic norm of Sabbath, the commandment of *sukkah*, and the idea of purity. He "engages in the same type of calculations as do the astronomers" [Maimonides, *Laws of the Sanctification of the New Moon*, 1:6] in order to determine seasons and festivals. He studies the plant world for the purpose of classifying their species, as such classification relates to the laws of diverse seeds, and for the purpose of determining the standards of growth, since such determination affects the agricultural laws. Thus his normative doctrine has priority, from a teleological perspective, over his ontological approach. Cognition is for the purpose of doing. "Great is study, for study leads to action" [Kiddushin 40b].[3] However, even the norm is, at the outset, ideal, not real. Halakhic man is not particularly concerned about the possibility of actualizing the norm in the concrete world. He wishes to mint an ideal, normative coin. Even those laws that are not practiced in the present time are subjected to this normative viewpoint, this despite the fact that he is unable nowadays to fulfill these particular commandments. The maxim of the sages "great is study, for study leads to action" has a twofold meaning: (1) Action may mean determining the Halakhah or ideal norm; (2) Action may refer to implementing the ideal norm in the real world. Halakhic man stresses action in its first meaning. However, cognition itself is directed toward the ethos, not toward the logos. From this perspective, therefore, halakhic man resembles *homo religiosus*, not cognitive man, for while cognitive man is not norm-oriented, is not out to discover the hidden imperative in every

---

[1] On the problematic use of this term, which R. Soloveitchik mentions frequently in his dissertation and in *Halakhic Man*, see above, 176, n. 77.

[2] See also Tosefta Berakhot 6:1.

[3] See also TB Megilah 27a; Bava Kamma 17a.

> brook and stone, *homo religiosus* hears the echo of the norm forthcoming from every aspect of creation. "The heavens declare the glory of God, and the firmament reciteth His handiwork" (Ps. 19: 2). (63–64)

A glimpse into the development of the halakhic cognition that relies on the Brisk method marks the beginning of the thorough analysis of the similarities and differences between this type of cognition and the idealist-Marburgian epistemic model.

The first step is to distinguish Cohen's idealism from halakhic idealism. Like cognition according to Cohen (and Kant), the cognition of halakhic man also rests on forms of sensibility and categories through which the halakhic object is perceived, shaped, and created. Ostensibly, however, Cohen's epistemic elements do not reflect halakhic man's cognition accurately because, in his view, these elements are shaped only according to Newtonian mathematical science. The objectification of cognition is mathematical-physical, from infinitesimal size and up to its development into a physical intra-cognitive object. By contrast, halakhic idealism requires the expansion of the space and time functions and of the categories. Halakhic space, for instance, differs from physical space. Halakhic idealism even requires that an alternative way be set for objectification, different from Cohen's. The unique characteristics of halakhic cognition are manifest in at least three areas:

1. Ideal halakhic *space*, which is adjusted according to the objects of the laws of the Sabbath, *sukkah*, and ritual purity. Space shapes the realm of the Sabbath, the measurements of the *sukkah*, and the volume of the spring and the ritual bath as pure halakhic objects.
2. Halakhic *time*, which is adjusted according to the determination of the festivals and the years.
3. *Descriptive information*. The classification of botanical species and processes of growth according to the Laws of Seeds.

The distinction between Cohen's version of cognition and halakhic cognition can be expanded through the examples of the spring and the ritual bath.[4] The measurements and the volume of the spring and the ritual bath as ideal physical objects are measured differently in Cohen's version of cognition and in that of halakhic man. For Cohen, the criterion is determined according to the rules of Newtonian science,

[4] See above, 112–115.

which does not differentiate between various volumes of water if their physical properties are the same (specific weight, speed of flow, and so forth). The physical space is homogeneous and involves no distinctions. Halakhic cognition does cognize the ritual bath and the spring in the same mode, but differentiates between quantities: it draws a distinction between a pool of water of forty *se'ah*, necessary for the ritual bath to fulfill its purifying function, and a lesser quantity. No such distinction emerges concerning a spring, which fulfills this function with any quantity of water. Halakhic space is not homogeneous.

The three unique characteristics of halakhic cognition are determined according to the normative need. Halakhic commands and halakhic law, then, determine the structure of halakhic cognition. The forms of sensibility and the categories of halakhic cognition are designed according to the conditions required for the objectification of religious law. On these grounds, R. Soloveitchik states in the passage above that halakhic man "cognizes the world in order to subordinate it to religious performances." The process of objectification is determined by the needs of the halakhic law and, in R. Soloveitchik's (somewhat problematic) terminology, the ontology is shaped according to the norm.

Given these differences between Cohen's and the halakhic versions of cognition, does the reference to epistemic idealism function merely as an analogy helping to illustrate the structure of halakhic man's cognition, or do these two types of cognition share any characteristics? The temptation is to identify R. Soloveitchik's approach with that of Ernst Cassirer. Cassirer too presents cognition as shaping and creating objects.[5] In his view, Cohen's mathematical-physical view of cognition is legitimate, but fails to exhaust the various structures and functions of cognition. Cognition includes several perceptions of space and time and additional ways of objectification, as evident in myth, language, art, and so forth.[6] Astronomers of antiquity, for instance, perceived deep links between the celestial world and human-terrestrial existence and, therefore, they linked astronomy to astrology: "The first astronomical systems could not be a mere theoretical space." The geometrical-

[5] W. H. Werkmeister, "Cassirer's Advance beyond Neo-Kantianism," in *The Philosophy of Ernst Cassirer*, ed. Paul Arthur Schilpp (Evanston, Ill: Library of Living Philosophers, 1949), 770–772.

[6] On the unity between the various cognitions see Gideon Freudenthal, "The Missing Core of Cassirer's Philosophy: Homo Faber in Thin Air," in *Symbolic Forms and Cultural Studies: Ernst Cassirer's Theory of Culture*, ed. Cyrus Hamlin and John Michael Krois (New Haven: Yale University Press, 2004), 203–226.

homogeneous space of science gives way to a teeming, lively space, "filled with magical, with divine and demonic powers."[7] According to Cassirer, cognition creates its objects not only in mathematical-physical ways but also in others. Cognition, then, is a different, normative way of creating objects. The space and time of halakhic man are different from the forms of sensibility through which the mathematical-physical object is perceived. The pollution that the ritual bath is meant to purify is perceived, in Cassirer's terms, in the context of "symbolic forms."

The comparison with Cassirer, however, would be misleading. Cassirer's approach describes the cognition of *homo religiosus* and not that of halakhic man, since the cognition of *homo religiosus* accepts the scientific categories and the forms of sensibility, but adds to them epistemic elements characteristic of religion. As noted, the epistemic pluralism of *The Halakhic Mind* draws on Cassirer's philosophy.[8] Cassirer's thought, therefore, had a deep influence on R. Soloveitchik as a *homo religiosus* who accepts other element of cognition (such as science and Halakhah). R. Soloveitchik indeed holds that the creative analytic cognition of the Brisk stripe can coexist with the religious experience seeking the transcendent. Halakhic man, however, is not multidimensional. His cognition is only halakhic and, as noted, he rejects the notion of any metaphysical and religious meanings in halakhic concepts so that *impurity*, for instance, has no metaphysical and ontological connotations in his view. More than that: halakhic man is entirely indifferent to any meanings beyond the halakhic object. Like the scientific cognition (of cognitive man), so (Brisk) Halakhah is a self-contained epistemic method that rejects any implications beyond Halakhah itself. For halakhic man, impurity is above all a measurable description, a physical quantity and quality depicting an object (the rate of impurity, the space that breaks through and rises to heaven, and so forth). Impurity means nothing beyond its halakhic definition, and this definition is entirely founded on the mathematical-physical realm.[9]

---

[7] Ernst Cassirer, *An Essay on Man: An Introduction to a Philosophy of Human Culture* (New York: Doubleday, 1953), 71. A detailed analysis of this question appears in Ernst Cassirer, *The Philosophy of Symbolic Forms*, vol. 1, *Language*, tr. Ralph Manheim (New Haven: Yale University Press, 1965).

[8] See above, 43.

[9] According to R. Soloveitchik's description, it would appear that R. Hayyim of Brisk indeed thought that the everyday meaning of halakhic concepts can be disregarded. As science uses concepts in ways different from those of daily language (a pure physical object is not a concrete object, just as pure physical force is not actual force), so

A powerful element, then, unites Cohen's epistemology and that of halakhic man: the mathematization of cognition. The cognition of halakhic man also rests on the sciences, and particularly on the mathematical natural sciences, as evident in at least two of the three areas mentioned above: knowledge of the physical, a priori space; mathematical-astronomical calculation, and biological laws, reaching the level of classification and generalization. Halakhah, built on quantities and measurements, rests on scientific laws; in other words, "the fact of Halakhah" rests on "the fact of science." Halakhic man's cognition, then, rests on the mathematization of cognition according to Cohen, but determines the realm of cognition and the distinctions between various quantities according to the normative dimension. True space, for instance, is often not mathematical at all for Cassirer: the sensorial space of the savage has no mathematical-physical representation. By contrast, the cognition of a halakhic man such as R. Hayyim of Brisk, although not cognition of the object itself but of its subordination to the worthy (as defined by the norm), is indeed mathematical-physical cognition.[10] Halakhah is not interested in purity and impurity per se, as concrete entities or beings, but in the mathematical-physical measurements expressed in them or removed through them ("objective, quantitative measurements"). In sum: Halakhah is not cognition of symbolic forms, since Halakhah is indifferent to their meaning.

Obviously, even after the mathematization of halakhic cognition, a troubling residue will remain that will preclude equation with Newtonian science. For instance, emptying the concepts of purity and impurity from their contents and establishing them on pure measurements cannot make their laws equal to those of science. This troubling residue is what draws halakhic man closer to *homo religiosus*, and enables their membership in one community despite the absolute formalization of Halakhah. R. Soloveitchik, however, made a far-reaching, supreme effort to distance halakhic mans' perception of Halakhah from that of *homo religiosus*. The effort is two-pronged:

---

does Halakhah. Impurity as a halakhic concept does not exhaust the meanings of the concept because impurity also has an everyday meaning. According to R. Soloveitchik, then, R. Hayyim held that a pure halakhic meaning can be sustained, just as Cohen held that a pure scientific-mathematical meaning can be sustained.

[10] R. Soloveitchik does endorse Cassirer's neo-Kantian conception in "From Thence You Shall Seek." In *Halakhic Man*, however, he does not describe the multifaceted world of Halakhah but R. Hayyim's "*lomdus*." See below.

1. Quantification of Halakhah ("objective, quantitative measurements") so that, through the infinitesimal, it might be possible to disclose the pure quality and reconstruct halakhic objects through judgments ("*hillukim*").
2. The scientific knowledge required by Halakhah that, from the perspective of halakhic man, is also its basis. Halakhic order is built upon the laws of the natural sciences, which brings the "fact of science" closer to the "fact of Halakhah."

The comparison between cognition according to Cohen and that of halakhic man can now be deepened. According to Cohen, cognition has two stages: a "naïve" and a critical stage. The "naïve" stage includes three types of judgments (judgments of thought, judgments of mathematics, and judgments of the mathematical natural sciences). These judgments describe the creativity of reason, in other words, the process of objectification from the intensive, qualitative, infinitesimal size up to the mathematical-physical object. At the critical stage, reason examines the correspondence between the judgments of the first, "naïve" stage, and the concrete-sensorial world.

The first stage in halakhic man's cognition is based on the "naïve" stage in the ideal cognition of cognitive man. This stage includes the judgments of mathematics, the second level of judgments after the judgments of thought. R. Soloveitchik went even further than Cohen by arguing that, according to Cohen's line of thought, objectification begins with the judgments of mathematics.[11] In any event, the "mathematical cognition that follows immediately after the judgments of the laws of thought (*die Urteile der Denkgesetze*) has a method of origin that enables the sequence from thought to being."[12] Halakhic man's epistemic process also begins, as noted, with the intensive halakhic size created from its origin. Halakhic order is built through the "*hillukim*" method and rests on mathematical-physical laws, as shown below. Concrete Halakhah acts as a stimulus, prompting halakhic man to a concern with science. The calculations required by Halakhah encourage halakhists to develop the foundations of scientific cognition from their own cognition.

The second stage in the development of halakhic cognition fits the critical stage of Cohen's epistemology. At this stage, cognition examines the correspondence between the first, "naïve" stage on the one hand,

[11] See above, 102.
[12] *Das reine Denken*, 82.

and the fact (*Tatsache*) and the being (*Dasein*) on the other. Sense and the sensorial world confirm (or negate) the epistemic process of objectification. Reason examines itself and even engages in self-critique, thereby becoming consciousness (*Bewusstsein*): "naïve" thought becomes critical thought's object of judgment. No distinction, however, exists here between object and subject; Cohen has already rejected the concept of self-consciousness ("I think") and argues that only consciousness of objects exists. Consciousness, then, unites "naïve" and critical thought.[13] Cohen repeatedly clarifies that, even at the critical stage, sense is not an independent datum. The actual awareness that sense exists is indeed unquestionable, but such an awareness is not consciousness. Sense turns into a moment of pure consciousness.[14] Cohen further argues that the power of the category of origin is especially visible in the critical judgment of reality, where it is revealed as infinitesimal reality. In his view, the idealism of modern science thereby establishes its victory, expressed in its final rejection of the need to ascribe independent status to sense. Therefore, the return to reality in Cohen's theory to confirm the objectification of cognition does not change its status.[15]

In R. Soloveitchik's parallel model, the second (critical) stage in the development of halakhic man's consciousness is concerned with the correspondence between the first "naïve" stage (rebuilding halakhic laws through "*hillukim*") and the concrete Halakhah outside cognition. Real Halakhah, however, does not yet stand as an independent factor; it does not entirely abandon the qualitative world lacking independent status. Note again that although Halakhah is normative and Cohen's idealist cognition is scientific, the world outside cognition does not play a significant role in either of them. "We do not know physical objects but only the representations (*Vorstellungen*) of such objects."[16] The process of cognition focuses on itself, since cognition creates its objects according to both scientific and halakhic laws. This is not Halakhah in its practical sense. Halakhic man is the Brisk scholar whose cognition functions like Cohen's ideal cognition: after the infinitesimal act, which reduces halakhic quantities *ad infinitum*, halakhic man re-creates the halakhic object within cognition aided by the basic *hillukim* of Brisk scholarship.

---

[13] Ibid., 55–56. See Reinier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 23.

[14] *Logik der reinen Erkenntnis*, 455–456.

[15] Ibid., 596–597.

[16] *Das reine Denken*, 56.

"*Lomdus*" takes leave from the qualitative world of practical Halakhah in everyday life and re-creates the halakhic concepts from their basic elements. "Two laws" [*shnei dinim*], and the division between "potential" and "actual," "object and subject" [*heftsa ve-gavra*], "commission and omission," and so forth, re-create ideal halakhic and mathematical-physical objects. It is here that the scientific cognition of halakhic man appears, when he shapes the halakhic object as a mathematical ("objective, quantitative measurements")[17] and a mathematical-physical object. This cognition is identical to the scientific-mathematical cognition of cognitive man, except for its focus on the norm.[18] Halakhic man relies on scientific-mathematical cognition according to the conventionalist outlook of the philosophy of science: empirical knowledge of the plethora of concrete qualities drives halakhic man to create mathematical and mathematical-physical structures of Halakhah.[19] Halakhic cognition focuses solely on these ideal structures, and knowledge of reality only encourages their creation. This is the meaning of R. Soloveitchik's statement: "Halakhic man cognizes the world in order to subordinate it to religious performances." The endeavor of R. Hayyim of Brisk indeed exposes the objectification process of halakhic cognition: he creates the fundamental *hillukim* from their origin, from the infinitesimal, and the halakhic object is created as an ideal being[20] by presenting it as a mathematical-physical law founded on halakhic quantities and measurements. At the naïve stage of cognition, then, halakhic man objectifies the halakhic world. At the second, critical, stage, he examines the correspondence between the halakhic object he created and "religious performance," in other words, its appearance in the concrete world.

---

[17] *Halakhic Man*, 56–57.

[18] According to R. Soloveitchik, halakhic man has a scientific cognition, and this view does not rest only on the analogy with Cohen. R. Soloveitchik probably relies for it on an approach prevalent in Lithuanian yeshivot, which could paradoxically be viewed as a "mystification" of Torah study, stating that the study of Torah will also ensure access to scientific knowledge (see below). This approach contradicts David Schatz's assumption in his seminal article, "Science and Religious Consciousness in the Thought of Rav Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 311–312.

[19] Note that, when describing the development of halakhic man's cognition, R. Soloveitchik joins the second and third levels of judgments (the judgments of mathematics and the judgments of the mathematical natural sciences) or, more precisely, he does not enter into a serious discussion of the stages of cognition.

[20] *Dasein* in Cohen's terminology.

As R. Soloveitchik unquestionably clarifies, halakhic man is not interested in "implementing the ideal norm in the real world." Halakhic man deals with ideal halakhic objects (the laws of *hametz* and *matzah*, the laws of the Temple, and so forth). Their study exposes the analytical methods of scholarly cognition that constitutes halakhic objects from their origin. Halakhic man is interested in "study" for its own sake, while its link to extra-cognitive reality (the actual observance of Halakhah) is relegated to the margins. R. Soloveitchik's presentation of halakhic man using analogies and categories of modern science is not merely an apologetic attempt to bring the "archaic" figure of the Brisk yeshiva student closer to modern man. Nor is there room for asking why R. Soloveitchik chooses to "replace" the legal model, which is closer to the world of Halakhah and better suited to Jewish law as such, with a scientific-philosophical paradigm.[21] Scientific-mathematical thought, as evident in mathematics and in the mathematical natural sciences, is an *integral part* of the development of halakhic man's cognition. The synthetic-a priori judgments of the mathematical natural sciences give rise to ideal-halakhic cognition. Epistemic judgments are definitely rational analytical acts. R. Hayyim of Brisk, like the Gaon of Vilna, R. Hayyim of Volozhin, and other classic scholars, knew that the process of halakhic thought relies on the abstraction of scientific-mathematical knowledge, and this point is discussed below.

R. Soloveitchik proceeds to explain the link between Cohen's scientific idealism and halakhic cognition, and the link he draws between scientific cognition of the world and halakhic-normative categories relies directly on Maimonides:

> The principle of "And thou shalt walk in His ways" (Deuteronomy 28:9) (*imitatio Dei*) flows from halakhic man's normative relationship to the world. We can know God's ways only through studying the cosmos, for it is in the cosmos that there stand revealed before us the glorious and resplendent attributes of action. And, as Maimonides already taught in the *Guide* (I, 54), the cognition of the attributes of action is the source of ethical life. In order to implement the ethical ideal we must fix upon the whole of being and cognize it. (64)

The norm follows directly from the cosmic-scientific order. How? R. Soloveitchik again relies on the *Guide* 1: 54.[22] In this chapter,

---

[21] See Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1987), 180–192.

[22] See above, 63.

Maimonides draws a parallel between God's conduct vis-à-vis the natural world—meaning the laws of nature, which he terms attributes—and proper human behavior in general and that of political leaders in particular. This is how Maimonides explains the idea of *imitatio Dei* ("And thou shalt walk in His ways"):[23] individuals must imitate the conduct of nature and, in order to know it, they must study the various branches of science. Scientific knowledge of the cosmos, therefore, shapes normative-moral behavior. Relying on this principle, R. Soloveitchik states: "But what is the tale of the heavens, if not the proclamation of the norm? What is the recitation of the firmament[24] if not the declaration of the commandment?" (64). R. Soloveitchik, then, does not confine himself to the understandable interest of halakhic scholars in the sciences in order to implement Halakhah in suitable ways; the link between Torah and science (such as knowledge of astronomy in order to sanctify the month) had always served rationalists as an apology for relying on scientific authority. This link, however, is superficial when used to describe the cognition of the Brisk halakhist whose sole course is "*lomdus*" and the creative-analytical process at its very core, and a deeper affinity between scientific cognition and halakhic idealism must be sought. R. Soloveitchik indeed finds such a link in medieval rationalist philosophy and specifically in Maimonides, who made the formulation of the norm contingent on pure scientific knowledge. Maimonides's approach demonstrates that these two realms cannot be divorced: science and religious ethics are mutually and closely engaged. This explanation helps to understand the connection between science ("God's ways") and the norm (the moral act), but becomes redundant given the patently scientific structure of the halakhic cognition typical of the Brisk tradition. According to halakhic man, cognition does not lead to the appearance of the norm, as Maimonides suggests; for halakhic man, *cognition is the norm*.

The transition from the "naïve" to the critical stage in the cognition of halakhic man is thus clear. Just as Maimonides presents, for instance, the prophets as well as the tannaim and amoraim as rationalist philosophers, so does R. Soloveitchik present Brisk halakhic men as approaching the natural world with an empirical scientific attitude,

[23] See, for instance, Howard Kreisel, *Maimonides' Political Thought: Studies in Ethics, Law, and the Human Ideal* (Albany: SUNY Press, 1999), 125–158.

[24] According to Psalms 19: 2.

striving to create conceptual, mathematical, and classificatory models based on their observation of the qualitative profusion characterizing the concrete world. R. Soloveitchik therefore emphasizes that knowledge of the sciences is a criterion for knowledge of the Torah:

> The statement of Galileo that "the great book which ever lies before our eyes—I mean the Universe—is written in mathematical language and the characters are triangles, circles, and other geometrical figures" applies as well to the Halakhah. And not for naught did the Gaon of Vilna tell the translator of Euclid's geometry into Hebrew [R. Barukh of Shklov], that "To the degree that a man is lacking in the wisdom of mathematics he will lack one hundredfold in the wisdom of the Torah."[25] This statement is not just a pretty rhetorical conceit that testifies to the broad-mindedness of the Gaon but a firmly established truth of halakhic epistemology. (57)

Scientific-mathematical knowledge is a necessary component of the objectification of ideal halakhic cognition. Basing Halakhah on mathematics is the "truth" of the Brisk halakhic man. Is this an exaggerated idealization of halakhic man as a man of science? The model could fit several portrayals of the Gaon of Vilna, even though objections have been raised against purported overstatements when describing his connection with science.[26] But does R. Soloveitchik indeed hold that the Brisk scholarly dynasty, for instance, has recourse to a conventionalist scientific approach? Does the presentation of Halakhah—or at least part of it—in quantities and measurements turn it into a scientific body of knowledge? Does the formalization and mathematization of Halakhah fit the endeavor of classic halakhic scholars? This is indeed R. Soloveitchik's intention when he uses the term *epistemology of Halakhah*. More precisely: the reference is not simply to the adoption of the methodology emerging from the mathematical natural sciences. Brisk halakhic men did adopt quantitative-analytical thought in the development of halakhic cognition and adapted it to the ideal halakhic order. R. Soloveitchik, however, relied on a widespread intuition prevalent in the scholarly tradition of Lithuanian yeshivot, stating that the

---

[25] See Immanuel Etkes, *The Gaon of Vilna: The Man and his Image*, tr. Jeffrey M. Green (Berkeley: University of California Press, 2002), 55.

[26] Ibid., 52–58. Note that R. Hayyim of Brisk and his school were criticized for developing a method of study close to scientific thinking and to Enlightenment views. See Mordechai Breuer, *Oholei Torah (The Tents of Torah): The Yeshiva, its Structure and History* [Hebrew] (Jerusalem, Zalman Shazar Center for Jewish History, 2003), 210.

"meticulous" study of Talmud contributes to the student's general-scientific knowledge, as can be learned from the saying "turn it and turn it again, for everything is in it" (Avot 5: 22). This is how scholars have interpreted the traditional perception that wisdom and the sciences are hidden in the Torah, and are revealed to those in the know.

Norm as Science: (2) Roots in Cohen's Thought

The difficulty confronting R. Soloveitchik, then, is the difference between the experience of scientific cognition, meaning the laws of the mathematical natural sciences, and the "experience" of halakhic cognition, meaning Jewish law. He proposes to solve this through the mathematization of halakhic cognition. An additional consideration appears to guide R. Soloveitchik's undertaking describing halakhic man's cognition as scientific although it is focused on the norm: Cohen's ethics.

The fundamental principle of ethics is that at the core of pure will is the ideal rather than the real. Despite this principle, the central task Cohen sets himself is to present ethics as a science. Yet, Cohen is careful not to fall into the trap of Spinoza, who draws no distinction between science and ethics. Cohen argues: "If we were to view human actions as lines, surfaces, and bodies, as Spinoza dared to formulate [in his philosophy], not only would human actions be mathematical shapes, but so would human beings."[27]

The aim of Cohen's ethics is different. Kant's ethics assumes a gap between the principles of practical reason and the freedom derived from them on the one hand, and the natural-real world unresponsive to these principles on the other: "It follows that I shall cognize myself as intelligence, though on the other side as a being belonging to the world of sense, as nevertheless subject to the law of the world of understanding, that is, of reason, which contains in the idea of freedom the law of the world of understanding, and thus cognize myself as subject to the autonomy of the will."[28] And there is obviously the

[27] *Ethic des reinen Willens*, 15–16.

[28] Immanuel Kant, *Groundwork of the Metaphysics of Morals*, tr. Mary Gregor, (Cambridge: Cambridge University Press, 1997), 58. Human actions are also dual by nature. On the one hand, they are exposed as events in the natural world and, on the other, they derive from the rational understanding of the world. See Onora O'Neill, *Constructions of Reason: Explorations of Kant's Practical Philosophy* (Cambridge: Cambridge University Press, 1989), 68–69.

duality between the self-constraint reflecting the "thing in itself" in the ethical realm, and the "phenomena" governed by the postulates and the imperative. Cohen strives to overcome this duality and present a unified ethical theory.

To contend with these problems, Cohen presents an ethical model analogous to pure thought, identifying the method and analysis of ethics with those of the mathematical natural sciences. For this purpose, he needs a methodological approach different from Kant's. According to Cohen, the analogy between ethics and cognition implies that ethics must also rely on the transcendental method. Cohen criticizes Kant for not applying this method to the realms of pure ethics and aesthetics that, in Cohen's view, are not methodologically different.

> As for the three realms of consciousness and their unification: consciousness is not only scientific, and ethics and art are not considered any less legitimate [realms of consciousness]. Consciousness cannot be restricted to the mathematical natural sciences. But blurring the difference [between realms] should not be the price of the required expansion [to include ethics and art]. [This issue] must become the special problem of philosophy, [namely] to insist on the link, the clash, and the harmony between the three realms of cultural consciousness, subjecting them to [critical] examination, searching for their roots and their unification.[29]

The task in the present case, however, is different: just as in epistemology the mathematical natural sciences are the experience ("the fact of science"), so a realm must be found that will provide the experience of will. Cohen rejects sciences such as psychology and sociology as foundations for the "fact of science" in ethics, and concludes that the science of law is the basis for the study of pure will. A priori will creates its values on the basis of the law, as thought creates its objects on the basis of the mathematical sciences. Cohen claims that a series of assumptions and principles (such as the principle of origin) exist in pure thought, just as these assumptions and principles exist in mathematics (infinity and the differential). Cognition, however, needs mathematics and the mathematical natural sciences in order to structure them and develop them. Pure will also includes several concepts (individual and collective, will and action) and needs the science of law in order to specify them. Cohen emphasizes that, in this sense, the role of the mathematical natural sciences in the cognition process is similar to that

[29] *Logik der reinen Erkenntnis*, 17.

of the legal sciences in the development of pure will; similar, but not identical: "As mathematics and physics develop through observation and experimentation and through scientific laws[30] but their development remains anchored in the original logical motifs [of cognition], so in legal development the whole is more than its parts, due to the ethical motifs found within it."[31]

According to this approach, the problem of the duality between practical reason and the sensorial world that was exposed in Kant's philosophy disappears. Pure will creates its objects (meaning its actions) relying on the law.[32] The question, however, remains: what represents the world beyond will? In the realm of pure cognition, the existence of sense outside cognition is a source of discomfort. What is its parallel in the ethical realm? Cohen's answer: "The parallel of sense is desire" (*Begehrung*).[33] Chaotic instinct may not be the perfect parallel of sense, and desire is perhaps the parallel of imagination (*Vorstellung*). But will does set strong limits on desire as an element outside reason, and thereby makes the Kantian duality irrelevant. Desire relates to objects whereas pure will relates to actions: "The true and only content that will aims for is action."[34]

The experience of pure thought (the rules of mathematical science, "the fact of science") is replaced in the realm of ethics by the law. Ethics is the "immanent force" of the judicial order in Cohen's definition,[35] and jurisprudence is conditioned by the presence of the human individual, who is no less than the "abstraction of the law."[36]

What is the jurisprudence that Cohen intends here? The central problem of ethics is "the correlation between the individual and the collective (*Allheit*)"[37] or, in other words, the integration of the individual and the collective so that the individual is not blurred within the collective and the collective does not collapse and dissolve into individuals. The individual person determines the concept of the *legal subject*. By definition, jurisprudence relies on the unity of the subject, since the

---

[30] In the German original, *Erfahungen fortschreiten*.
[31] *Ethik des reinen Willens*, 67.
[32] See Poma, *Critical Philosophy*, 111.
[33] *Ethik des reinen Willens*, 115.
[34] Ibid., 203. See Poma, *Critical Philosophy*, 122.
[35] *Ethik des reinen Willens*, 72, 77.
[36] Harry Van der Linden, *Kantian Ethics and Socialism* (Indianapolis: Hackett, 1988), 210.
[37] *Ethik des reinen Willens*, 72, 77.

law relates to all subjects. Ideal jurisprudence strives to unite the subject while preserving it as such, and thus reflects ethics' central trend. Jurisprudence, therefore, is not the product of a majority decision[38] but the genuine expression of the people's law, meaning civil law. In this sense, it is essentially tied to the idea of natural law.

Cohen locates traces of ideal jurisprudence beginning with the notion of natural law, which is based on "the ancient Greek idea of unwritten laws,"[39] through the identification of the people's law with divine law in religions founded on sacred texts, and up until the Renaissance, when natural law was liberated from the absolute patronage of divine law. Hugo Grotius and his colleagues, however, did not reject biblical law as a historical source. Natural law in its moral sense has also shaped the modern era through its various transformations. Kant, for instance, "described the French Revolution as the development of the spirit of natural law."[40]

The link between jurisprudence and civil law clarifies the tie assumed in Cohen's thought between the science of law and political science. In this sense too, Cohen follows Plato, who takes as his point of departure not only the individual as private subject but as representative of the state. For Cohen, Plato links "the World-Soul" to "the soul of the state."[41]

Some scholars have been critical of this perception of law as the basis of morality in Cohen's thought,[42] but I do not address this subject here. I will only note that Cohen's ethical approach does enable a discussion of Halakhah as ideal jurisprudence by using a transcendental method characteristic of epistemology, that is, by drawing a parallel between halakhic-normative law or Jewish law and the experience of a priori cognition ("the fact of science"). True, when Cohen refers to the science of law he does not intend the biblical and religious canons but rather civil law, the law of the people, as an expression of natural law.[43] Nevertheless, in Jewish law or in other canonic-religious law,

---

[38] Ibid., 73.

[39] Ibid., 69. See, for instance, T. A. Sinclair, *A History of Greek Political Thought* (London: Routledge, 1959), 49–50.

[40] *Ethik des reinen Willens*, 71.

[41] Ibid., 6.

[42] Van der Linden, *Kantian Ethics*, 212.

[43] The term *natural law* in this context denotes a kind of "basic morality" found in one way or another in various empirical constitutions. Cohen holds there is an ideal legal system or ideal civil law reflecting this type of morality.

the law refers to actions, as noted: "Action is the essence of law, that is, the essence of the problem of ethics. Indeed [concrete] action is only a means (*vox media*) but the poet was still right: in the beginning was action."[44]

The application of the transcendental method to the law is therefore well suited to the profile of halakhic man. The cognition of halakhic man can be presented in the terms of epistemic idealism, as Cohen did with ethics, even though Halakhah is normative. Cohen's ethical approach, then, is both the background and the legitimation of the epistemic discourse used in *Halakhic Man*. As noted, however, R. Soloveitchik is not satisfied with the analogy between cognition and morality. For him, drawing a parallel between the normative system and the scientific order offered by Cohen's ethics is not sufficient. R. Soloveitchik strives to make halakhic cognition *equal* to scientific cognition, and he therefore creates the mathematization of Halakhah. Establishing the halakhic object on objective, quantitative measurements, as noted, enables the infinitesimal and the re-creation of the object.

R. Soloveitchik opens section x as follows: "Halakhic man's relationship to existence is not only ontological but also normative in nature" (63). The characterization of Halakhah as a system of norms recurs in R. Soloveitchik's style and in his thought. Here too, Cohen's ethical philosophy provides the background for R. Soloveitchik's discussions and for the mathematization of halakhic cognition: "Norms are laws of their own: they are the mathematical urform of the law, providing the cornerstone[45] of the imperative and of judgment."[46] The norm's most essential characteristic is its generality that, above all, is clarified by negation: there are no exceptions. Cohen holds that the norm's power and validity derive from its very definition as general and, in his view, this is the outlook that motivated Kant to formulate moral law as a general law. The generality of the norm reflects its necessity. Cohen asks (and answers):

> What means and what guarantee allow us to found[47] the law (*Gesetz*) on its basic logical meaning, [that is] on generality without exceptions? Not only is this the most noble and deep-rooted task of ethics, but it is also the most important question concerning the problem of the norm.

---

[44] *Ethik des reinen Willens*, 132.
[45] In the German original, *die Richtschur*.
[46] *Ethik des reinen Willens*, 272.
[47] In the German original, *durchgefürt*.

> The modal character of generality provides an answer to this fundamental question. This is the test of the norm, and there is no other. It deserves this authority because it includes all individuals and denies exceptions. How can it do this? This is the logical power of this concept. If it could not do so, the concept would be superfluous.[48]

Inherent in the norm is a demand to examine individual cases in order to find out to what extent they are included within it; this is the task as well as the obligation of the judge. Norms, then, are presented as deductive and inferential rules. The meaning of the generality that defines the norm is no less than an "apodictic necessity."[49] Given that norms are general because they are imposed on humanity as a whole and on each person as an individual, they can be seen to some extent as judgments. Cohen does warn against placing norms at the same level as the laws of nature. Equating legal norms with the laws of nature will collapse the distinction between ethics and logic (in Cohen's terminology) and, in fact, will lead to the collapse of ethics. Sciences progress and develop out of the inner necessity to shift from one concept to another, whereas ethics depends on time and develops toward an ideal future.[50] As Cohen explicitly states: "The future is the moment of the law. Self-consciousness is the content of the law. The law is the moral law."[51]

Yet, the identification between the method of ethics and the method of the sciences is fully preserved even when at stake are the foundations of pure will, as Cohen recurrently emphasizes: "definition is reserved for the mathematics of the differential."[52] This applies to *Halakhic Man* too: for halakhic man, to define the halakhic system as normative means using the method of scientific cognition. Cohen's ethics thus provides a convenient philosophical foundation for an epistemic-idealist approach to Halakhah. R. Soloveitchik goes even further than Cohen, and establishes the halakhic norm on its generality and its mathematical nature.

---

[48] *Ethik des reinen Willens*, 279.
[49] Ibid., 280.
[50] See Nathan Rotenstreich, *Contemporary Jewish Thought* [Hebrew], (Tel-Aviv: Am Oved, 1966), 57.
[51] *Ethik des reinen Willens*, 284.
[52] Ibid., 134.

Norm and Freedom: Similarities with Homo Religiosus *[?]*

In the passage quoted above, R. Soloveitchik argues that identifying the second, "critical" stage of halakhic man's consciousness with the norm leads to the conclusion that "halakhic man resembles *homo religiosus*, not cognitive man." Prima facie, then, R. Soloveitchik should have developed the similarity between *homo religiosus* and halakhic man, and yet his discussion in the rest of this section is entirely devoted to the distinction between them. This literary structure attests that the initial similarity is merely formal. Formally, *homo religiosus* resembles halakhic man because both link their knowledge of the world to a divine imperative; both engage in the contemplation of nature for teleological-theological reasons, and, finally, both are concerned with accommodating the real to the ideal. Hence, both are different from cognitive man, who "is not norm-oriented."

Ostensibly, halakhic man has an independent cognition that is dictated by the halakhic norm and he is thereby a partner of *homo religiosus*, who demands independent knowledge of the world. Given that scientific cognition is the alternative to the cognition of halakhic man, the result is cognitive pluralism. But this is true only from a formal perspective. Halakhic cognition has distinctive mathematical-physical characteristics. Scientific knowledge of the world according to Newtonian mathematical-physical principles is an integral component of halakhic man's cognition. The halakhic terms in his cognition, as noted, are bare of any contents except for quantities, measurements, and pure halakhic objects. By contrast, for *homo religiosus*, scientific cognition is a basis, an opening, and an introduction to knowledge of the concealed and the esoteric that is beyond scientific cognition.[53] Religious cognition, which is knowledge of the concealed and the esoteric, is the antithesis of scientific cognition, whereas the cognition of halakhic man is fundamentally scientific. This distinction has implications for other realms as well. For instance, in the cognition of *homo religiosus*, Halakhah deals with scientific and technological findings and innovations and incorporates them into its world; science is a realm external to halakhic cognition, which contends with scientific innovations.

---

[53] Obviously, the reference here is to the second type of *homo religiosus* (above, 87–88), which largely represents R. Soloveitchik himself, as evident in "From Thence You Shall Seek" and in *The Halakhic Mind*.

The cognition of halakhic man is not teleological in the sense of relating to science as an actual element outside cognition or as a mental realm outside Halakhah.[54] Scientific thinking is built into this cognition and establishes the process of its development and its action. Scientific and halakhic cognition almost coalesce. Hence, the resemblance between halakhic man and *homo religiosus* is not essential. R. Soloveitchik, as noted, actually emphasizes the differences between the cognition of *homo religiosus* and that of halakhic man:

> This cognition [of the whole of being] is teleological in essence—it aims to reveal the traces of the norm hidden within reality.
>
> However, while *homo religiosus* accepts the norm against his will, "as though a demon compelled him" [cf. Nedarim 20b],[55] halakhic man does not experience any consciousness of compulsion accompanying the norm. Rather, it seems to him[56] as though he discovered the norm in his innermost self, as though it was not just a commandment that had been imposed upon him, but an existential law of his very being. Halakhic man does not struggle with his evil impulses, nor does he clash with the tempter who seeks to deprive him of his senses. Halakhic men are not subject to the whispered proffer of desire, and they need not exert themselves to resist its pull.
>
> Halakhic man is firmly embedded in this world and does not suffer from the pangs of the dualism of the spiritual and the corporeal, of the soul which ascends on high and the body which descends below.[57] We do not have here a person who strains against the chains of the ethical and the reign of the norm and accepts them against his will. Rather, we have a blending of the obligation with self-consciousness, a merging of the norm with the individual, and a union of an outside command with the inner will and conscience of man. (64–65)

Given that halakhic cognition is mathematical-physical, it perceives the norm as scientific cognition perceives any scientific law. Latent in this passage is R. Soloveitchik's paradoxical approach when he describes halakhic man—the perception of the "ought" as "is," or knowledge of the commandment as one knows a scientific law. In the cognition of halakhic man, the norm becomes an "existential law."

---

[54] "From Thence You Shall Seek," 216.

[55] See also Rosh Hashanah 28a; Kallah 1: 10, 15.

[56] R. Soloveitchik also writes below: "Consequently, it seems to him as though this ideal world is his own creation" (66). The reason for R. Soloveitchik repeating this here is that revelation is heteronomous and, therefore, not exclusively a product of halakhic man's thought.

[57] According to Ecclesiastes 3: 21.

Although normative cognition is not a "fact" (as in "the fact of science"), it is identified with scientific-mathematical cognition.

In this passage, R. Soloveitchik extends his comments to the implications of cognition for morality and freedom. The personality of halakhic man is shaped accordingly: the attitude to Halakhah as mathematical-physical law a priori excludes any concerns related to the tension between the ideal and the real. Internalization is absolute, just as the scientist internalizes the laws of mathematics and physics. For the Brisk scholar, after all, Halakhah is no more than the pure cognition of measurements, quantities, and definitions. The religious and metaphysical meanings of the commandments do not interest him. The commandment is constituted on its quantitative dimension and this is all that matters to him, because it enables reduction *ad infinitum* to the point of pure quality. Halakhic law shapes an autonomous morality and, given that halakhic cognition creates its own laws and its own objects, it is not perceived as a compulsion. In other words, compliance with halakhic law is freedom.

R. Soloveitchik's articulates a Kantian stance.[58] In fact, the distinction between halakhic man and *homo religiosus* can be clarified through two concepts of freedom, implicitly and explicitly present in Kant's ethical discussions. One is the concept of "negative" freedom that relies on man's "humanity," which is concerned with the freedom to choose between a good deed and an evil deed. Hence, choosing an evil deed is also defined as freedom. The second concept is "positive" freedom, which relies on reason and is concerned with compliance with the rational command.[59] *Homo religiosus* chooses halakhic law and its imperatives out of "negative" freedom. He is aware of the possibility of choosing evil (breaking the yoke of Halakhah), and his choice of the good (Halakhah) is therefore the result of tormented soul searching. By contrast, halakhic man accepts the halakhic system as "positive"freedom, as a rational and scientific imperative. Hence, he never has any misgivings

[58] In note 80, R. Soloveitchik tries to sharpen the distinction but achieves the opposite effect. He draws a distinction between Kant's moral autonomy and Halakhah, noting that halakhic law is given whereas law for Kant is a product of reason. But the purpose of *Halakhic Man* is to present the process of creativity (objectification) in halakhic cognition. In other words, although the system ("the fact of Halakhah") is given, it is re-created in halakhic man's cognition.

[59] Orah Elblinger-Segal, "Two Concepts of Freedom in Kant's Ethical Philosophy" [Hebrew], *Iyyun* (12), 1961, 61–82; Yohanan Silman, "The Evil Will in Kant's Ethics" [Hebrew], *Iyyun*, 24 (1973), 40–75.

about accepting the yoke of Halakhah, just as the scientist has no misgivings about acknowledging the laws of nature. Halakhic order, like the rational imperative, is neither a response to an external stimulus nor an emotional reaction to a non-cognitive event. It is entirely autonomous, resembling Kant's autonomous morality.[60]

Since halakhic law is described as a scientific-mathematical law, it is worth quoting Isaiah Berlin in this context:

> The only true method of obtaining freedom, we are told, is by the use of critical reason, the understanding of what is necessary and what is contingent. If I am a schoolboy, all but the simplest truth of mathematics obtrude themselves as obstacles to the free functioning of the mind, as theorems whose necessity I do not understand; they are pronounced to be true by some external authority, and present themselves to me as foreign bodies which I am expected mechanically to absorb into my system. But when I understand the functions of the symbols, the axioms, the formation and transformation rules—the logic whereby the conclusions are obtained—and grasp these things cannot be otherwise, because they appear to follow from the laws that govern the processes of my own reason, then mathematical truths no longer obtrude themselves as external entities forced upon me which I must receive whether I want it or no, but as something which I now freely will in the course of the natural functioning of my own rational activity.[61]

Two assertions, then, distinguish the autonomous moral approach of halakhic man from that of *homo religiosus*: (1) Halakhic man freely complies with (from his perspective) the rational laws of Halakhah; (2) The split between the spiritual and the corporeal is alien to him. In the epistemological context, this means that halakhic man does not acknowledge a subjective-transcendental realm ("the soul which ascends on high").

This assertion is also the cause for the difference between the discussion in the *Guide of the Perplexed* 1: 54 (*Halakhic Man*, section iii),[62] and the present discussion of Maimonides' philosophy: "And, as Maimonides already taught in the *Guide* (1, 54), the cognition of the attributes of action is the source of ethical life" (64). In section iii of *Halakhic Man*, R. Soloveitchik focuses on the embodiment of the subjective-reconstructed

---

[60] See, for instance, H. J. Paton, *The Categorical Imperative: A Study in Kant's Moral Philosophy* (Chicago: University of Chicago Press, 1948), 209–211.

[61] Isaiah Berlin, "Two Concepts of Liberty," in *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), 141.

[62] See above, 63, 204.

consciousness of *homo religiosus* in the figure of Maimonides. Therefore, he deals with the attributes of action as a source for exposing the negative attributes (the normative dimension from which the subjective dimension is reconstructed). By contrast, in section x, the negative attributes are altogether absent and he relates only to the attributes of action. The attributes of action derive from the rational perception of God and the world, and they therefore present action as autonomous. In sum, both divine activity and the activity of halakhic man are a result of compliance with reason (divine reason and halakhic reason respectively). The negative attributes are absent from this discussion due to the thought process of halakhic man, who dismisses the subjective dimension of religious consciousness from cognition, just as Cohen's perception of cognition leaves no room for subjectivity. "We can know God's ways only through studying the cosmos" (64).

The distinction between halakhic man and *homo religiosus*, then, touches on the question of autonomy vis-à-vis Halakhah: halakhic man is characterized by inner freedom to comply with the general halakhic law,[63] whereas *homo religiosus* is subordinate to a heteronomic imperative. The system of commands is one, whether for halakhic man or for *homo religiosus*; for *homo religiosus*, however, it is compelled in the sense of a choice against his nature, whereas halakhic man tends to comply with it by his nature, since it follows from the scientific-halakhic laws created by his cognition. *Homo religiosus*, therefore, searches after the reasons for the commandments, whereas halakhic man has no independent interest in them whatsoever. Halakhic man is endowed with "freedom and independence from the mechanism of the whole of nature," in Kant's terms, and he is free in the sense that he is absolutely "subject to his own personality."[64] Halakhic law fulfills the role of rational laws in the Kantian scheme adopted by R. Soloveitchik. The reason is obvious: scholarly-halakhic thinking creates its own objects, and compliance with it is therefore freedom. By contrast, *homo religiosus* is compelled by and subordinate to an external imperative, sensing he is forced to abide by the norm. *Homo religiosus* struggles with his instinct and tries to subdue it when confronted with the divine command. The antinomian inclination of *homi religiosi* to remove the fetters of the law recurs in various

[63] And, as R. Soloveitchik emphasizes in note 80, realize it in the concrete world.
[64] Immanuel Kant, *Critique of Practical Reason*, tr. Mary Gregor (Cambridge: Cambridge University Press, 1997), 74.

religions. By contrast, halakhic man does not acknowledge a situation of inner struggle. For him, the command anchored in his cognition is entirely autonomous and, as such, also natural.[65] As noted, the inner-spiritual readiness to accept the law is a symptom of the abysmal difference between the two forms of consciousness and of the impossibility of dialogue between the two types. The distinction in the next passage between halakhic man and the Christian saints, who represent *homo religiosus* in general, illustrates this alienation:

> Unlike the Christian saints whose lives consisted of a long series of battles with the dazzling allure of life, with carnal, this-worldly pressures, the great Jewish scholars know nothing about man's conflict with the evil urge. The church fathers devoted themselves to religious life in a state of compulsion and duress, the Jewish sages, in a state of joy and freedom. (65)

R. Soloveitchik knows that ascetic trends became dominant in the Jewish world as well at various times such as, for instance, the Ashkenaz pietists in the twelfth and thirteenth centuries. R. Judah He-Hasid and his group stressed the struggle between spirit and flesh.[66] For halakhic man, however, *homi religiosi* go beyond the border of the legitimate religious phenomenon because, in his view, the only legitimate religiosity is halakhic idealism. Pangs and passions leading to asceticism are unintelligible to halakhic men, who hold that moral-halakhic autonomy necessarily follows from their special cognition. And Hermann Cohen has already determined that the legal subject is described as a moral subject.[67]

When R. Soloveitchik makes freedom a characteristic of halakhic man, he does not mean arbitrariness. Quite the contrary: freedom is the perfect harmony between divine will (conveyed in a command) and the will of man (who is commanded). This harmony, made possible because the normative command exhausts halakhic man's cognition and is therefore considered rational, is not possible for *homo religiosus*.

---

[65] See Moshe Sokol, "Master or Slave? On Human Autonomy vis-à-vis God in the Thought of Rav Joseph Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 420–423; Moshe Helinger, "Halakhah and Human Autonomy According to Yeshayahu Leibowitz, Rav Soloveitchik, and David Hartman" [Hebrew], in *Judaism: A Dialogue between Cultures*, ed. Avi Sagi, Dudi Schwartz and Yedidia Z. Stern (Jerusalem: Magnes Press, 1999), 326–330.

[66] The attitude to Kabbalah was discussed in ch. 7 above.

[67] *Ethik des reinen Willens*, 79.

In this sense, as well as in others, R. Soloveitchik adopts Kant's and Cohen's autonomous morality of duty and its link with the perception of cognition.[68] Freedom and necessity, then, mask two abysmally different forms of consciousness. Since halakhic man views halakhic obligation as a cognitive component and, as noted, as the basis of pure halakhic cognition "spiritual freedom and intellectual independence reign there in unlimited fashion" (66). Freedom characterizes the choice of the ideal norm, which is necessarily derived from the structure of cognition. The concept of freedom follows directly from the abstract structure of halakhic man's cognition.

The Structure of the Discussion

In stressing a personality feature of halakhic man (autonomous freedom), R. Soloveitchik prepares the ground for a turnabout in the course of the discussion he develops in the first part of *Halakhic Man*: a shift to the *personality* and to the ethical autonomous criteria of this ideal type. The discussion in the first part of *Halakhic Man*, then, is divided into two:

1. In the first part (sections i–x), R. Soloveitchik analyzes halakhic man's cognitive course and the special structure of his cognition. In this analysis, R. Soloveitchik draws away—insofar as his poetic, metaphorical style allows him—from a discussion of character features. The reason is simple: the cognition of halakhic man is described according to Cohen's rigid epistemic idealism, and psychology is not a cognitive component.[69]
2. The second part (sections xi–xv) is devoted to a discussion of halakhic man's personality and the place of religious experience in his singular psychological structure. In this part, R. Soloveitchik deals with the implications of ideal halakhic cognition for the special personality of halakhic man.

---

[68] See Eliezer Schweid, "Foundations of Hermann Cohen's Religious Philosophy" [Hebrew], *Jerusalem Studies in Jewish Thought* 2 (1983), 277; Poma, *Critical Philosophy*, 118. On the distinction between Kant's and Cohen's view on the one hand and the cognition of halakhic man on the other, see below, 246–251.

[69] See above, 49.

The link between the two parts is the discussion about moral freedom and autonomy that characterize halakhic man as cognitive man. Freedom derives from the scientific structure of halakhic man's cognition, and affords a glimpse into his unique personality.

Summary

Halakhic man creates the halakhic objects in his cognition from their basic components and up to their mathematical-physical objectification ("as though he discovered the norm in his innermost self"[65]). Section x of *Halakhic Man* enables a clear articulation of this process, while tracing the shift from cognition to consciousness:

1. The aim of the senses is to awaken the autonomous process of halakhic cognition to create its constitutive foundations.
2. Halakhic cognition breaks down the concepts into their structural-elementary elements. Since Halakhah is founded on quantities and measurements, the breakdown is made possible through the infinitesimal method. Halakhic quality remains pure.
3. Halakhic concepts are then reconstructed as ideal cognitive objects through *hiddushei Torah* (the methodological tool is a series of *hilukim*). Halakhic law is created exactly like physical law.
4. Halakhic cognition now returns to the sensorial realm and tests the fit between the cognitive-halakhic objects (developed though *hiddushei Torah*) and the qualitative world.

The last stage is the critical stage of halakhic cognition, which becomes consciousness. In R. Soloveitchik's formulation:

> When halakhic man comes to the real world, he has already created his ideal, a priori image, which shines with the radiance of the norm. The real world does not impose on him anything new, nor does it compel him to perform any new action of which he had not been aware beforehand in his ideal world. (65–66)

All halakhic man needs to do now is test whether mature a priori cognition fits the real world.

Section x reflects R. Soloveitchik's efforts throughout *Halakhic Man* to describe the pure type within the context of a given philosophical system. R. Soloveitchik ascribes crucial importance to the presentation of the unique in the figure of the speculative scholar, the Brisk man

whose entire cognitive world is only pure and creative halakhic analysis. The best way of describing the detachment of halakhic man from the concrete world is through the mathematization of the halakhic world. R. Soloveitchik does this by constituting Halakhah on quantities and measurements and removing all religious and metaphysical meanings. His stress on the scientific knowledge required for many halakhot enables him to present halakhic man as a scientist based on Cohen's epistemic idealism. To sustain this cognitive model, R. Soloveitchik takes a paradoxical step: he presents the halakhic norm meant to subordinate "is" to "ought" as a given scientific-existential law. The normative world of halakhic man is perceived as no less than a scientific world. The paradox of perceiving the ideal as real is created in order to distinguish halakhic man from *homo religiosus*. *Homo religiosus* could easily endorse Cassirer's approach, which views religious cognition as an alternative to scientific cognition. But halakhic man totally rejects this view and takes pains to describe halakhic cognition as scientific cognition; halakhic man, as it were, starts off from Cassirer's cognitive pluralism but fails to reach Cohen's monism. Halakhah, after all, cannot be identified entirely with scientific law, nor can it be constituted solely on quantities and measurements. Clearly, however, Cohen's cognitive model is the basis for describing the cognition of halakhic man that, for better or worse, is portrayed as strictly scientific.

CHAPTER NINE

HALAKHIC MAN'S PERSONALITY STRUCTURE

R. Soloveitchik offers many descriptions affording readers an opportunity to become acquainted with the personality of the Brisk halakhic man. The cognitive-conscious description and the creative moment of halakhic man do not exhaust all the dimensions of his personality. R. Soloveitchik is interested in the psychological structure of this ideal figure, even though it is not essential for an understanding of the epistemology of halakhic cognition. He knows that in order to etch this pure type indelibly in the consciousness of his readers he must deal with the character and the behavior of halakhic man.

R. Soloveitchik discusses in greater depth the personality of halakhic man in the later sections of Part One of the essay (xi–xv). In this chapter, I address first his sporadic allusions in the earlier sections of the work, and then discuss various aspects from later sections.

Without Wavering

R. Soloveitchik expects his readers to explore the personality features deriving from halakhic man's unique epistemic structure. The result is both impressive and thought provoking: halakhic man is a restrained figure, exerting absolute self-control, indifferent to elementary human feelings, and driven by predefined and unwavering rules. Halakhic man is absolutely controlled by ideal halakhic thought. Just as reason is the only element that determines autonomous duty in Kant's ethics, and just as the law is the basis for the transcendental, ethical, and autonomous analysis in Cohen's philosophy,[1] so does halakhic-ideal and scientific cognition determine autonomous duty. Halakhic man assumes the yoke of Halakhah from a position of absolute freedom, because it is the creation of his autonomous reason.[2]

---

[1] See Harry Van der Linden, *Kantian Ethics and Socialism* (Indianapolis: Hackett, 1988), 210.

[2] Again, the reference is not to actual Halakhah. In halakhic man's milieu, no one

According to both Kant and Cohen, feelings are irrelevant to pure will and, in fact, may even divert will from its rationality. Nor is halakhic man driven by feelings. Since the figure of halakhic man fits the characteristics of cognitive man, it is marked by "his objectivity, his psychic equilibrium, and an almost eerie indifference" (66). He is the total antithesis of *homo religiosus*, whose essential characteristic is inner contradiction and an existential, conscious split, and whose mystical-experiential ethos derives from his dialectic personality.[3] By contrast, indifference and obliviousness to realms essential to *homo religiosus* characterize halakhic man. R. Soloveitchik ascribes the abysmal gap between these two types to the characterization of halakhic man through freedom and of *homo religiosus* through necessity. Section x of *Halakhic Man* opens with the following declaration: "This fundamental opposition between the ontological outlooks of *homo religiosus* and halakhic man is reflected in the very being of these two personalities: it pervades their entire characters" (66). Although the emotional, moral, and aesthetic experience is not alien to halakhic man, it has absolutely no influence on his cognition or on the moral and personal characteristics derived from it. Experience is an expression of humanity, or involves emotional implications of halakhic-ideal cognition: halakhic man experiences the annihilation entailed by death, for instance, because his cognition does not extend to supernal or non-concrete realms. In sum: cognition dictates experience.

The necessary conclusion is that the dialectic described at the opening of *Halakhic Man* is present, if at all, only at the early stages of halakhic man's development. Already at the opening of the essay, R. Soloveitchik states that once the scholar becomes a halakhic man, he reaches "a rank of perfection, which for sheer brilliance and beauty is unequaled by any level attained by the simple, whole personality who has never been tried

---

doubts that the source of Halakhah is revelation. Halakhic man also dogmatically accepts that revelation is heteronomous, but the structure of his cognition is entirely autonomous. In his cognition, halakhic objects are constituted in a clear process of objectification, the same process that creates scientific objects in Cohen's thought. Halakhic law, therefore, is not imposed on him, as noted on ch. 8, but accepted as naturally as scientific law is. Any attempt to view the term Halakhah as a practical endeavor, then, at least in Part One of Halakhic Man, is not only mistaken but also precludes a coherent understanding of R. Soloveitchik's outlook.

[3] See, at length, *Halakhic Man*, 66–68. Shaul Stampfer notes that "'*hithasdut*' [excessive piousness]—in the sense of an ostentatious concern with the religious experience—was resisted in the Volozhin yeshiva by both the leadership and the student body." See Shaul Stampfer, *The Lithuanian Yeshiva* [Hebrew] (Jerusalem: Zalman Shazar Center, 1995), 98.

by the pangs of spiritual discord" (4). Halakhic man possesses absolute self-confidence and is indifferent to non-cognitive realms, to the point where it seems he never experienced dialectic situations.

From the start, R. Soloveitchik prepares the perceptive reader for the view that the figure of *homo religiosus* is natural to the religious world. Hence, the starting point for halakhic man, from his earliest formative stages, is *homo religiosus*. Before turning into a halakhic man, he grows up in a community of *homi religiosi*. As he develops into a halakhic man, he is liberated from the features typical of *homo religiosus*, represses them, and even conceals them. The dialectic typical of *homo religiosus*, therefore, collapses and disappears as soon as halakhic man becomes a pure type, since a dialectic emerges when two different cognitions create opposing poles. The wavering between halakhic-scholarly cognition and scientific and even religious cognition (knowledge of the concealed) can also emerge in *homo religiosus*, and this is indeed the stance that R. Soloveitchik adopts in "From Thence You Shall Seek" and in *The Halakhic Mind*.[4] The pure Brisk halakhic man, however, does not have a plurality of cognitions or a multifaceted consciousness, and hence lacks any dialectic.

Halakhic Man and Eminent Figures

The first appearance of halakhic man in the essay (except for section i), is the following:

> Halakhic man studies reality not because he is motivated by plain curiosity the way theoretical man is; nor is he driven to explore the world by any fear of being or anxiety of nonbeing. Nor, for that matter, does halakhic man orient himself to the world in terms of a nebulous feeling of absolute dependence, or yearnings for the redemption of man, or visions of a great, revealed ethical ideal. Halakhic man orients himself to reality through a priori images of the world which he bears in the deep recesses of his personality. We may, if we so desire, call this a cognitive-normative approach, but it is not to be identified with the cognitive and ethical orientation of which the philosophers, the cognitive men par excellence, speak. (17)[5]

---

[4] Compare David Hartman, *The Living Covenant* (New York: Free Press, 1985), 65.

[5] In a note, R. Soloveitchik directs the reader to Fichte, intending the integration of cognition and will, epistemology and morality. But halakhic man is not a cognitive

This initial description of halakhic man, which appears in section v, hints to elements in his personality structure by negation. R. Soloveitchik negates a detailed series of feelings or psychic impressions from halakhic man or, at least, presents them as repressed and lacking any influence on his actions. For instance, when halakhic man confronts a concrete reality of stormy processes, he does not experience an emotional dependence that cannot be defined in the terms of his halakhic world, since ideal cognition entirely dismisses psychology. When halakhic man seeks to cognize the world, he is detached from the yearning for self-redemption, and he is not impelled by a moral drive to amend the world either.

Eminent figures turn to concrete life with great enthusiasm, in order to redress wrongs and amend the world, but halakhic man is indifferent to such motives. Halakhic man cognizes the real world because of the structure of his cognition rather than because of curiosity or because of any particular experience. His only motivation to gain knowledge of reality is to confirm the structures ("images of the world") and the halakhic-mathematical laws ("quantities and measurements") within his cognition. The "*hillukim*" are affirmed as a full and adequate explanation of the halakhic order ("the fact of Halakhah"). In other words, developing consciousness out of cognition exhausts the scope of halakhic man's motivation to confront reality.

The noble motives that bring spiritual leaders to turn to the concrete world, then, are invalid regarding halakhic man, for whom the ferment driving the generation's leaders is an alien element. But R. Soloveitchik stresses that halakhic man is also detached from elementary human emotions, such as inquisitiveness and aesthetic feelings: when he contemplates the wondrous, mysterious cosmos, he most probably experiences no curiosity. More precisely: it is not curiosity that moves him to turn to the concrete world but a special structure of cognition, described in previous chapters. We also found that aesthetic experience *per se* lacks all value for him.[6] When halakhic man looks at the cosmos, his only cognitive-conscious interest is to confirm the fundamental halakhic principles that emerged in the creative-reflective process. Cosmic processes in themselves, and even the emotional experience attendant on their contemplation, are meaningless to him.

---

man of Fichte's type but of Cohen's type, and his attitude to reality is thus a critical analysis of cognition, as explained below.

[6] See above, 140–144.

> When halakhic man looks to the western horizon and sees the fading rays of the setting sun or to the eastern horizon and sees the first light of dawn and the glowing rays of the rising sun, he knows that this sunset or sunrise imposes upon him anew obligations and commandments. (20)

R. Soloveitchik's aesthetic-poetic style contrasts sharply with the rigid, one-dimensional, and philosophic-idealist contents.[7] Just as halakhic man "is not particularly concerned with cognizing the spring [where the *zav* immerses] as it is in itself," so is the experience of sunset and sunrise that characterize a realistic cosmos uninteresting to him.

This choking of curiosity and of the aesthetic experience is also in contrast with the experience of prominent leaders. R. Soloveitchik was trained within Jewish tradition, and knew that Jewish scholars had devoted great attention to the contemplation of the universe and had drawn theological conclusions from their curiosity and their experience. Cosmological evidence of God's existence followed from this contemplation, but not for halakhic man. Not only is moral amendment alien to his cognition, but so are the theological achievements derived from actual reality. He cognizes reality and contemplates the qualitative world only in order to confirm the ideal models within his cognition. Knowledge of concrete reality is, from his perspective, a critique of cognition at its "naïve" stages. In other words, recourse to the concrete world is an epistemic need.

Even these initial sections of *Halakhic Man*, then, already show that this pure type succeeds in repressing feelings and transcending mental inclinations in a way that presents him as almost superhuman.[8] A necessary stage in the shaping of such an individual is absolute self-control. Halakhic man is driven to act only by pure epistemic and conscious motivations. The most distinctive characteristic of his activity is rationality, not only in the logical-epistemic immanent sense of the term but also in the sense of molding attitudes to the world outside cognition exclusively according to epistemic coefficients. My concern below is to

---

[7] Compare Zachary Braiterman, "Joseph Soloveitchik and Immanuel Kant's Mitzvah-Aesthetic," *AJS Review* 20 (2000/2001), 1–24. A comparison with *The Kuzari* of Judah Halevi, whose aesthetic prose sometimes blurs the fact that he had meant to present philosophical literature as superfluous, seems almost imperative. In the preface to his forthcoming book on *Halakhic Man*, David Schatz presents this phenomenon as ironic.

[8] Note the interesting description in R. Soloveitchik's lectures. See Joseph Dov Soloveitchik, *Derashot Harav: Selected Lectures of Rabbi Joseph B. Soloveitchik*, summarized, annotated and translated from Yiddish by Arnold Lustiger (Edison, N.J.: Ohr, 2003), 124.

trace the development of halakhic man's personality that, as noted, is primarily the story of overcoming elementary human feelings and particularly those that account for *homo religiosus*.

Humanity (1): Fear of Death

Even the features of halakhic man that appear human are also directly derived from autonomous halakhic cognition. In fact, this is the only feature that halakhic man and *homo religiosus* ostensibly share: the attempt to preserve cognition's teleological implications, which reflect the existence of will and desire or, in other words, to establish the cognition that the "is" is subordinate to the "ought" (the norm). In truth, however, only the cognition of halakhic man is morally autonomous since, paradoxically, it perceives the norm as a scientific-mathematical law. The norm is reduced, as it were, to the actions, quantities, and measurements on which it is based.

Moreover, the personality features of halakhic man are derived from his anti-metaphysical cognition,[9] which requires him to negate spiritual worlds and transcendent reality. The only components of halakhic man's cognition are halakhic principles and their ongoing creation. The sole external element with which cognition sustains a relationship is the sensorial-concrete world. This relationship proceeds at two levels: (1) Posing a problem to cognition; (2) Confirming objectification at the critical stage of cognition.

Since halakhic man's cognition adjusts to the sensorial external datum, this datum is the sine *qua non* of its existence. Halakhic man therefore fears death, because cognition then loses any possibility of existence. Death appears to halakhic man as dissolution and means the collapse of halakhic cognition. Hence, "we can comprehend a peculiar feature in the character of many great Jewish scholars and halakhic giants: the fear of death" (36).[10]

---

[9] See above, ch. 6.

[10] Meir Bar Ilan writes in his memoirs: "R. Hayyim was, by nature, a person oppressed by spiritual torments. He always feared the Day of Judgment, the day after. Any idea about illness and death depressed him. Any bad news about someone's death made a terrible impression on him." Meir Bar Ilan, *From Volozhin to Jerusalem* [Hebrew], vol. 1 (Tel-Aviv: R. Meir Bar-Ilan Publication Committee, 1971), 258. As noted (137–140), halakhic society developed the view of a world to come as a continuation of its abstract activity vis-à-vis the material dimension.

Is this a spontaneous feeling, an incidental side-effect of the exposure to ideal halakhic cognition? Is this the same existential fear that characterizes an ordinary man? What emerges is that Halakhah shapes this fear in two ways, one explicit and the other implicit:

1. *Limitation*. Halakhah limits mourning by delimiting it to specific times: *onen* (one whose dead is not yet buried), the week of mourning (*shiv'a*), the month of mourning (*sheloshim*), and so forth, and also excludes the high priest from these rituals, preventing total immersion into mourning and melancholy.
2. *Reduction*. Theoretical-ideal Halakhah, as usual, re-creates the systematic foundations of Halakhah after reducing quantities *ad infinitum*. The mathematization and re-creation of the laws of mourning place the traumatic event within an ideal-epistemic context, which makes psychological implications meaningless.[11] Cohen's model, as noted, leaves no room for psychology in the cognitive realm. Sinking into "*lomdus*" leads to a cognitive focusing that makes this disregard of psychological dimensions possible.

Although Halakhah contends with mourning, halakhic man still views death as a threat to his unique cognition. Just as halakhic cognition dictates a special personality, so does the threat to its existence shape its specific features, such as the fear of death. "The Gaon of Vilna, R. Joseph Dov Soloveitchik, his son, R. Hayyim, his grandson, R. Moses, R. Elijah Pruzna [Feinstein] never visited cemeteries and never prostrated themselves upon the graves of their ancestors" (36). Autonomous halakhic cognition shapes a type who is in absolute control of his feelings. Since the fear of death threatens halakhic man's emotional security, he retreats from confronting it. The fear of death is thus the first crack in the one-dimensional personality structure of halakhic man.

In the discussion that follows, R. Soloveitchik presents another model of halakhic man, who does not entirely repress feelings of mourning. According to this model, turbulent psychological situations often clash with the restrained and self-controlled type dictated by ideal halakhic cognition. The process of overcoming these situations becomes increasingly dialectical. R. Soloveitchik therefore oscillates between presenting halakhic man as a type constantly struggling against a takeover

[11] This approach is explicitly developed in *Halakhic Man*, 66–67.

by emotions, as opposed to a type who does not acknowledge such struggles because his personality is directly derived from his cognition.

Humanity (2): Two Models

Following is a detailed discussion of halakhic man's personality in sections xi–xv of *Halakhic Man*. In section xi, R. Soloveitchik presents halakhic man as one who finds a third verse to harmonize two mutually contradictory ones. This is a complex literary discussion, into which R. Soloveitchik weaves, as in a mosaic, two different and even antithetical models, as follows:

I. *The first model* (66–69) presents the two poles between which halakhic man and *homo religiosus* oscillate. Its principles are:

1. *Content*. In this model, halakhic man starts from the dialectic of *homo religiosus* but abandons it entirely at a later stage of his development. The retreat from the oscillation between the poles is so radical that halakhic man is presented as one who never experienced it.
2. *Form*. In this model, the pattern of two mutually contradictory verses and a third harmonizing one cannot be realized, even though R. Soloveitchik presents this model as a compromise. The reason is that the third verse (Halakhah) is identical to the second (Halakhah), whereas the first is religion (*homo religiosus*). The model, then, involves only two contradictory verses.

II. *The second model* (70–72) again presents the oscillation of halakhic man. Its principles are:

1. *Content*. Halakhic man is indeed rid of the dialectic, but his struggle with the oscillation recurs and actually becomes one of his permanent features. According to this model, oscillation lurks in the path of halakhic man throughout his life.
2. *Form*. In this case, the model of the third harmonizing verse is indeed present in the dialectic description, since the second verse is not identical to Halakhah.

Although both models present the characteristics of *homo religiosus* as negative and as an object to overcome and disengage from, they differ in the persistence of their struggle against the features of *homo religiosus*. Consider the first model:

From a religious perspective, man, in his relationship to the world, oscillates between the two poles of self-negation and absolute pride, between the consciousness of his nothingness and the consciousness of the infinity deep within him. *Homo religiosus* can never be free of this oscillation. In the depths of his consciousness he is entangled in the thicket of two contradictory verses. One verse declares, "When I behold Thy heavens, the work of Thy fingers, the moon and the stars which Thou hast established; what is man, that Thou art mindful of him, and the son of man, that Thou thinkest of him" (Ps. 8: 4–5), while the other verse declares, "Yet Thou hast made him but a little lower than the angels, and hast crowned him with glory and honor. Thou hast made him to have dominion over the work of Thy hands; Thou hast put all things under his feet" (Ps. 8: 6–7). And *homo religiosus* has yet to find the third harmonizing verse.

However, halakhic man *has* found the third verse—the Halakhah. He, too, suffers from this dualism, from this deep spiritual split, but he mends the split through the concept of Halakhah and law.

Halakhic man also stands on the Day of Atonement, as the sun is setting, as that great and holy day sinks into the fiery sea of glory and eternity, and, in the climactic *Ne'lah* prayer, confesses his sins before his Creator. He begins: "What are we? What is our life? What is our goodness? What is our virtue? What our help? What our strength? What our might?"… And, in truth, what is man when set against the vast universe and the heavenly realms? What is his worth in comparison to the cosmic process? And the first verse comes and gnaws away at him: "When I behold Thy heavens, the work of Thy fingers, the moon and the stars which Thou hast established; what is man, that Thou art mindful of him, and the son of man, that thou thinkest of him?" And a deep hidden anxiety seizes hold of him; a great dread[12] springs upon him and nullifies his being and selfhood. He is overcome by despair; filled with loathing and self-contempt. However, at that very moment one thought flashes through his mind. If "man hath no pre-eminence above a beast; for all is vanity," then what is the nature of the Day of Atonement? What is the meaning of pardon and forgiveness? What is the purpose of the sacrificial service of the day, the private, intimate encounter between the high priest and his Creator in the holy of holies? What is the whole nature of the holiness of the day, that holiness which bestows atonement upon us? Why should we be confronted at all with the concept of sin and iniquity on the one side and the obligation to repent on the other? Indeed, the Halakhah set man at the very center of its world, and the Day of Atonement testifies to this. And if this is so, how can the first verse be maintained? And straightaway man is filled with a longing and yearning for God [for dwelling in the secret place under the shadow of

[12] In the Hebrew original, *eimah gedolah*, according to Genesis 15: 12.

> the Almighty][13] that undergirds and upholds his position in the world. Behold, my very existence bears witness to my worth! Indeed, I am the one creature in this world who reflects the image of Divine Presence. Do I not study the Torah, the cherished plaything [see Ps. 119: 77][14] of the Holy One, blessed be He? The angels themselves long to learn Torah from me! Am I not at this very moment reaching out to my lover and beloved? Halakhic man immediately discovers his redemption and the endorsement of his existence in this awareness and begins: "Thou hast chosen man at the very inception and Thou hast recognized him as worthy of standing before Thee." In a single moment his stature is so enhanced that he feels he can touch the very heavens![15] In the blinking of an eye the lowliest of creatures turns into the noblest of creatures, whom the Holy One, blessed be he, elected at the very inception and recognized as worthy of standing before Him. *Standing before God*! What self-esteem is present here! What majesty and strength engirdles halakhic man when he utters this phrase! What might lies hidden deep within these three words! Man stands before God, and the *Atik Yomin*,[16] the Ancient One, Himself approves of man's being and existence. (68–70)

R. Soloveitchik again chooses the example of the Day of Atonement in general and the *Ne'ilah* prayer in particular as the mirror of halakhic man's cognition and personality. This example becomes the frame of reference. The poetic-liturgical order of the *Ne'ilah* prayer reflects, as noted, the quantified cognition of halakhic man, both in the sense of being fixed and determined a priori and in the sense of structuring the perception of redemption within the ideal cognition of halakhic man. Halakhic man, as noted, rejects *piyyutim* incompatible with his cognition ("angels of mercy").[17] The *Ne'ilah* prayer of the Day of Atonement is thus a convenient tool that, in a first and superficial analysis, appears to bring halakhic man closer to the *homo religiosus* who pours his soul into his *piyyutim* and creates a hierarchical worldview. On deeper scrutiny, however, and taking the context and the meanings between the lines into account, it is evident that the consciousness of halakhic man stays aloof from *homo religiosus*. Where closeness is expected, one stands instead before an abysmal gap.

---

[13] The phrase in brackets, which appears in the Hebrew version, includes the phrase *be-tsel Shadai*, according to Psalms 91: 1.

[14] See also Psalms 119: 92, 174; Proverbs 8: 30; *Avot de-Rabbi Nathan*, Version A, 31.

[15] See TB Sanhedrin 38a.

[16] According to Daniel 7: 9.

[17] See *Halakhic Man*, 38–39, 43. See also above, 183–187.

The Day of Atonement again pairs off *homo religiosus* and halakhic man. *Prima facie*, both types begin at exactly the same starting point. Both live in a contradiction: on the one hand, a sense of lowliness and abnegation, on the other, absolute self-affirmation.[18] The ostensible difference between them is that halakhic man finds a solution to this existential split. But is there indeed a parallel between *homo religiosus* and halakhic man? R. Soloveitchik tries to create the impression that both grapple with cosmic pangs and contradiction, but once the structure of this parallel is traced more precisely, a series of hints attest to the deep difference between them:

1. *Sources*. The oscillation of *homo religiosus* relies entirely on biblical sources ("what is man, that Thou art mindful of him"/"Yet Thou hast made him but a little lower than the angels"). In this sense, he is no different from the classic *homi religiosi* of western religions, who use the general canonic texts to anchor their experiences. The oscillation of halakhic man, however, is different. His sense of unworthiness and self-loathing, as well as his sense of nobility, relies also on texts from the *Ne'ilah* prayer. Moreover, his nobility rests on matters distinctively halakhic (the holiness of atonement, the worship of the high priest, and so forth). The dialectic of halakhic man begins and ends with Halakhah itself rather than with the sources that *homo religiosus* draws upon. This accounts for the choice of the Day of Atonement that, in various places in *Halakhic Man*, represents the quantified and regulated halakhic cognition.
2. *Motives*. *Homo Religiosus* fluctuates between two poles of equal intensity (submission and uplift, closeness and distance), and cannot find a solution because the reason for his feelings is in the relationships between man and God and between man and the world. Loving and fearing God, for instance, are two antithetical and equally powerful extremes in the experience of homo *religiosus*. By contrast, halakhic man does not move between equal poles. The motivations of his feeling of lowliness are the same as those of *homo religiosus*, whereas the motivation for the sense

[18] R. Soloveitchik indicates that these are classic characteristics of the religious experience and of *homo religiosus*. See above, ch. 1. On this existential polarity in the figure of the Nazir see Dov Schwartz, *Religious Zionism Between Logic and Messianism* [Hebrew], (Tel-Aviv: Am Oved, 1999), 151–152, 155–161.

of pride in this model is Halakhah itself. By studying Torah and plunging into halakhic issues, halakhic man turns into a distinctively self-affirming type. In brief: the apparent contrasts in the personality of halakhic man are summed up in the contrast between Halakhah and religion. Obviously, only an ideal halakhic cognition of the Brisk variety can be diametrically counterposed to religious feelings of lowliness and humility. Ordinary Halakhah can be interpreted so as to fit various psychological states; ideal Halakhah is indifferent to content interpretations.

3. *Religion and Cognition*. The fluctuation between self-affirmation and self-loathing parallels the oscillation of *homo religiosus* between religion and cognition. On the one hand, humility characterizes the *homo religiosus* longing to become an integral part of the divine entity. On the other, self-control and self-affirmation characterize cognitive man, as in the model presented above.[19] By contrast, halakhic man fluctuates between religion ("what is man…) and Halakhah. Cognition and Halakhah coalesce and confront *homo religiosus*.
4. *The Third Verse*. Concerning halakhic man, there is no decisive or harmonizing third verse. This determination follows directly from the three previous ones. Ideal halakhic cognition ("the study of Torah") leads to self-control and self-affirmation. In the preface to the first discussion, R. Soloveitchik writes: "Halakhic man *has* found the third verse—the Halakhah." But the second verse is ideal Halakhah itself, which bestows self-affirmation on those who engage in it. Rather than harmonization, in this case the second verse overrides the first. Ideal Halakhah overrides religious feelings and, consequently, halakhic man does not fit the category of *homi religiosi.* Halakhic man overcomes the religious pole (lowliness) and subjects himself to the halakhic pole, eliminating the split.

Halakhic man, then, is not truly in the midst of a dialectical sway, despite R. Soloveitchik's attempt to create this impression. He does start from a sense of lowliness, but overcomes it from the heights of Halakhah and of scholarship ("Do I not study the Torah, the cherished plaything of the Holy One, blessed be He?"). Scholarship reveals the all-inclusive cognition of halakhic man, a full and rich cognition that

[19] See above, ch. 2.

creates its own objects. In this sense, ideal Halakhah draws the cognition of its students closer to the divine cognition of Creation,[20] and self-affirmation follows from it. This is not a dialectic but a process: human feelings begin with humiliation and self-loathing and, as part of a religious community, halakhic man too participates in a liturgy that expresses such feelings. But the ideal halakhic cognition bestowed on halakhic man as he immerses into Brisk's analytical scholarship immediately presents the feelings of lowliness as meaningless and as a nuisance to be disregarded. This is not a harmonizing third verse, but a rejection of the first verse (religion) by the second (Halakhah). One could even venture the view that, for halakhic man, redemption is liberation from the first verse, namely, from the characteristics of *homo religiosus*.

Consider now the second model, in which R. Soloveitchik postulates the option of a deciding third verse concerning Halakhah and presents dialectic as a permanent feature of halakhic man's existence. The hidden struggle between halakhic man and *homo religiosus* emerges right at the outset. On the one hand is the approach of *tzimtzum* or contraction discussed above and, on the other, Halakhah and the biblical verse:

> The mystics argue that when finitude confronts infinity, everything reverts to chaos and the void; in their view all existence has come into being only by virtue of the mystery of *tzimtzum*, of "contraction"—i.e., the concealment of the glory and light of God. Hence, for them, "before God" means the disappearance of the world. Halakhic man, however, declares that "contraction" does not consist in God's concealing His face but rather in His revealing His glory. Man finds his existence to be full, rich, and holy even when standing before the Infinite one; and the *Deus Absconditus*[21] does not, heaven forbid, negate its value and reality. And let the Halakhah itself be proof! God commanded man, and the very command itself carries with it the endorsement of man's existence . . . The second verse contradicts the first: "Yet Thou hast made him but a little lower than the angels, and hast crowned him with glory and honor," etc. The Halakhah serves as the third harmonizing verse. The man who does not live according to the Halakhah and who does not participate in the realization of the ideal world is of no worth. "Before I was formed I was of no worth, and now that I have been formed it is as if I have not been formed. Dust I am in my life, and all the more so in death" [conclusion of the *Ne'ilah* prayer]. However, the man who knows his duty, his task

[20] See above, ch. 5.

[21] In the original, *stima de-khol stimin*, a concept widely used in *The Zohar*. See, for instance, 1 Genesis 45a; 2 Yethro 89a.

> as a partner in the creation of worlds through constructing a halakhic world and actualizing it in reality has been elected by God at the very inception and has been recognized as worthy of standing before Him. "It were better for man not to have been created than to have been created, but now that he has been created, let him examine his [past] deeds."[22] This is the authoritative halakhic judgment of the sages, and it means that *repentance* harmonizes the two verses. (70–72)

Both the mystic[23] and halakhic man contemplate *tzimtzum*, but from opposite directions. *Homo religiosus* sees *tzimtzum* as the descent and the concealment compelled by the adaptation of divine light to the nether worlds, whereas halakhic man emphasizes the supreme rank attained by those who grasp the divine light in the material world. R. Soloveitchik clarifies that the opposite directions are not mutually complementary. Halakhic man negates the mystic's perspective—" 'contraction' does not consist in God's concealing His face." For his part, *homo religiosus* is willing to create a complementary model together with halakhic man,[24] but halakhic man utterly rejects the cognition of *homo religiosus*, as evident in the controversy over the perception of *tzimtzum*. Whereas *tzimtzum* for *homo religiosus* reflects an actual cosmic event, for halakhic man it refers to an intra-cognitive event or an expression of the relationship between halakhic cognition and reality.[25] The notion of *tzimtzum* provides the strongest evidence of the lack of any discourse between halakhic man and *homo religiosus*. In sum: halakhic man finds *homo religiosus* unintelligible. Given that *homo religiosus* cannot be located within the cognitive world of halakhic man, he becomes a negative potentiality.

In the second model, then, R. Soloveitchik hypothesizes two poles: *tzimtzum* as a source of descent and lowliness on the one hand (*homo religiosus*), and as a source of self-affirmation on the other (halakhic

---

[22] TB Eruvin 13b.

[23] See above, ch. 7, for a discussion of the mystic as an individual instance of *homo religiosus*.

[24] That is, a combination of the poles of nothingness (religion) and self affirmation (Halakhah). This is indeed the course that R. Soloveitchik himself chooses in "From Thence You Shall Seek."

[25] As noted above, the association between cognition and the sensorial-concrete realm is twofold: (1) Concreteness poses a problem to cognition, which develops and creates its objects in an endless process, as coping with the problem. (2) At the end of the objectification process, cognition returns to reality to test whether the ideal models correspond to its creations. Reality confirms (or rejects) these objectifications at the critical stage of cognition.

man). R. Soloveitchik even adds the verse "Thou hast made him but a little lower than the angels" and the passage from the *Ne'ilah* prayer to explain halakhic man's sense of self-affirmation. In other words, there is now a universal pole of self-affirmation, which allows the realization of a model with two contradictory verses ("When I behold Thy heavens" as opposed to "Thou hast made him but a little lower") and a harmonizing factor (Halakhah). Two facts are worth noting:

1. In the second model, no pole of nobility and self-affirmation appears for *homo religiosus*. The feelings of *homo religiosus* are described only as the "*tzimtzum*" of lowliness, targeted in R. Soloveitchik's strong criticism.
2. In this model, Halakhah appears as the third verse and presents the first one (lowliness and self-contempt) as a tragic mistake and as "original" sin. Only repentance (as a halakhic concept) atones for the sense of lowliness. R. Soloveitchik's further remarks clearly indicate that the sense of lowliness is a "flaw" of *homo religiosus*, which clings to halakhic man at the early stages of his development. "Even though this mode of consciousness on the part of halakhic man is impaired at times, for he, too, in part draws upon the same psychic sources as does *homo religiosus*, it nevertheless molds and fashions his spiritual makeup" (72).

The following table describes and contrasts the structure of the two models:

	The Type	First Verse (Lowliness)	Second Verse (Self-Affirmation)	Third Deciding Verse
Model 1	*Homo religiosus*	Biblical ("When I behold Thy heavens")	Biblical ("Thou hast made him but a little lower")	—
	Halakhic man	Halakhah: *Ne'ilah* prayer ("What are we? What is our life?")	Halakhah: *Ne'ilah* prayer ("Thou hast chosen man at the very inception")	—
Model 2	*Homo religiosus*	*Tzimtzum* (denoting concealment)	—	—

(*continued on next page*)

Table (*cont.*)

The Type	First Verse (Lowliness)	Second Verse (Self-Affirmation)	Third Deciding Verse
Halakhic man	*Tzimtzum* (denoting revelation)	Halakhah + Bible ("and Thou hast given us in love, O Lord our God, this Day of Atonement"; "Thou hast made him but a little lower")	Halakhah (repentance)

It appears that R. Soloveitchik tries to soften, as far as possible, the radical message about an unbridgeable gap separating halakhic man from *homo religiosus*. In the first model, he suggests that, in terms of contents, halakhic man does not really waver but gradually liberates himself from the remnants of *homo religiosus*' personality; in terms of form, he does not use the model of the harmonizing verse (as emerges from an analysis of the text) but confines himself to noting the two poles. In the second model, R. Soloveitchik explicitly proclaims that the stage of lowliness is typical of the sinner ("the man who does not live according to the Halakhah"). In other words, the oscillation between lowliness and self-affirmation disappears once the third verse presents self-loathing as a flaw of *homo religiosus* (represented by the mystic) that requires repentance. In terms of form, R. Soloveitchik again postulates a tension between two verses while also adding a harmonizing verse that, *ex post factum*, will expose the sense of lowliness typical of *homo religiosus* as a negative feature. The absence of the self-affirmation pole in the *homo religiosus* of the second model clearly shows that, for halakhic man, the dominant feature of *homo religiosus* is lowliness whereas his own dominant feature is self-affirmation. According to the second model, however, the dialectic and the harmony in the third verse will permanently accompany halakhic man.

The literary move is thus the following: in the first model, R. Soloveitchik prepares the ground for presenting the split between halakhic man and *homo religiosus* and, pointing to a formal similarity, hints at the abysmal difference between them. In the second model, perceptive readers understand that, *ab initio*, the similarities between halakhic

man and *homo religiosus* do not involve positive connotations. Quite the contrary: precisely the shared element—lowliness—is the one that halakhic man views as a spiritual flaw that should be discarded and for whose very existence one should repent. In this presentation, the sense of lowliness that is natural to *homo religiosus*, borders for halakhic man on original sin. This is a feature of halakhic man at the early stages of his development, from which he seeks release in an endless struggle reflected in the cycle of the Days of Awe.

Halakhic man, then, embarks in a process of purification from the dregs of *homo religiosus*' personality. The typical features of halakhic man are self-confidence and self-affirmation, but he is constantly threatened by dispositions pulling him toward *homo religiosus*. Halakhic man invariably finds a way out of this dialectic through the third verse.

From here onward, R. Soloveitchik continues using the two models but differentiates clearly between them. In the following passage, R. Soloveitchik returns to the first model. Although halakhic man, like *homo religiosus*, opens with a sense of lowliness (or, more precisely, is threatened by such a sense) he is not characterized by prolonged wavering. Quite the contrary: he totally overcomes this feature of *homo religiosus*, as if he had never known a sense of worthlessness and insecurity. Of halakhic man, it will be said:

> Halakhic man knows no fear or dread . . . Why, then, should he be afraid? Such concepts as nothingness and naught, chaos and the void, darkness and the abyss are wholly foreign to him . . . Nothingness lies not in wait for him, nor does the naught peer out of the latticework of existence. Halakhic man does not give any thought to the "other side," that *tertium quid* of being and nothingness. He is unfamiliar with the dark back streets of defilement, nor does he ever go astray in the blind alleys and narrow pathways of the world's emptiness and chaos. (72)

Halakhic man's cognition, as recurrently noted, excludes transcendent-mythical realms and does not acknowledge them, since it has no room for them. The concept of the "*other side*" reflects not only the negative realm beyond but also the kabbalistic ethos, in the sense of a way of life seeking to overcome and defeat the "husks [*kelippot*]" a concept definitely alien to and without associations in halakhic man's cognition. The cognitive structure, then, shapes the personality. Cognition determines will and feeling. Since halakhic man excludes the mysterious from his cognition, he does not fear it. Reality is for him entirely transparent, subject to quantification and regulation. Fear of death is indeed a characteristic of halakhic man, since death means the ces-

sation of halakhic-cognitive activity and this activity is what creates objective reality. Myth, however, has no such reality, and hence evokes no fear in halakhic man. Clearly, then, pure halakhic man has been entirely liberated from the existential dialectic typical of *homo religiosus*. He does not acknowledge the naught, and his mark is self-affirmation and self-recognition.

In the following passage, by contrast, R. Soloveitchik moves to the second model. Halakhic man's self-confidence is often menaced by the naught:

> Halakhic man is a man of the law and the principle, a man of the statute and the judgment and, therefore, he always possesses in his being, even if at times it should be afflicted with a deep melancholy,[26] a fixed, firm Archimedean point that is outside and above the turbulence of his soul, beyond the maelstrom of the affective life, a true source of peace and tranquility…My father related to me that when the fear of death would seize hold of R. Hayyim, he would throw himself, with his entire heart and mind, into the study of the laws of tents and corpse defilement. And these laws, which revolve about such difficult and complex problems as defilement of a greave, defilement of a tent, blocked-up defilement, interposition before defilement, a vessel with a tight fitting cover upon it in a tent in which a corpse lies, etc., etc., would calm the turbulence of his soul and would imbue it with a spirit of joy and gladness. (73)

In this passage, R. Soloveitchik describes the psychological implications of halakhic-ideal cognition. Cognition per se is outside these mental states, but has an essential influence upon them. When cognition engulfs halakhic man, it leads to a psychological situation of self-confidence, self-affirmation, and satisfaction. Exposure to mourning and depression moves halakhic man to turn these feelings into a stimulus or present them to halakhic cognition as a problem. Cognition immediately places the event in an ideal framework, breaking it up into its pure elements and rebuilding it as an object of experience (*hilkhot avelut*). The status of feelings parallels that of senses and qualities. Just as reason shapes the actions of halakhic man and determines his freedom, so does it determine his feelings. Shifting the matter to a realm that is purely cognitive returns halakhic man to equanimity and self-affirmation. An analysis of the ideal halakhic categories turns halakhic man into a creator of worlds,[27] and self-affirmation fills his cognition.

---

[26] In Hebrew original, "*tehegu akh nekha'im*," according to Isaiah 16: 7.

[27] See below, ch. 11. The process of cognition "taking control" of the issue of

Why does R. Soloveitchik offer a dual position? In the first model, halakhic man is presented as a superhuman type, whose emotional world is distinctively one-dimensional. Halakhic man systematically rids himself of all the remnants of *homo religiosus* within him. Following his detachment from the feelings of *homo religiosus*, halakhic man no longer understands him and any genuine dialogue between them becomes impossible. In the second model, halakhic man is in a dialectic process in which he faces emotional states and overcomes them through the self-imposition of ideal cognition and its psychological implications. The current ordered reading of *Halakhic Man* appears to suggest that R. Soloveitchik's view is conveyed in the first model, since the feelings of halakhic man are one-dimensional. Two explanations can be suggested for his formulation of a second model:

1. This model is meant to bring halakhic men closer to the modern *homo religiosus*, whose image is indeed characterized by dialectic and spiritual turbulence.
2. The second model reflects the stages that a scholar covers on his way to becoming a halakhic man. The original milieu of the scholar is the religious community, made up mainly of *homi religiosi.* In the course of his development, he attains liberation from the dialectic stage. The development of halakhic man until reaching maturity, then, involves three stages: (a) *homo religiosus*; (b) a halakhic man still in the throes of a dialectic; (c) one-dimensional halakhic man.

The dominant feature of Brisk halakhic men, as they appeared to R. Soloveitchik through his personal experience and from the traditions he absorbed, is absolute obliviousness to the oscillations typical of *homo religiosus*. It is a plausible assumption, however, that R. Soloveitchik himself doubted such obliviousness is possible. The account he quoted about R. Hayyim of Brisk, who overcame his fear of death, might actually point to a more frequent oscillation rather than to a one-time event. As a counterbalance, however, R. Soloveitchik points to the strong opposition of halakhic men to the incipient Mussar movement,[28] and

---

death, transforming it and breaking it down into halakhic objects, is compared to the "objectification" of death in Tolstoy's work by turning it into an "object of his artistic creation" (*Halakhic Man*, 154, n. 86). See also Lawrence Kaplan, "The Religious Philosophy of Rabbi Joseph Soloveitchik," *Tradition* 14, 2 (1973), 53.

[28] R. Soloveitchik refers to a meeting between R. Hayyim of Brisk and Isaac Blaser.

refers to the stories about the restrained and balanced attitude of the Gaon of Vilna and R. Elijah Pruzna to the death of their loved ones (77), displaying utmost self-control.[29] The oscillation is also perceived as "a fit of madness" or a "psychic anomaly" (75); as a human being, halakhic man can also slip and become afflicted by some psychological distortion. Under no circumstances, however, do these slips attest to dialectic as the rule. In sum: "Halakhic man fears nothing . . . One must not waste time on spiritual self-appraisal, on probing introspections, and on the picking away at the 'sense' of sin" (74–75). Halakhic man's "strength of mind" present him as a type who no longer sways between opposing poles and, even more, as one for whom religious language and the religious-dialectical experience become alien.

R. Soloveitchik attests to Scheler's influence on his views on philosophy of religion, and also mentions him in the current discussion.[30] But Scheler argues that religious activity is built into human consciousness and expressed in various forms.[31] According to Scheler's phenomenological approach, halakhic man, as a human creature, cannot attain liberation from the characteristics of *homo religiosus*. The sense of lowliness, negation, and abnegation is thus inseparable from elementary humanity, and R. Soloveitchik does strive to create the impression that halakhic man is a human figure. This sheds a different light on R. Soloveitchik's discussion of halakhic man's personality. Ultimately, however, the radical perception of an autonomous morality founded on Kant and Cohen is the one that also dictates the extreme psychological contours of the personality. The description of halakhic man does not rely on the phenomenological-religious tradition (although this tradition may be useful in explaining his weaknesses and the stages of his development until maturity) but on neo-Kantian epistemic idealism and its moral and emotional implications. As a "pure" type, then, halakhic

---

For this exchange, see Dov Katz, *The Mussar Movement: Its History, Leading Personalities, and Doctrines*, vol. 2 [Hebrew] (Tel Aviv: Orly Press, 1975), 231.

[29] R. Soloveitchik precedes these stories with a description of the balanced figure of halakhic man: "His affective life is characterized by a fine equilibrium, a stoic tranquility. It exemplifies the Aristotelian golden mean and the ideal of the well-balanced personality set forth by Maimonides; it is guided by the knowledge of inevitability and the means of triumphing over it provided by the rule of Halakhah" (77).

[30] *The Halakhic Mind*, 120, n. 62; *Halakhic Man*, 68, n. 82. See also Jonathan Sacks, "Rabbi J. B. Soloveitchik Early Epistemology: A Review of *The Halakhic Mind*," *Tradition* 23, 3 (1988), 84.

[31] See Max Scheler, *On the Eternal in Man*, tr. Bernard Noble (New York: Harper, 1960), 267–270.

man is entirely free from feelings of negation, self-loathing, and fear. The characteristics of his cognition and his consciousness present a type that is balanced to an extreme.

Self-Affirmation

R. Soloveitchik clarifies in sections xi and xii of *Halakhic Man* that, regardless of whether one accepts the model of the harmonizing verse, halakhic man rejects feelings of humility, naught, and abnegation. More precisely, he overcomes them, apparently absolutely. Section xiii is devoted to a clarification of the self-molding and self-affirmation of halakhic man. "Neither modesty nor humility characterizes the image of halakhic man. On the contrary, his most characteristic feature is strength of mind" (79). In this section, R. Soloveitchik specifies the characteristics of the personality that triumphs over dialectics and is imbued by one-dimensional self-confidence. The self-affirmation of halakhic man is not the dominant characteristic of his personality but rather the only one, because his personality is derived directly from his ideal cognition, as is his autonomous freedom. "The a priori law molds man's permanent character and imprints its stamp upon his physiognomy" (ibid.). Following are the expressions of halakhic man's self-affirmation, as detailed in sections xi and xii:

1. *Individuality*. A central feature in medieval religious philosophy is the collapse of the individual personality in the process of reaching communion with supreme entities.[32] According to this philosophy, when a man climbs to higher rungs, his personality becomes blurred, since the spiritual abstract dimension is also the general. By contrast, halakhic man never renounces his individual personality. Not only does his personality fail to disappear as it ascends the rungs of perfection, but its individuality is established even further. The rational medieval approach is presented as pertinent to *homo religiosus*, whereas halakhic man combines perfection with individuality. The preservation of the personality is an expression of self-affirmation. "The will of *homo religiosus* gradually[33] wanes to

[32] R. Soloveitchik discusses this issue in *Halakhic Man*, 123–125. See below, ch. 13.
[33] In the original, *kim'a kim'a*, suggesting that personal redemption is an allegorical interpretation of collective redemption. See PT Yoma 40b.

nothingness, and his selfhood is inexorably extinguished inasmuch as he desires to immerse himself in the totality of existence and to unite with infinity. Halakhic man, however, protects his own selfhood, his particularity, his soul's private domain" (78).

2. *Undermining Prophecy's Status as the Apex of Religious Perfection*. Halakhic man's self-affirmation is negatively reflected in his characterization as a type that is not "receptive," meaning one who searches for "transcendental, ecstatic paroxysms, frenzied experiences that whisper intimations of another world into his ears" (79). Whereas *homo religiosus* waits for the appearance of divine revelation in his soul,[34] halakhic man is an enterprising, creative type. The process of exposing the ideal halakhic foundations and creating the halakhic objects leads halakhic man's cognition to be actively engaged in a constant process, resulting in an active personality. Halakhic man does not await revelations, however heavenly, since his cognition rejects the transcendent. R. Soloveitchik uses the tension between Halakhah and prophecy[35] discussed in rabbinic writings, and states unequivocally: "The prophet, the transcendental man par excellence, has no right to encroach upon the domain of the sages, who decide the law on the basis of their intellect and knowledge" (80).
3. *Creativity*. "Halakhic man is a spontaneous, creative type" (79). His innovative interpretations turn him into "a partner of the Almighty in the act of creation" (81).[36] R. Soloveitchik devotes Part Two of *Halakhic Man* to halakhic man's creative dimensions, and this is my concern in the next three chapters. But the parameters of halakhic man's personality cannot be described as absolute self-affirmation without mentioning his creativity, since creativity is what turns halakhic man into the ruler of the spiritual domain. In his ideal epistemic-halakhic world, his activity is commensurate with the giving of the Torah. This is not a mere repetition of an approach

---

[34] See, for instance, Schwartz, *Religious Zionism Between Logic and Messianism*, 174–196.

[35] See E. E. Urbach, "Halakhah and Prophecy" [Hebrew], *Tarbiz* 18 (1947), 1–27.

[36] See for instance, Yohanan Silman, "The Torah of Israel in Light of its Creative Innovations: A Phenomenological Analysis," *Proceedings of the American Academy for Jewish Research* , Hebrew Section, 57 (1990–1991), 60–61; Idem, *The Voice Heard at Sinai: Once or Ongoing* [Hebrew] (Jerusalem: Magnes Press, 1999), 133–134; Avi Sagi, "Halakhic Praxis and the Word of God: A Study of Two Models," *Journal of Jewish Thought and Philosophy* 1 (1992), 327–328.

> formulated, amongst others, by R. Judah Loew, the Maharal of Prague, whereby God's creation was left unfinished so that man could complete it. Halakhic man does not only complete what is missing. His analysis, which creates pure halakhic conceptions, is equivalent to God's giving of the Torah.

These characteristics shape the bold self-affirmation of halakhic man. They contribute to the one-dimensional nature of this "pure" type, which knows no ordinary moments. And this is not surprising: from an epistemic-realistic perspective, he is at the height of possible religious perfection, and his activity is equivalent to the giving of the Torah at Sinai, if not to the creation of the universe. Halakhic man need not draw on supernal elements (whose transcendental existence is not acknowledged by his cognition) in order to create worlds and, therefore, does not yield to any force, whether supernal or terrestrial. In his view, the finite, limited individual has already reached the apex of religious perfection.

Summary

The description of halakhic man as one who rejects extreme abstinence and avoids asceticism, that is, a man of this world,[37] need not imply an ordinary human character. Affirming worldly life need not involve average character features. Quite the contrary: halakhic man is a special figure, whose human features are directly derived from rational cognition. These features are all characterized by absolute self-affirmation and self-control. The stoic indifference that characterizes halakhic man ultimately leads to absolute control of his feelings.[38] Furthermore: R. Soloveitchik dwells at length on the character of halakhic man in order to clarify that he is different from *homo religiosus* not only in his cognition and consciousness, but also in his personality structure. The personality development of halakhic man actually leads him to draw apart from what he shares with *homo religiosus*. If, nevertheless, halakhic man still has feelings similar to those of *homo religiosus*, he perceives them

---

[37] See Allan Nadler, "Soloveitchik's *Halakhic Man*: Not a Mithnagged," *Modern Judaism*, 13 (1993), 120–126.

[38] This description leads to the conclusion that R. Soloveitchik takes exception to this personality type. See David Singer and Moshe Sokol, "Joseph Soloveitchik: Lonely Man of Faith," *Modern Judaism*, 2 (1982), 258–259.

as a flaw and a sin, and divine worship includes, for him, liberation from these feelings. In sum, for halakhic man, *homo religiosus* represents what is negative.

Finally, it deserves note that a philosophy formulated through ideal and concrete types is not free of problems, the most important being its subjective character.[39] *Halakhic Man*, however, is free from this problematic, although R. Soloveitchik tries to create an impression of complexity. The reason is R. Soloveitchik's distance from the figure described, which does not reflect his own personality structure. Make no mistake: R. Soloveitchik's reliance on the Brisk method of study in his own lessons does not present his own cognition as the cognition of halakhic man, because halakhic man is an *anti-dialectic* figure. Not only does he not experience any oscillation, but he also perceives it as a weakness and a disgrace. "R. Hayyim [of Brisk] was extreme in everything, for or against."[40] Possibly on these grounds too, R. Naphtali Zvi Berlin [known as the Natziv] held that R. Hayyim Soloveitchik could not be an attentive leader to his followers.[41] More than that: halakhic man does not understand the oscillation, since it does not follow from his halakhic cognition. Not only are his decisions not dictated by his feelings,[42] but he is actually in full control of them. Halakhic man is absolutely free from the original character features of *homo religiosus* that had accompanied him in his early stages. His personality is one-dimensional, as required by his ideal cognition. R. Soloveitchik's attempts at complex writing, mixing aesthetic, narrative, and esoteric elements, do not blur this fact.

---

[39] See Jonathan Sacks, "Alienation and Faith," *Tradition*, 13, 4 (1973), 149.

[40] Bar-Ilan, *From Volozhin to Jerusalem*, 239.

[41] According to Stampfer's hypothesis in *The Lithuanian Yeshiva*, 194–196.

[42] Resembling Kant's moral approach, whereby feelings are not a source of moral decisions. See, for instance, Bernard Williams, "Morality and Emotions," in *Morality and Moral Reasoning: Five Essays in Ethics*, ed. John Casey (London: Methuen, 1971), 21–23. Compare with Daniel Statman, "Aspects of Rav Soloveitchik's Moral Approach" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 252.

CHAPTER TEN

RELIGIOSITY AFTER COGNITION: ALL-INCLUSIVE CONSCIOUSNESS

In sections xiv and xv, which conclude Part One of *Halakhic Man*, R. Soloveitchik develops the final formulation of the principle about the fullness of halakhic man's cognition and consciousness and the moral and personal autonomy they require. According to this principle, the personality and behavior of halakhic man derive solely and directly from his scholarly-ideal cognition. The only cognitive perspective available to halakhic man is halakhic cognition. This cognition, through which he contemplates the individual, society, and God, involves religious, moral, and social implications. Halakhic-ideal cognition shapes the character and the personality features of halakhic man. Worship of God is also reinterpreted in the light of this epistemological and morally autonomous outlook. This chapter will specify the range of implications entailed by halakhic-ideal cognition and its meanings, addressing also the critical consciousness developed by halakhic man.

Experience

Several times in *Halakhic Man*, R. Soloveitchik resorts to descriptions of halakhic men's experiences. He consistently emphasizes that, for halakhic man, no experience is independently valuable. Its value is as that of sense in particular and of the qualitative-sensorial realm in general, which present a problem, act as a stimulus, or pose a challenge to halakhic-ideal cognition that, in response, creates its objects from infinity (infinitesimal). For halakhic man, the cosmic experience of the sunset at the closing of the heavenly gates on the Day of Atonement is no different from the contemplation of a ritual spring he merely chances upon. The only meaning of the two experiences is that they pose a problem to halakhic cognition and stimulate it to create its fundamental structures through analytical divisions (a purifying sunset as opposed to one that is not, and so forth); religious experience thereby loses its special value. R. Soloveitchik definitely takes exception to the experience

of *homo religiosus*, that is, to the dialectical dimension of oscillation between self-loathing and self-affirmation because, for halakhic man, the pole of humility and negation are the flaw and the Achilles heel of his personality. And yet, this oscillation is the very cornerstone of religious experience in the existentialist and phenomenological religious literature that inspires R. Soloveitchik's systematic description of experience.

The experience of *homo religiosus* as presented in *Halakhic Man*, therefore, strongly exaggerates the negative dimension. In sections xiv and xv, R. Soloveitchik clarifies whether and to what extent can there be room for an experiential dimension within the implications of ideal halakhic cognition, attempting to show that halakhic man also has an experiential dimension.[1] The style at the opening of section xiv has an apologetic ring: "Is halakhic man devoid of the splendor of that raging and tempestuous sacred, religious experience that so typifies the ecstatic *homo religiosus*?" R. Soloveitchik wonders, as it were, whether halakhic man is somehow inferior, as it were, to *homo religiosus*, with whom he is ceaselessly compared:

> Halakhic man is worthy and fit to devote himself to a majestic religious[2] experience in all its uniqueness, with all its delicate shades and hues. However, for him such a powerful, exalted experience only follows upon cognition, only occurs after he has acquired knowledge of the a priori, ideal Halakhah and its reflected image in the real world. But since this experience occurs after rigorous criticism and profound penetrating reflection, it is that much more intensive. To what may the matter be compared? To the physicist who concerns himself with mathematical formulae, the laws of mechanics, the laws of electromagnetic phenomena, optics, etc…, etc. He joins together "precept to precept…line to line" (Isa. 28: 10, 13), number to number; he engages in complex and difficult calculations, involving the manipulating of ideal, mathematical quantities that, at first glance, are wholly lacking in the music of the living world and the beauty of the resplendent cosmos. It would seem as if there exists no relationship between these quantities and reality. Yet these ideal numbers that cannot be grasped by one's senses, these numbers that only are meaningful from within the system itself, only meaningful as part of abstract mathematical functions, symbolize the image of existence. Is not the physicist swept to heights of rapture in the act of cognizing the world? Did not Newton delight in the beauty of the world when he discovered the law of gravity or, simultaneously, with Leibnitz, the differential and integral calculus? (83)

---

[1] On his motivations in this regard, see ch. 1 above.

[2] In the Hebrew original, *ne'edara ba-kodesh*, according to Exodus 15: 11.

This passage offers an appealing description of the critical stage of halakhic cognition according to Hermann Cohen's criteria. Experience is what marks the transformation of cognition into consciousness. At this stage, cognition carefully scrutinizes whether its ideal creations are indeed suited to the concrete, extra-conscious world ("sharp critique"). Cohen states that, at the critical stage, "we find the fact (*Tatsache*), which contradicts the non-subjective character of thought."[3] At the stage of consciousness, thought turns to the facts of the concrete world and examines itself. R. Soloveitchik emphasizes that consciousness is characterized by two types of relationships: the relationship of consciousness to the "self," that is, self-consciousness, and the relationship of consciousness to objects in the outside world (*Aussenwelt*). Pure consciousness, according to Cohen, is consciousness of the second type, which emerges through the correspondence between thought and the concrete world outside cognition.[4] If they fit, that is, if reality confirms the halakhic-ideal structures at the end of the epistemic process, experience will emerge. In similar fashion, the scientist builds intra-cognitive mathematical constructs and is elated when concrete reality confirms them. Experience, then, does not characterize the process whereby halakhic man builds consciousness; creating the foundations of cognition and the process of objectification that unfolds within it are not experience. Rigorous analysis is not per se experiential. When does experience appear? R. Soloveitchik answers: "after cognition." This is also his explanation of the rabbinic saying:

> "He who walks by the way and studies and breaks off his study and says: 'How beautiful is this tree, how beautiful is this fallow,' Scripture counts it to him as if he committed a mortal sin:"[5] He who reaches a peak of enthusiasm prior to his having cognized, prior to his having completed his study, it is as if he has committed a mortal sin. (85).

From between the lines of this passage, experience clearly emerges as a two-staged event:

1. The discovery of the correspondence between a particular halakhic object formed in halakhic consciousness from its foundations (for instance, a spring) and its manifestation outside cognition.

---

[3] *Das reine Denken*, 55. The essential problem that R. Soloveitchik raises is that turning consciousness into the critical agent of thought impairs the unity of cognition.

[4] *Das reine Denken*, 56.

[5] Avot 3: 7.

2. The discovery of the correspondence between all intra-cognitive objects and the concrete world: "Halakhic man also, whose hands are soiled with the gritty realia of practical Halakhah, with an endless stream of laws, an innumerable amount of halakhot, constructs a world perspective that embraces the whole vast range of existence" (85). Halakhic man discovers that his cognition provides an adequate conception of the entire world.

The experience of halakhic man, therefore, is distinctively intellectual. It is an experience of discovery and explication, and entirely different from the tormented religious experience of oscillation between two antithetical poles. The term *experience* is used here in its minimal denotation of mental affection. But is this denotation indeed a suitable basis for a comparison between halakhic man and *homo religiosus*? Whereas the experience of halakhic man is a one-dimensional event of confirming knowledge and the success of the critical move, the experience of *homo religiosus* is dialectical. The similarity with *homo religiosus*, then, in the sense that both halakhic man and *homo religiosus* have experiences, is merely formal.[6] And again, precisely where R. Soloveitchik explicitly highlights the resemblance between halakhic man and *homo religiosus*, a profound implicit difference is exposed: the experience is actually that of cognitive man, as evident from the examples in the passage, and diametrically opposed to the experience of *homo religiosus*.

Consider now his analogy with science. Prima facie, R. Soloveitchik presents the experience of the scientist in this passage as derived from the fit between ideal constructions and concrete-external reality, or from the match between quantities and qualities.[7] The examples he chooses—the law of gravity, and particularly differential and integral calculus—are discoveries of pure mathematics ("ideal numbers") that emerged in the course of research in physics. Hence, this is a link

---

[6] Compare with Gili Ziwan, "Religious Experience According to Rav Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1996), 222.

[7] See Gregory J. Feist, "A Meta-Analysis of Personality in Scientific and Artistic Creativity," *Personality and Psychology Review* 2 (1998), 290–309; Gregory J. Feist and Michael E. Gorman, "Psychology of Science: Review and Integration of a Nascent Discipline," *Review of General Psychology* 2 (1998), 1–45. On poetic expressions in the wake of the discoveries of Newtonian science see, for instance, Maureen McNeil, "The Scientific Muse: The Poetry of Erasmus Darwin," in *Languages of Nature: Critical Essays on Science and Literature*, ed. Ludmilla Jordanova (New Brunswick, NJ: Rutgers University Press: 1986), 166–173.

between the external world and the mathematical structure. The examples that R. Soloveitchik offers, however, point to the reverse: studying the laws of the material world, of physics, leads to the discovery of pure mathematics. The experience lies in the discovery of pure bodies of knowledge as such rather than in their connection with reality. If there is an experience in the discovery of the natural order, it is more probably rooted in the discovery of the "pure" mathematical world and less in the correspondence between physical laws and the qualitative world.

In the passage that follows, R. Soloveitchik indeed explicitly states that experience is entirely confined to pure, quantitative-mathematical structures rather than to their correspondence with the qualitative world. In other words, all experience focuses exclusively on the intracognitive realm:

> As a result of scientific man's creativity, there arises an ordered, illumined, determined world, imprinted with the stamp of the creative intellect, of pure reason and clear cognition. From the midst of the order and lawfulness we hear a new song,[8] the song of the creature to the Creator, the song of the cosmos to its Maker. Not only the qualitative light, perceptible to the senses, with its wealth of hues and shades, its whirl of colors, sings to the Holy One, blessed be He; so do the quantitative light waves as well, the fruit of cognitive man's knowledge. Not only the qualitative world bursts forth in song, but so does the quantitative world. From the very midst of the laws there arises a cosmos more splendid and beautiful than all the works of Leonardo da Vinci and Michelangelo. (83–84)

The experiential-aesthetic dimension is what characterizes the ideal-epistemic world of cognitive man.[9] The "song of the cosmos to its Maker" celebrates the very discovery of abstract mathematical laws and not only their correspondence with the world outside cognition. R. Soloveitchik painstakingly emphasizes the parallel between the experiential mode of the qualitative world (the world of *homo religiosus*) and that of the ideal quantified world; experience, however, does

---

[8] In Hebrew original *shirah hadashah*, according to Genesis Rabbah 78a.

[9] The experience of intellectual discovery characterizes scientists and, as such, is also within the purview of halakhic man. Compare Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *The Jewish Law Annual* 7 (1987), 169–170; Zachary Braiterman, "Joseph Soloveitchik and Immanuel Kant's Mitzvah-Aesthetic," *AJS Review* 20 (2000/2001), 7; Benjamin Brown, "Stringency: Five Modern-Era Types" [Hebrew], *Diné Israel* 20–21 (2001), 209–210. Note that R. Soloveitchik denied halakhic man any theological dimension, as shown at length in previous chapters.

not necessarily focus on the connection between the two worlds. The experiences of cognitive man and of halakhic man do not resort to the external-qualitative world of the senses and concentrate instead on the ideal-epistemic world. Experience, then, does not characterize only the critical-conscious stage, and creative thought itself grants a sense of exaltation. And R. Soloveitchik emphasizes: the sublime characterizes, above all, the pure models of mathematics and of the mathematical natural sciences, and not necessarily works of art.

Furthermore: experience is founded on "pure" mathematical discovery, on an ideal quantification lacking the ecstasy that results from cognition of the external-qualitative world. The feeling of nothingness or the quest for fusion within such a world disappears. The experience based on abstract mathematical constructions is subtle and restrained, as any intellectual experience of learning.[10] "This experience is modest, retiring, very delicate, but strong as flint" (85).[11]

R. Soloveitchik hints here at the rationalist approach that developed in medieval philosophy, in which the core of religious life is the attainment of an intellectual-contemplative state of *conjunctio* with the supreme intellectual entity ("the tones of *amor Dei intellectualis*, the intellectual love of God, are reverberating here"). This medieval intellectual experience, however, is different from the cognition of halakhic idealism. The medieval experience ("the intellectual love of God") generally refers to the conjunction of the individual and the collective intellect (implying some loss of individuality). Philosophers of the three monotheistic religions tirelessly sought a solution that would enable individual immortality, since conjunction with the cosmic intellect naturally means absorption within it up to the blurring of individual personality.[12] The experience of halakhic man, by contrast, is characterized by self-affirmation and by the zealous preservation of individuality.[13]

In sum: R. Soloveitchik seeks to distance the *experience* of halakhic man (if one insists on using this term) from the classic experience of the *homi religiosi*. The intellectual experience of learning is not the experience of *homo religiosus*.

---

[10] See above, pp. 140–144.

[11] In the Hebrew original, *halamish tsur*, according to Deuteronomy 32: 13.

[12] See, for instance, Dov Schwartz, "Avicenna and Maimonides on Immortality," in *Medieval and Modern Perspectives on Muslim-Jewish Relations*, ed. Ronald L. Nettler (London: Harwood, 1995), 185–197.

[13] See above, 242–243.

God and Halakhic Cognition

A discussion of halakhic cognition and its spiritual and social manifestations cannot ignore its implications for the perception of the divine. The epistemic, halakhic-idealist process is defined a priori as God's will, just as Hermann Cohen argues that the mission of religion is "to think of the will of reason as a command of God."[14] The ontological status of God in ideal-halakhic cognition, however, remains vague in *Halakhic Man*. R. Soloveitchik clarifies in this essay that halakhic man is indifferent to transcendent existence beyond his cognition.[15] Were R. Soloveitchik to pursue this principle to its ultimate consequences, it is a plausible assumption that God for halakhic man would be, above all, the sum total of halakhic cognition or one of its perfect components. Other divine attributes are of no interest to halakhic man, and he does not address them at all.[16] Incipient signs of this process are evident in the leadership of the yeshiva world ever since R. Hayyim of Volozhin equated the Torah with the *En Sof*, the kabbalistic term for infinity.[17] In Cohen's idealist philosophy too, the reason that creates its foundations in the process of thought reveals an idea of divine-transcendent existence although, in truth, no essential transcendence is found here beyond the all-inclusiveness of reason. A question that to some extent remains open, therefore, is whether God is identical to infinite halakhic cognition, in a variation of the Aristotelian notion of God as an infinite intellect. Does R. Soloveitchik's approach assume a divine reality

---

[14] Hermann Cohen, *Religion of Reason Out of the Sources of Judaism*, tr. Simon Kaplan (New York, F. Ungar, 1972), 202.

[15] See above, ch. 7.

[16] By equating cognition of reality with halakhic-ideal cognition, R. Soloveitchik creates an interesting symmetry between his own perception and the image of God in modern philosophy. This parallel is possible precisely in the light of R. Soloveitchik's approach but not in regard to Cohen's perception of cognition (logic), since the latter leaves no essential room for God. See Gerald J. Galgan, *God and Subjectivity* (New York: Peter Lang, 1990), 166.

[17] See Norman Lamm, *Torah Lishmah in the Works of Rabbi Hayyim of Volozhin and His Contemporaries* (New York: Michael Scharf Publication Trust of the Yeshiva University Press, 1989), 105–106; Benjamin Gross, "Rabbi Hayyim of Volozhin's Philosophical View" [Hebrew], *Bar-Ilan: Annual of Bar-Ilan University—Studies in Judaica and the Humanities*, 22–23 (1987), 151–152; Immanuel Etkes, *The Gaon of Vilna: The Man and his Image*, tr. Jeffrey M. Green (Berkeley: University of California Press, 2002), 181–182. Aware of this problematic, David Singer and Moshe Sokol question the meaning of the term a priori in the context of halakhic man's cognition. See David Singer and Moshe Sokol, "Joseph Soloveitchik: Lonely Man of Faith," *Modern Judaism* 2 (1982), 236.

beyond, a being "there," or is God too defined solely within the bounds of halakhic cognition?

In the tradition of classic esotericists, R. Soloveitchik devotes several brief notes to this topic in discussions that do not deal at all with the perception of God. Two such notes are presented below:

1. *Autonomy and the anti-Christian polemics*. The first note appears in the presentation of halakhic cognition as normative. Since halakhic cognition is mathematical-scientific, halakhic man accepts its contents, the halakhic norm, as a rational content. He accepts the divine law naturally, as one accepts a rational imperative. By contrast, *homo religiosus* accepts the divine law, as does the Christian, only after struggling with his instinct:

> This concept of freedom [of halakhic man] should not be confused with the principle of ethical autonomy propounded by Kant and his followers. The freedom of the pure will in Kant's teaching refers essentially to the creation of the ethical norm. The freedom of halakhic man refers not to the creation of the law itself for it was given to him by the Almighty, but to the realization of the norm in the concrete world. The freedom which is rooted in the creation of the norm has brought chaos and disorder to the world. The freedom of realizing the norm brings holiness to the world. (153, n. 80)

According to this passage, halakhic man does not create the law: since God is transcendent to cognition, so is the source of the law. R. Soloveitchik does not deal with the intricate problem of the balance between the creative halakhic interpretation and its given heavenly source. The context, however, shows that R. Soloveitchik does not present his final view on this subject here. The note appears in a passage drawing an explicit and implicit distinction between Christianity and Judaism (according to halakhic man) in two areas: a. Christianity is an expression of *homo religiosus* struggling with his passion, whereas halakhic man represents a type who submits to the halakhic norm by exercising his free will; b. Christian law is not given through revelation, whereas Halakhah does not create new laws. The problem is that, in this note, R. Soloveitchik refers the reader to Cohen's "Das problem der jüdischen Sittenlehere," which presents the exactly opposite thesis on the issue of revelation. Cohen argues that Christian ethics rests on the revelation (*Offenbarung*) of Scripture, and is therefore rigid and inflexible. By contrast, Judaism is founded on the development of the Oral Law. "The end point [that the Oral Law] recurrently seeks becomes a restless

new beginning."[18] The Oral Law develops, according to Cohen, along legal and along philosophical-religious-moral dimensions. Contrary to Christian transcendence, then, Judaism is clearly perceived as a dynamic creation. R. Soloveitchik hints at the problematic that arises because the source of law is an extra-cognitive, divine revelation. Halakhic cognition is obviously a creative cognition, and its continuity and infinity are also beyond doubt. By contrast, R. Soloveitchik's explicit statements point to God as the source of the law. For halakhic man, then, divine revelation is primarily evident in cognition and halakhic cognition thus becomes a distinctively creative element. Although revelation is also unquestionably present in the sensorial world outside cognition, it is negligible by comparison with its objective expression in the cognition of halakhic men.

2. *Objectivity and subjectivity in cognition*. The second note appears in a text discussing the control that the cognizing subject—that is, cognition—exercises over the cognized object.[19] When the cognized object is God, however, the contrary result is attained because the object becomes the ruler:

> The one exception to this rule is the cognition of God. On the contrary, when man cognizes the Creator of the cosmos, he submits himself more and more to His infinite will. It is from thence that there arises the aura of mystery that surrounds the cognition of God, which the doctrine of negative attributes discerned. However, this is not the place to elaborate. (154, note 87)

R. Soloveitchik suggests here that halakhic man, although his consciousness is antithetical to that of *homo religiosus*, possesses subjective knowledge of the mysterious in all that concerns knowledge of God. Is R. Soloveitchik thereby trying to suggest that "pure" halakhic men do not exist? Or perhaps, "*this* is not the place to elaborate" because the suitable place for it are not his Brisk ancestors but rather the articles

---

[18] Hermann Cohen, "Das problem der jüdischen Sittenlehere: Eine Kritik von Lazarus' Ethik des Judentums," *Jüdische Schriften*, Vol. 3 (Berlin, 1924), 1.

[19] "The subject rules over the object, the person over the thing. Knowledge, by definition, is the subjugation of the object and the domination of the subject" (73). The subject here means active knowledge. The choice of the term here is unsuitable, however, since R. Soloveitchik shows no signs of acknowledging the existence of an "I think" consciousness, namely, of a subjective element in cognition. The context of the discussion is that the objectification process of cognition overrides subjective feelings such as the fear of death. This is understandable: turning death into a legal object created by halakhic cognition diverts attention from psychological-subjective fear of it.

representing the personality of R. Soloveitchik himself, such as "From Thence You Shall Seek"? If so, halakhic cognition rules everywhere and creates all its objects, including also the idea of transcendence.

In sum: the fact of revelation attests to a divine transcendent reality that is the source of the Torah. This fact is not easily reconciled with the description of halakhic cognition in Cohen's idealist neo-Kantian version, a cognition that creates all. The assumption must therefore be that revelation is dual and unfolds in the sensorial realm, in the world beyond cognition, and also within cognition as such. Nevertheless, revelation according to R. Soloveitchik is a factual datum, no less factual than the senses and the qualitative-concrete world whose existence Cohen's philosophy is forced to acknowledge. Halakhic man's cognition, however, is built upon epistemic fullness, and indeed behaves so. At least one can determine that halakhic man acts according to absolutely idealist and autonomous criteria. He accepts divine revelation *as if* cognition had never negated transcendent factors outside consciousness, and is endowed with an absolutely idealist-creative cognition, *as if* no such historical-transcendent revelation had ever existed. Here, the approaches of R. Soloveitchik and Cohen differ: according to Cohen, sense is "chaotic," disorganized, and undiscerning; by contrast, R. Soloveitchik points to an ordered event outside cognition: revelation.

> Halakhic man is a mighty ruler in the kingdom of spirit and intellect. Nothing can lead him astray; everything is subject to him, everything is under his sway and heeds his command. Even the Holy One, blessed be He, has, as it were, handed over His imprimatur,[20] His official seal in Torah matters, to man; it is as if the Creator of the world Himself abides by man's decision and instruction. (80)

Immediately after, R. Soloveitchik clarifies that "halakhic man received the Torah from Sinai" (81), but his cognition functions as if outside it is nothing.

Furthermore: in "From Thence You Shall Seek," R. Soloveitchik ascribes to God the infinite, idealist, creative, and continuous cognition assumed in Cohen's philosophy. Human cognition has "infinitesimal participation" in divine cognition.[21] The discussion about the unity of

---

[20] See Midrash Zuta, Lamentations 1, 21. Compare TB Gittin 57b.

[21] "From Thence You Shall Seek," 198. See Aviezer Ravitzky, "Rabbi J. B. Soloveitchik on Human Knowledge: Between Maimonidean and Neo-Kantian Philosophy," *Modern Judaism* 6 (1986), 167–168.

cognition (the intellect, the intellectually cognizing subject and the intellectually cognized object) in "From Thence You Shall Seek" adopts a neo-Kantian terminology.[22] It is convenient for R. Soloveitchik to convey the idea of cognition's intellectual unity in this modern terminology (which in his view parallels Maimonides' approach), although Cohen himself would have recoiled from the divine-immanent nuance that R. Soloveitchik adds to the unity of cognition.[23]

In one of the definitions adopted in "From Thence You Shall Seek," God is described as continuous and infinite thought possessing aspects of morality and will ("thought = will"). This definition, in combination with the topic of the article, a broad-minded *homo religiosus* possessing several modes of cognition, enables a clear and appropriate location of God within the halakhic context: "The substance of halakhic-revealed law emanates from God's thought-will in its infinite apprehension, as the apprehension of Himself and of all that exists."[24] In *Halakhic Man*, however, R. Soloveitchik makes no unequivocal epistemological statements concerning the participation of human cognition in divine cognition, nor about the actual existence of an absolute divine cognition beyond halakhic idealism. In *Halakhic Man*, as noted, R. Soloveitchik almost never deals with Halakhah as a way of life but as a creative-cognitive method of study in the Brisk style. The theological statements in "From Thence You Shall Seek" cannot be a basis for inferring the perception of God adopted in *Halakhic Man*.

Readers seeking to answer questions about the perception of God in *Halakhic Man* must therefore formulate their view by relying on a general analysis of the essay, since R. Soloveitchik does not offer clear-cut answers on this count. It appears that he deliberately refrains from such answers because a true halakhic man is indifferent to them. After these preliminary remarks, the analysis can now move to one of the essential discussions about the perception of God in *Halakhic Man*, found in the concluding sections:

> The approach to God is also made possible by the Halakhah. Primarily, halakhic man cognizes God via His Torah, via the truth of halakhic

---

[22] See Amos Funkenstein, "On the Kantian and neo-Kantian Theories of Science" [Hebrew], *Iyyun* 31 (1982), 252.

[23] See Dov Schwartz, *Faith at the Crossroads: A Theological Profile of Religious Zionism*, tr. Batya Stein (Leiden: Brill, 2002), 81–85.

[24] See "From Thence You Shall Seek," 204.

> cognition. There is truth in the Halakhah, there is a halakhic epistemology, there is a halakhic thinking "the measure thereof is longer than the earth" (Job 11: 9). There is a Torah wisdom "that is broader than the sea" (ibid.). And all of these are rooted in the will of the Holy One, blessed be He, the revealer of the Law. This approach is not an ethical-practical approach, like that of Kant and Hermann Cohen, but a theoretical normative one.[25] It is via the ideal world, in which creation and the norm blend together, that man approaches God.[26] We require neither miracles nor wonder to prove the existence of God, for the Halakhah itself bears witness to its Creator. To be sure, we can also find in the Halakhah a practical approach to God, an approach to God through the performance of the commandments in a concrete fashion. But this approach only follows in the wake of the first approach. The primary approach to God is the ideal-normative-theoretical relationship that prevails between God and halakhic man. (85–86)

R. Soloveitchik seems to disclose in this passage his true view about the place of God in halakhic man's cognition. For this pure type, the perception of God is not exhausted through the mystery of the negative attributes on the one hand, or by the image of a personal commanding God on the other. Against the claim that Brisk scholarship lacks a comprehensive world view and a concept of the divine, R. Soloveitchik unequivocally states: there is a comprehensive halakhic-ideal epistemology. Halakhic men have indeed removed traditional metaphysics and kabbalistic theosophy from cognition, pulling out the rug from under the philosophical and theological discourse ("neither miracles nor wonder to prove the existence of God"); this is not their way. God is defined directly out of speculative-halakhic cognition. Halakhic man knows God as the source of pure halakhic norms and through them ("for the Halakhah itself bears witness to its Creator").

Although the cognition of halakhic man is described through the idealist model, God's place in the structure of this cognition is not exhausted by this model. According to both Kant and Cohen, God appears in the theory of ethics, for Kant as a postulate and for Cohen as a regulative idea. Cohen even uses the idea of God as a foundation

---

[25] In other words, ideal theoretical Halakhah should not mistakenly be made part of the real-moral category. Speculative Halakhah, as noted, is an epistemic creation with distinctive mathematical features. Regarding speculative Halakhah, Cohen's epistemic principles rather than his moral principles should apply even if, according to Cohen, morality relies on the law.

[26] See Exodus 22: 7; 24: 2.

of the "objective unity" between nature and moral action.[27] By contrast, the idea of God in the cognition of halakhic man is not a product of the moral will. The idea of God follows directly from the *cognition* of halakhic man because, although R. Soloveitchik did reduce halakhic man's cognition to a mathematical formulation in which halakhic objects are constituted by their dimensions ("quantities and measures"), he neither succeeded nor indeed wished to eliminate the legal-normative element altogether. Contrary to Cohen's approach, then, which leaves no essential room for God in the logical realm (that is, in epistemology), halakhic-ideal cognition does allow for the idea of a commanding God. In such a cognition, "man approaches God" and defines him.

R. Soloveitchik again emphasizes that, in the cognition of halakhic man, the existence of God is not derived from the historical fact of a revealed, personal God who bestows the Halakhah ("a practical approach to God"). This dimension of God is solely "derivative." From the perspective of halakhic man, the commanding God is above all an intra-cognitive component and the ideal halakhic process attests to his existence. Such a component does not need evidence of its very existence, since it follows directly from the structure of cognition. This is precisely the meaning of R. Soloveitchik's statement: "God Himself sits and studies the Torah and 'God only has in His world the four cubits of the Halakhah.'[28] The study of the Torah is not a means to another end, but is the end point of all desires. It is the most fundamental principle of all" (87).

R. Soloveitchik seems to hint at two issues here:

1. Halakhah is a creative, continuous, and endless process that is realized in the cognition and consciousness of halakhic man. God too is described as participating in this endless process. Hence, God is an essential and constitutive component of halakhic cognition.
2. In the note, R. Soloveitchik directs readers to Maimonides' use of the talmudic saying,[29] and with good reason. Maimonides

---

[27] Andrea Poma, *The Critical Philosophy of Hermann Cohen*, tr. John Denton (Albany: SUNY, 1997), 166–167.

[28] TB Berakhot 8a. In R. Soloveitchik's note here (note 99), he states: "See Maimonides's introduction to the *Commentary on the Mishnah* for his interpretation of this statement."

[29] Yitzhak Shilat, ed., *Maimonides' Prefaces to the Mishnah* [Hebrew], (Jerusalem:

> tries to transcend the literal meaning of this saying and pour "wisdom and deed" into it, meaning the moral and intellectual perfection typical of the medieval rationalist style. R. Soloveitchik, just like Maimonides, is also suggesting that Halakhah should not be interpreted literally. *Halakhah* refers to an ideal process of "*lomdus*," that is, to the creation of pure halakhic objects through epistemic analyses. This process, as noted, is only marginally and indirectly connected with practical Halakhah. For halakhic man, God is objectively present in the halakhic-creative process.

In several theological references, R. Soloveitchik presents God in *Halakhic Man*, rather obviously, as a component of halakhic-ideal cognition: in halakhic man's cognition, objective reality is the reality of ideal halakhic objects, whereas the sensorial world functions as a demand, a task, or a basis for cognition on the one hand, and as an affirmation of the halakhic objectification process on the other.[30] God too, then, is present in halakhic cognition. R. Soloveitchik does preserve the conceptual framework of a revealed God as a historical event that is part of the sensorial-qualitative realm. The true, deep meaning of the concept of God, however, follows from ideal-halakhic cognition.

Divine Worship

The perception of God adopted by halakhic man requires a different type of worship. The conflict is clear: the Jewish way of life demands addressing the outside, that is, resorting to society and to the community; by contrast, halakhic man views the outside world as a marginal and inessential element of halakhic-ideal cognition. He is indifferent to the qualitative world. His view compels redefinition of divine worship. Halakhic man "serves his Maker with pure halakhic thought, precise cognition, and clear logic… He serves the Creator by uncovering the truth in the Halakhah, by solving difficulties and resolving problems" (87). This approach resembles that of medieval intellectuals, for whom the human mission was to apprehend ideas. In several of these

---

Maʿalyiot, 1992), 55, 60; Isadore Twersky, *Introduction to the Code of Maimonides (Mishneh Torah)*, (New Haven: Yale University Press, 1980), 494–496.

[30] See above, 130–131.

approaches, this aim is linked to a radical isolation from social life. So also halakhic man, who adopts a form of worship that is distinctively intellectual, sinking into an infinite, abstract process of inference that excludes practical Halakhah almost entirely. This definition of worship results in cautious and minimal cooperation with society. Three features define halakhic man as an asocial and, to some extent, even anti-social type:

1. *Reticence.* Halakhic man distances himself from words (and this is the genuine cause for his infrequent use of *piyyutim*),[31] for two reasons:
   a. His personality merges with that of cognitive man, who "is neither a rhetorician nor a master of the fine phrase" (86).
   b. Ideal Halakhah, which is an abstract, pure, and creative process, requires full attention. Metaphors and *piyyutim* come at the expense of abstract thought. The story about his father (R. Moshe Soloveitchik), who on Rosh Ha-Shanah took away the Psalm book from him and handed him instead the talmudic tractate of Rosh Ha-Shanah (87), supports this view. The scholar devotes his whole being to pure study.
2. *Man of Truth*. Halakhic man does not compromise, nor is he involved in politics. He never wavers one iota from halakhic truth that, for him is, "one, complete and ultimate" (89). In this sense, he can be described as a zealot of truth. This characteristic imposes a self-willed isolation on halakhic man, since society has problems contending with such extremely principled types and sees them as "strange."
3. *Elitism*. Halakhic man maintains social contact only with types like himself or, alternatively, keeps his distance from and even despises the ordinary, mass man.

> If he sees that there are fewer and fewer[32] men of distinguished spiritual rank about, then he wraps himself in his mantle and hies away to the four cubits of Halakhah . . . His whole being loathes idlers,[33] wastrels, and loafers. Piety that is not based upon knowledge of the Torah[34] is of no consequence in his view. (89)

---

[31] See ch. 7 above.

[32] In original Hebrew *mitmaʿatim ve-holkhim*, according to TB Sukkah 45b; TB Sanhedrin 97b.

[33] In original Hebrew *yoshvei kranot*. See TB Bava Kamma 82a; TB Sanhedrin 3a.

[34] This clarifies the opposition of halakhic men to Hasidism, which preaches a social message of divine worship without the distinctive intellectual dimension.

These characteristics clarify the implications of intellectual worship. Again, contrary to many medieval rationalist thinkers such as Al-Fārābī and Maimonides, who insist on combining the intellectual worship of God with social and political involvement in the Platonic style and even ascribe intellectual value to it, R. Soloveitchik presents halakhic man as a type from the approach expounded in *Management of the Solitary*.[35] In sum: halakhic man cannot be a leader of masses, since he is entirely locked in within the halakhic-ideal process of creative interpretation and his personality derives fully from his halakhic cognition.

The Ending of Part One: The Literary Structure

The end of section xv also ends the first part of the essay. The closure strives for conventional statements that play down the radical messages conveyed in Part One. From a literary-thematic perspective, R. Soloveitchik closes a circle that begins and ends with conventions (pointing to similarities with *homo religiosus*), but essentially reflects an explicit and implicit radicalism. Perceptive readers, however, are not deluded by the explicit assertions and seek the truth between the lines. The complex and esoteric writing is reflected mainly in two issues, discussed in detail below: the implementation of Halakhah, and the connection between *homo religiosus* and its Christian counterpart.

A. *The implementation of Halakhah in the material world as a teleological idea*:

R. Soloveitchik writes as follows:

> Halakhic man implements the Torah without any compromises or concessions, for precisely such implementation, such actualization is his ultimate desire, his fondest dream. When a person actualizes the ideal Halakhah in the very midst of the real world, he approaches the level of that godly man, the prophet—the creator of worlds. Therefore, the ideals of righteousness, which the Torah first introduced into the world, are implemented, are actualized and concretized, by halakhists in all their purity and resplendent brilliance. (90–91)

Correspondence with the concrete-qualitative world, as noted, does not play a significant role in the scheme of expectations and purposes based on halakhic man's cognition.[36] The full implementation of Halakhah is

---

[35] This approach was developed in the twelfth century by Abu Bakr Ibn al-Sā'igh (Ibn Bājja).

[36] See ch. 6 above.

perceived as a messianic yearning ("a dream"); this yearning does indeed follow from halakhic cognition and directs, as it were, halakhic man's teleological will. R. Soloveitchik, then, is not dealing here with cognition but with will and with its effects on the link between the pure type and the concrete world. The implementation of Halakhah is irrelevant to the epistemic process, but does serve a moral and concrete purpose, thereby linking the end of Part One of *Halakhic Man* to Part Two. In Part Two, R. Soloveitchik deals with the moral-aesthetic action of halakhic man and, in this context, there is room for a fit between ideal Halakhah and the real world. R. Soloveitchik cites a ruling issued by R. Hayyim of Brisk, which required adding the names of uncircumcised infants to the community's official register. Other halakhists had ruled against this measure in order to force assimilationists to circumcise their sons. R. Hayyim, however, insisted on behaving according to Halakhah although politically, this was a mistake: "From a political and practical perspective, and as an emergency measure, no doubt the majority was correct. However, on the basis of the pure Halakhah, R. Hayyim was correct. And he would not sacrifice this halakhic truth even for the sake of realizing the noblest of ideas" (90).[37]

R. Soloveitchik thereby intimates to the perceptive reader that implementing Halakhah in the real world is inappropriate for halakhic man. This pure type is detached from the outside-qualitative world and its considerations. Ultimately, R. Hayyim's stubbornness is wrong. To implement Halakhah is an aspiration that is appropriate to the will of halakhic man, but inappropriate to the realization of his personality. In sum: pure halakhic men do not concern themselves with the implementation ideal.

Prophecy has so far been presented as a pursuit inferior to that of the Torah scholar, who is not a "receptive type."[38] Here, however, halakhic man "approaches the level of that godly man." More precisely: the prophet appears here in order to shed light on the *personality* of halakhic man, and does not imply a statement about his pure cognition. Concerning his character, halakhic man is indeed close to the prophet, as a relentless warrior against a society that is not founded on justice. Obviously, for halakhic man, these are "the ideals of righteousness,

---

[37] Compare Zvi Schechter, *Mi-Pninei ha-Rav* [Hebrew] (New York: Beth ha-Midrash de-Flatbush, 2001), 188–189.

[38] See above, 242.

which the Torah first introduced into the world." Morality is not an independent and autonomous category in halakhic man's cognition; the contents and the borders of autonomous justice are determined by Halakhah itself. The autonomy of halakhic man is manifest in his free-willing submission to the halakhic order determined by his cognition; speculative Halakhah, however, is a self-sufficient cognition, and does not depend on other factors. Halakhic man insists on imparting the rules of Halakhah.

What does it mean to say that the prophet is a "creator of worlds"? R. Soloveitchik, as noted, is thereby hinting at Part Two of *Halakhic Man*, where prophecy is presented as an independent creation of the personality.[39] The order implies that the prophet creates our world as a world of justice, since R. Soloveitchik immediately extrapolates to halakhic man as sensitive to social-halakhic justice:

> And precisely because he is free from fear of flesh and blood,[40] he neither betrays his own mission nor profanes his holy task. He takes up his stand in the midst of the concrete world, his feet planted firmly on the ground of reality, and he looks about and sees, listens and hears, and publicly protests against the oppression of the helpless, the defrauding of the poor, the plight of the orphan. The rich are deemed as naught in his view. He is the father of orphans, the judge of widows.[41] (91)

The parallel with the prophet, then, is the following: halakhic man creates (halakhic-ideal) worlds through a process of learning and innovation, and the prophet creates worlds through his tireless striving for social justice ("the prophet—the creator of worlds").[42] Since halakhic man creates (ideal) worlds, he is not afraid of the material world, he fears no one, and he therefore comes closer to the figure of the prophet as a man of justice. The superiority of the prophet is preserved only in the material world outside cognition, and halakhic man sets up as his ideal model the divinely inspired man who fearlessly warns again society's ills.

The discerning reader combines all these features:

---

[39] *Halakhic Man*, 79.

[40] According to TB Berakhot 28b; TB Nazir 66a.

[41] According to Psalms 68: 6.

[42] The analysis of the second part of *Halakhic Man* presents self-creativity as an essential characteristic of the prophet. See below 317–320.

1. *Teleological Comparison*: halakhic man strives to realize Halakhah in the material world, thereby ascending to the rank of a prophet who implements the principles of justice in society.
2. *Opposition*: Previously, however, R. Soloveitchik had claimed that halakhic man is superior to the prophet.
3. *Conclusion*: In the realm of cognition, halakhic man is superior to the prophet, and in the practical moral realm, the prophet is superior to halakhic man. The implementation of Halakhah belongs to the practical-moral realm.

B. *The Connection between Homo Religiosus and His Christian Counterpart*

The implementation of Halakhah in the concrete world discloses the only interest of halakhic man in the material world. From his perspective, "Judaism does not direct its glance upward but downward" (92). By contrast, "the universal *homo religiosus* not infrequently sets up markers[43] and draws sweeping demarcation lines—till here is the divine-heavenly-transcendental realm and from this point on the realm of earthly, bodily life" (ibid.). R. Soloveitchik's discussion of this feature of *homo religiosus* focuses exclusively on Christianity:

> The man in the sanctuary and the man in the marketplace are two separate and distinct personalities who have absolutely nothing in common with one another. How many noblemen bowed down before the cross in a spirit of abject submission and self-denial, confessed[44] their sins with scalding tears and bitter cries and in the very same breath, as soon as they left the dim precincts of the cathedral, ordered that innocent people be cruelly slain. We have here a manifestation of a deep fissure in one's psychic identity. The Halakhah, however, rejects such a personality split, such a spiritual schizophrenia. It does not differentiate between the man who stands in his house of worship, engaged in ritual activities, and the mortal who must wage the arduous battle of life. (93)[45]

In sum: in the worship of God, *homo religiosus* is afflicted by "a strange, obscure, psychic dualism." R. Soloveitchik, then, identifies *homo religiosus* and all his psychic and behavioral flaws with Christianity. He creates an antithesis between a Christian *homo religiosus*, characterized by a personality split, and Halakhah. As shown in the course of this analysis

---

[43] In Hebrew original *metsiv tsiyunnim*, according to Jeremiah 31: 20.

[44] See TB Nedarim 87a; TB Nezir 20b; TB Bava Kamma 73a, and more.

[45] Note that R. Soloveitchik had reservations about inter-faith dialogues with Christianity. See Israel Elman, *American Jewry in a Pluralist Society* [Hebrew], (Tel Aviv: Sifriat Hapoalim, 1985), 274.

of *Halakhic Man*, however, some individuals who observe Halakhah—in fact, the vast majority of them—are included in the category of *homo religiosus*. The genuine antithesis emerging in this essay is that between the Jewish, observant *homo religiosus*, and halakhic man. Already at the opening of *Halakhic Man*, R. Soloveitchik creates the impression that his critique of *homi religiosi* and of the philosophies based upon them is not particularly relevant to Jewish figures.[46] In other words, R. Soloveitchik begins and ends Part One of *Halakhic Man* with a critique of the universal *homo religiosus*, and thereby creates a kind of conceptual exoteric framework. On close scrutiny, however, halakhic man's sharp critique of Kabbalah and Hasidism[47] reveals that *homo religiosus* is not standing only "there," on the outside. The esoterical dimension appears also in R. Soloveitchik's description of the two types of *homo religiosus*—the positive (who seeks the mysterious and the subjective relying on knowledge of the scientific foundations of the universe) and the negative (who sinks into subjectivity without a rational basis).[48] In section i, R. Soloveitchik presents *homo religiosus* as negative; in the body of the essay, he distinguishes between at least two types of *homi religiosi*, of which at least one is perceived as a positive archetype; at the end, he goes back to a presentation of *homo religiosus* as negative, drawing no typological distinctions.[49]

From the analysis of halakhic man's personality in the last sections of Part One, two principles emerge:

1. Halakhic man views the *homo religiosus* confronting him as a potentially destructive type, with whom he cannot engage in any significant discourse.
2. For halakhic man, the danger of *homo religiosus* lurks *inside* as well, in two different manifestations: one—the actual concrete *homi religiosi* who are members in the community of halakhic man; the other—the personality structure of halakhic man himself who, at least in his early stages of development, includes features of *homo religiosus*.

---

[46] See ch. 1 above. The examples in section i, note 4 of *Halakhic Man* are mostly from universal philosophical theories, although R. Soloveitchik points out that their traces are prominent in liberal Judaism.

[47] See ch. 7 above.

[48] See above, 55–57.

[49] See above, ch. 7.

Summary

"The service of God (with the exception of the study of the Torah) can be carried out only through the implementation, the actualization of its principles in the real world" (94). R. Soloveitchik clarifies that, for halakhic man, divine worship is worship in the mind, an endless process of speculation anchored in an ideal halakhic-normative analysis. This is the study of Torah. The implementation of Halakhah in the real world is a "deed," whereas the endless epistemic process is "study." For "genuine" halakhic man—"their study and their deeds have blended together beautifully, truly beautifully" (95). The closure of Part One creates the impression of a dual form of divine worship, in theory and in action. The essay draws a profound distinction between the two areas. The divine worship of halakhic man is distinctively focused on the epistemic realm. For halakhic man, the essential form of worship is in the realm of creating objects, that is, in pure cognition.

The implementation of Halakhah in the material world is a moral-teleological ideal entirely distinct from epistemological, objective, a priori, and idealist reality. R. Soloveitchik thus concludes Part One with a story about R. Hayyim of Brisk who insisted on burying a poor man before a rich one, clashing with the rich men of the community and with the members of the burial society. This story sheds light on the isolation that halakhic man chooses, of his own accord. Detachment from, rather than involvement in, society is halakhic man's typical feature. Solitude is the last chord in the personality structure of halakhic man whose human features, meaning those he shares with ordinary men, are reduced to a minimum. Solitude is a symbol of halakhic man's epistemic dominance. Worshipping God through thought, and the implications of this worship at the teleological-moral and the judicial-aesthetic levels, are exclusive to halakhic man.

CHAPTER ELEVEN

MYTH AS METAPHOR: HALAKHIC MAN AS A CREATOR OF WORLDS

After devoting Part One to the description of pure halakhic cognition and the personality deriving from it, R. Soloveitchik deals in Part Two of *Halakhic Man* with this ideal type's creative dimension, making the *hiddush* [creative halakhic interpretation] synonymous with the creation of worlds, and drawing an analogy with primeval divine creation. The human spirit has already been defined as characterized by creativity[1] and rationalism by the pursuit of autonomous epistemic creation.[2] In this sense, halakhic man's rational activity marks the apex of epistemic-rational creativity.

Creativity and Reality

Previous chapters noted that ideal halakhic cognition is characterized by creativity: it creates its objects from their origin and up to objective reality (the objectification process). Part Two of *Halakhic Man* focuses on the question of whether the intra-cognitive *hiddush* reaches extra-cognitive expression and, if so, what does halakhic man create in the concrete-qualitative world? Ostensibly, R. Soloveitchik answers the first question affirmatively. In other words: creativity is both epistemic-objective and sensorial-qualitative. Creativity is linked to the real world in two ways:

1. *Affirmation*. The real world affirms the intra-cognitive creative process, that is, objectification. The comparison with the concrete world enables cognition's self-criticism and, in fact, its transformation into consciousness.

---

[1] See, for instance, Max Scheler, *Man's Place in Nature*, tr. Hans Meyerhoff (Boston: Beacon Press, 1961), 51.

[2] See, for instance, Ernest Gellner, *Reason and Culture: The Historic Role of Rationality and Rationalism* (Oxford: Blackwell, 1992), 163.

2. *Realization*. This aspect of creativity derives from the previous one. In the process of affirmation, halakhic man is exposed to the lack of correspondence between concrete reality and the objects of cognition. A large section of Halakhah does not deal with actual events in the concrete world, and this is true for both the past and the present (for instance, the establishment of cities of refuge, which will only be possible at the time of redemption). Creativity, then, means striving for correspondence between the concrete world and the absolute order of halakhic cognition.

Two other elements enter the equation with the second denotation of creativity: moral-teleological will and aesthetic sensitivity. When halakhic man is exposed to the lack of correspondence between his cognition and reality, he feels hope. He hopes for the full realization of Halakhah in the concrete world and actually desires it. Halakhic man is actively committed to the realization of Halakhah, an endeavor marked by creativity. We thus find that *Halakhic Man* deals with the tension between intra-epistemic creativity (objectification) and creativity in the real world. The description of the creativity of objects in halakhic cognition certainly owes its style and its character to the epistemic idealism of Hermann Cohen, for whom the core of creativity was found in the epistemic realm:

> The value of methodical creation (*methodischen Erzeugung*) is an integral part of the concept of purity (*Reinheit*) adopted from the classic language of philosophy laid down by Plato, which we have continued to develop. It is in this first realm of culture, then, which has remained first methodologically, that the logic of pure cognition evolved. For the second, the ethics of pure will has emerged. . . . And so it is concerning the most unique fact that culture posits in art.[3]

Sensorial reality, however, plays a more important role in Cohen's ethical and aesthetic theory than in his epistemology. Cohen reduces the place of reality to a minimum in his epistemology, and even strives to eliminate it altogether in the principle of origin. Reality remains a problem on the one hand, and a critical affirmation of the epistemic process on the other. In other realms, however, the situation is different. Ethics is connected both to the empirical system of laws and to action

[3] Hermann Cohen, *Äesthetik des reinen Gefühls*, vol. 1 (Berlin: Bruno Cassirer, 1912), 5.

in time,[4] and aesthetics relies on observation (*Anschauung*), which cannot be entirely divorced from sight.[5]

When dealing directly with the concept of creativity in Part Two of *Halakhic Man*, R. Soloveitchik turns more closely to the link with concreteness. Implementing Halakhah in the qualitative world emerges as a goal for halakhic man's creativity. I will argue, however, that intra-epistemic creativity pushes any other form of creativity to the margins. Like Hermann Cohen, R. Soloveitchik bases creativity above all on the concept of purity, on a priori, independent methods of cognition, will, and art. R. Soloveitchik opts for a formulation in terms of realization but presents the process of objectification as the summit of creativity, whereas the dimension of reality is confined mainly to the affirmation of consciousness within cognition's critical stage. He speaks of external creativity but, in most cases, intends intra-cognitive creativity. This issue will be my concern in the next three chapters.

The Halakhic Hiddush

The creativity of scholarly cognition is reflected in the *hiddush*, a term used to describe innovative halakhic interpretations. *Hiddushim* convey the evolvement of halakhic concepts from their origin and until their appearance in halakhic laws ("the halakhic experience"). In Part Two of *Halakhic Man*, the *hiddush* has two denotations:

1. *A Cognitive Denotation*. An "ideal" *hiddush* in the scholarly style of Brisk is the process of creating ideal structures that are the foundations of Halakhah, a process analogous to that in Cohen's philosophy of creating objects in cognition by means of judgments. This is *hiddush* for its own sake, entirely uninterested in the practical, qualitative world. This is the dominant denotation in Part One of *Halakhic Man*.
2. *A Concrete Denotation*. Deriving concrete halakhot ("practical Halakhah") from the sources in order to implement them in the sensorial-qualitative world. This *hiddush* has practical-teleological aspects, up to the messianic ideal of amending the world,[6]

---

[4] *Ethik des reinen Willens*, 134–135, 281.
[5] *Äesthetik des reinen Gefühls*, 24.
[6] See R. Aaron Lichtenstein, "An Overview of Rav J. B. Soloveitchik Philosophy" [Hebrew], *Alon Shevut* 140–141, 1994, 16.

when Halakhah becomes the actual controlling order. This is the denotation added in Part Two.

Accordingly, the halakhic activity of the *hiddush* in Part Two of *Halakhic Man* is manifest in three different ways:

1. *Hiddush as Creativity*. Using judgments to create objects. This intra-cognitive expression prevails in Part One of *Halakhic Man*.
2. *Hiddush as Correspondence*. Realizing Halakhah in the qualitative-sensorial world or making the ideal halakhic world conform to the sensorial world outside cognition that, as noted, is added in Part Two of *Halakhic Man*.

A new realm is then added to these two, to be discussed in detail in the next two chapters:

3. *Hiddush as Self-creation*. Ultimately, halakhic activity leads to a re-creation of the personality, when halakhic man is transformed into a "man of God."

In Part Two of *Halakhic Man*, the reader encounters, for the first time, the concrete-active denotation of *Halakhah* on philosophical-systematic grounds. This denotation is added to the meaning of *Halakhah* in Part One, where it refers to the analytical process of study prevalent in the Brisk yeshiva.

The reason for adding this denotation is that, in Part One of *Halakhic Man*, R. Soloveitchik discusses the cognition and consciousness of halakhic man with the aid of Cohen's epistemology and, in the last sections, even turns to the personality features deriving from them. The methods he adopts in Part One are distinctively epistemological. In Part Two, R. Soloveitchik addresses the pure will and the creativity of halakhic man or, more precisely, the realms of ethics and aesthetics,[7] and indeed leaves room for extra-cognitive activity as well. Although R. Soloveitchik fully adopts Cohen's approach when describing halakhic man's cognition, he goes beyond this idealistic approach when turning to the ethical and aesthetic realms. Ultimately, however, discerning readers understand that the first, idealist meaning is dominant in the creative realm as well.

---

[7] See Annie Becq, "Creation, Aesthetics, Market: Origins of the Modern Concept of Art," in *Eighteenth-Century Aesthetics and the Reconstruction of Art*, ed. Paul Mattick Jr. (Cambridge: Cambridge University Press, 1993), 240–254.

Since R. Soloveitchik discusses a different realm in Part Two of *Halakhic Man* and applies to it other analytical philosophical categories, he returns to issues he had discussed in Part One from the new perspective of moral activity and the aesthetics of creative activity. Two such issues concern him at the opening of Part Two:

1. Messianism and the correspondence between the experiential world and ideal halakhic cognition.
2. The attitude to Kabbalah and to Jewish mysticism.

Concerning the first issue, his conclusions are largely opposed to those he had reached in Part One, and concerning the second, he persists in his negative attitude.

Again: An Eschatological Telos

R. Soloveitchik begins Part Two by actually highlighting the eschatological dimension of the halakhic *hiddush*. Between the lines, the *hiddush* emerges as a kind of messianic activity:

> This notion of *hiddush*, of creative interpretation, is not limited solely to the theoretical domain but extends as well into the practical domain, into the real world. The most fervent desire of halakhic man is to behold the replenishment of the deficiency in creation, when the real world will conform to the ideal world and the most exalted and glorious of creations, the ideal Halakhah, will be actualized in its midst. The dream of creation is the central idea in the halakhic consciousness—the idea of the importance of man as a partner of the Almighty in the act of creation, man as creator of worlds. This longing for creation and the renewal of the cosmos is embodied in all of Judaism's goals. And if at times we raise the question of the ultimate aim of Judaism, of the telos of the Halakhah in all its multifold aspects and manifestations, we must not disregard the fact that this wondrous spectacle of the creation of worlds is the Jewish people's eschatological vision, the realization of all its hopes. (99)

Halakhic man's "most fervent desire" then is definitely messianic: to see reality's full correspondence with halakhic cognition. Ostensibly, this and the following passages contradict the conclusions emerging from Part One of *Halakhic Man*, where R. Soloveitchik argues that halakhic man is not interested in the correspondence between the thought process creating ideal structures and concrete reality. For instance:

> And when many halakhic concepts do not correspond with the phenomena of the real world, halakhic man is not at all distressed. His deepest

> desire is not the realization of the Halakhah but rather the ideal construction which was given to him from Sinai, and this ideal construction exists forever. (23)

The most fervent desire, then, is anti-messianic, since the scholarly models "exist forever." The third verse harmonizing between two approaches presents the desire for full realization of Halakhah as the telos of halakhic man, that is, as a fervent desire and as the fit between reality and pure cognition (similar to the role of the power of judgment in Kant's theory) but not as a constitutive cognitive component. The contradiction in R. Soloveitchik's writings is not resolved, but the drift is clear: messianic hope is not an essential motive in the cognition and personality of halakhic man, but it does exist as a telos, as R. Soloveitchik writes in another passage:

> And when halakhic man stands up and prays, "May it be Thy will . . . that Thou wilt replenish the deficiency of the moon and it will no longer be diminished" [in the prayer following the blessing over the new moon], he refers to the replenishing of the deficiency of the real cosmos which does not correspond to the ideal image of reality. . . . However, as long as this desire cannot be implemented, halakhic man does not despair, nor does he reflect at all concerning the clash of the real and the ideal, the opposition which exists between the theoretical Halakhah and the actual deed, between law and life. (28–29)

R. Soloveitchik addresses at least two areas in *Halakhic Man*—pure thought and pure will—adopting in both Hermann Cohen's solution for Kant's basic duality. In the area of pure thought, R. Soloveitchik champions the unity and continuity of thought (both scientific and halakhic), which creates its objects from their origin, and *Halakhic Man* is devoted to the application of this Cohen principle to the cognition of halakhic man. This explains the opposite option: the lack of fit between the concrete world that is outside cognition and halakhic-ideal cognition is of no concern to the pure, ideal cognition of halakhic man; he is indifferent to this incongruence although he is aware it exists, in the sense of the external-sensorial world posing a problem to cognition. Halakhic man deals only with pure experience, that is, with pure halakhic principles (as formulated in the Talmud, in the *Code of Maimonides*, and so forth).

Concerning ethics, R. Soloveitchik endorses the Kantian model on the duality of morality in the present and in the concrete world. So far, halakhic cognition does not entirely match the possibility of imposing law (and actions in Kant) at the concrete level. But R. Soloveitchik does not hold that duality is an impossible hurdle to overcome,

and Cohen's unified outlook can be applied to halakhic man in the messianic future. Possibly, then, R. Soloveitchik does not fully endorse Cohen's moral approach because moral discourse, unlike epistemic discourse, precludes the possibility of relating to the qualitative sensorial world (where Halakhah is realized) as merely a "problem" or a stimulus. This is a world of values and virtues, and imposing the law is essential. The moral and aesthetic behavior of halakhic man must acknowledge the actual application of the law not only as a stimulus but as an actual non-cognitive activity.

Reformulated in Kantian terms, this means that the correspondence between concrete actions and pure halakhic cognition is a matter of practical reason and practical judgment. Striving for such a perfect correspondence is presented as the realization of a messianic desire. The twofold structure of *Halakhic Man* can now be reconsidered: Part One of the essay, dealing with pure thought, deals with the *exposure* of creative principles of thought, while Part Two deals with *hiddushim* as *an ethos and a creation*. The messianic hope latent in the prayer to replenish the deficiency of creation is compatible with indifference to the "clash of the real and the ideal," since the former is concerned with teleological will and aesthetic activity and the latter is concerned with pure halakhic thought.

This distinction between thought as opposed to will and creativity clarifies another antithesis adopted by R. Soloveitchik. The prayer to replenish the deficiency of the moon presents God as an active agent implementing the messianic process. Halakhic man awaits and expects the divine initiative and prays for its realization. By contrast, the implication at the opening of Part Two is that halakhic man, by means of the halakhic *hiddush*, actively contributes to the advancement of the messianic process ("replenishment of the deficiency in creation"). The creative interpretation of Halakhah leads to the "renewal of the cosmos" and to the "wondrous spectacle of the creation of worlds." The lacking, deficient present world will be replaced by the world of the future, which conforms to Halakhah perfectly and in whose creation halakhic man plays an essential role. Halakhic man's pure will, which according to Cohen's model emerges through the theory of law, sets up the telos of Halakhah's full realization. R. Soloveitchik uses messianic-apocalyptic models and pours halakhic contents into them.[8] The motif of a new world built upon the ruins of this one is apocalyptic;

[8] See above, 135–137.

here, it assumes a meaning that is almost allegorical. A world that corresponds to ideal Halakhah does not compel the replacement of the current one but the change of its normative character and its priorities. The concern with "*lomdus*" and with the *hiddushim* of Torah contributes to the shaping of a "new" world. In Part One, then, when R. Soloveitchik describes halakhic thought, it is God who actualizes the messianic process because the cognition of halakhic man is entirely indifferent to it. Halakhic thought, which develops in an infinite process within the cognition of halakhic man in this world (and perhaps only within it), has no need for any other world. But the teleological will of halakhic man ("the ought") retains an essential affinity with the replenishing of creation and the spurring of the messianic process.

R. Soloveitchik seems to hint at two denotations in his use of the concept of telos in the passage above, and in his use of the Greek term for it in the original Hebrew version of *Halakhic Man*. In its scientific-Aristotelian meaning, this term plays an important role in the development of medieval western philosophy in general, and of Jewish philosophy in particular. In Aristotelian philosophy, telos has two denotations:

1. An inherent cause of the material or the object, which drives it to attain its most perfect essence (form).
2. A cause that brings the object to fulfill the needs of superior species (for instance, animals were meant to be used for feeding, clothing, and fulfilling other needs of human beings).[9]

Both denotations allude to the dual status of the messianic idea in the two parts of *Halakhic Man*:

1. A social-cosmic meaning, parallel to the second denotation of telos. According to this meaning, halakhic man yearns for a world outside cognition where Halakhah will be fully realized. This meaning appears in Part Two of *Halakhic Man*.
2. A personal meaning, parallel to the first denotation of telos. According to this meaning, R. Soloveitchik suggests that, in the dimension of pure will as well, halakhic man is not interested in

[9] See W. D. Ross, *Aristotle* (London: Methuen, 1977), 126. For Aristotle, telos is a complex issue for additional reasons, and I will not elaborate here. R. Soloveitchik was also familiar with these questions from his study of Jewish philosophy. See, for instance, Dov Schwartz, *Central Problems of Medieval Jewish Philosophy* (Leiden & Boston: Brill, 2005), 27–59.

the cosmic-external aspect of redemption but only in ideal-epistemic perfection. This is the dominant meaning in Part One of *Halakhic Man* and appears also in Part Two.

Mysticism as Metaphor: (1) The Book of Creation

R. Soloveitchik's new interpretation of the messianic idea as the purpose of will continues to unfold in the rest of the discussion:

> The Halakhah sees the entire Torah as consisting of basic laws and halakhic principles. Even the Scriptural narratives serve the purpose of determining everlasting law. "The mere conversations of the servants of the fathers are more important that the laws [Torah] of the sons. The chapter dealing with Eliezer covers two or three columns, and [his conversation] is not only recorded but repeated. Whereas [the uncleanliness of] a reptile is a basic principle of Torah law [*gufei Torah*], yet it is only from an extending particle in the Scriptures that we know that its blood defiles as flesh" (Gen. Rabbah 60: 11). Our Torah does not contain even one superfluous word or phrase. Each letter alludes to basic principles of Torah law, each word to "well-fastened,"[10] authoritative, everlasting halakhot. From beginning to end it is replete with statutes and judgments, commandments and laws. The mystics discern in our Torah divine mysteries, esoteric teachings, the secrets of creation, and the *Merkabah* [the chariot of Ezekiel's prophecy]; the halakhic sages discern in it basic halakhot, practical principles, laws, directives, and statutes. "The deeds of the fathers are a sign for the sons" [cf. Nahmanides, *Commentary on the Torah*, Gen. 12: 6].[11] And this sign—i.e., the vision of the future—constitutes a clear-cut halakhah. Halakhic man discerns in every divine pledge man's obligation to bring about its fulfillment, in every promise a specific norm, in every eschatological vision an everlasting commandment (the commandment to participate in the realization of the prophecy). The conversations of the servants, the trials of the fathers, the fate of the tribes, all teach the sons Torah and commandments. The conversations of the servants of the fathers are, in truth, the Torah of the sons. The only difference between the conversation of Eliezer and the Scriptural portion concerning the reptile is that the former extends over two or three columns while the latter is but a brief passage. (100)

R. Soloveitchik overturns the meaning of the midrash from Genesis Rabbah. The homilist had intended to ascribe greater significance to the mere conversations of the servants of the fathers than to the Torah

---

[10] In original Hebrew, *masmerot netu'im*, according to Ecclesiastes 12: 11.
[11] See also *Genesis Rabba* 70: 6 (Theodor-Albeck edition, 803); TB Sotah 34a.

of the sons, meaning Halakhah (the laws of purity). R. Soloveitchik deliberately disregards the value of the advantage implied in the opening sentence of the cited midrash: "The mere conversations of the servants of the fathers are more important that the laws [Torah] of the sons." His reason for this disregard is that, for halakhic man, no issue is preferable to any other: the conversation of the servants of the fathers is important because it serves as a source of Halakhah. It is thus of equal value to the Torah of the sons, since it is inseparable from it. Why are the stories about the fathers so much longer than the legal sections, at least in Genesis? Halakhic man does not seem to think this is a significant question, inasmuch as he shows no interest in the aesthetic aspect of the biblical book's length. For him, the fathers' stories are important because of the laws that can be learned from them. His interpretation is one-sided, dwelling on the halakhic *hiddush* that scholarship might glean from the sources.

His presentation of halakhic-ideal interpretation as close to the kabbalistic interpretation of "the mystics" is now clear. Kabbalists, whose views of the Torah reflects an independent additional interpretation, are represented (in note 102, 155) by Nahmanides and by the author of the Zohar.[12] Prima facie, R. Soloveitchik cites them as supporting evidence. For instance, the Zohar's exegesis of Numbers 8–12, which R. Soloveitchik cites in this note, indicates that the stories in the Torah are the garb whereas the commandments are the body. The author of the Zohar despises the fools who stop at the narrative level and do not pay attention to the body, that is, to the divine commandment. But the author of the Zohar does not stop here and argues that the sages go deeper, beyond the commandment, and contemplate the *soul* [*nishmeta*] of the body.[13] This interpretation explicitly contradicts that of scholarly halakhic man, who sees the halakhic object as the highest (and perhaps the only) layer of the Torah. R. Soloveitchik could have presented other contiguous interpretations such as, for instance, a philosophical-allegorical exegesis, which is indeed alien to halakhic *hiddushim*. Yet, he deliberately chooses Kabbalah as the alternative interpretation.

---

[12] See for instance, Gershom Scholem, *On the Kabbalah and Its Symbolism*, tr. Ralph Manheim (New York: Schocken Books, 1996), 32–86; Moshe Idel, "The Concept of Torah in Heikhalot Literature and Kabbalah" [Hebrew], *Jerusalem Studies in Jewish Philosophy* 1 (1981), 23–84.

[13] See Fischel Lachower and Isaiah Tishby, eds., *The Wisdom of the Zohar: An Anthology of Texts*, tr. David Goldstein (Oxford: Oxford University Press, 1989), 537–538; 574–575.

One long accepted claim is that the biblical text has two layers of meaning. The main reason for the eruption of the thirteenth-century controversies over Maimonides' works and over philosophy is the suspicion that rationalists no longer accept the halakhic meaning of the text and do not assume the implications of its dual meaning (philosophy at the deep level and Halakhah at the literal level). Kabbalists were hardly ever suspected of rejecting the halakhic meaning in favor of the mystical, the theosophical, or the ecstatic.[14] R. Soloveitchik, by contrast, holds that no dual meaning is possible for halakhic man: "Therefore, if the Torah spoke at length about the creation of the world and related to us the story of the making of heaven and earth and all their host, it did so not in order to reveal cosmogonic secrets and metaphysical mysteries but rather in order to teach *practical* Halakhah" (100). Whereas kabbalistic interpretation was presented above, at least overtly, as an alternative that parallels halakhic interpretation, now it explicitly opposes it. For halakhic man, the Torah is not meant to reveal secrets, and only halakhic interpretation is acceptable as conforming to divine intentions.

In the passage cited, R. Soloveitchik again harnesses the messianic idea in order to interpret it in halakhic terms: "in every eschatological vision an everlasting commandment (the commandment to participate in the realization of the prophecy)." Messianism, then, is meaningful only as long as it is a source of Halakhah, and not beyond it. In order to make this statement, R. Soloveitchik creates an artificial *hiddush*: the commandment learned from the apocalyptic chapters of eschatological prophecies is the "obligation" to participate in the realization of the prophecy. R. Soloveitchik could simply have pointed to the commandments related to prophecy that will recur in the future, which the enumerators of the commandments had already specified. But he does not renounce the creative dimension: according to halakhic man, processes of halakhic *hiddush* are also part of the eschatological chapters. The current discussion thus helps to base the messianic idea on the foundations of ideal Halakhah.

From this point onward, R. Soloveitchik turns to a surprising but premeditated move. He uses the Book of Creation as a metaphor for

[14] See Moshe Idel, *Absorbing Perfections: Kabbalah and Interpretation* (New Haven: Yale University Press, 2002).

halakhic creativity, which ultimately presents mysticism as posing a dire threat to halakhic man:

> The peak of religious ethical perfection to which Judaism aspires is man as creator. When God created the world, He provided an opportunity for the work of His hands—man—to participate in His creation. The Creator, as it were, impaired reality in order that mortal man could repair its flaws and perfect it. God gave the Book of Creation—that repository of the mysteries of creation—to man, not simply for the sake of theoretical study but in order that man might continue the act of creation. "As soon as Abraham had understood, fashioned, engraved, attached and created, inquired and clearly grasped [the secret of creation], the Lord of the universe revealed Himself to him,[15] called him His friend, and made a covenant with him between the ten fingers of his hand. . . ." Man's task is to "fashion, engrave, attach and create," and transform the emptiness in being into a perfect and holy existence, bearing the imprint of the divine name. (101)

This passage is suffused with ideas and intimations involving mystical and magical implications: (1) Creating an impaired world to allow man to repair its flaws,[16] which suggests a theurgic approach. (2) The ancient mystical notion that the world was created according to the Book of Creation, that is, through mysterious and secret techniques that combine letters, numbers, and so forth. (3) The magical interpretation of this book, which developed in the course of time, to which this passage alludes when mentioning the combinations of names.[17] Paradoxically, the various manifestations of mysticism that halakhic man rejects become a metaphor for his creative activity. Just as in Cohen's philosophy cognition creates its objects from their origin and pure will creates its laws, so does halakhic *hiddush* create the objective world, meaning the halakhic-ideal world, and the derivation of Halakhah from Scripture creates ideal halakhot ("the fact of Halakhah").

---

[15] "To him" (*alav*), rather than "supreme" (*elyon*) is the correct version. See Ithamar Gruenwald, "Preliminary Critical Edition of Sefer Yezirah," *Israel Oriental Studies* 1 (1971), 174.

[16] On human creativity in the Book of Creation see Yehuda Liebes, *Ars Poetica in Sefer Yetsira* [Hebrew], (Tel Aviv: Schocken, 2000), 141–148.

[17] See Moshe Idel, *Golem: Jewish Magical and Mystical Traditions on the Artificial Anthropoid* (Albany: SUNY Press, 1990), 9–27. Many studies have been published on the links of the Book of Creation to science in general and to magic in particular. See Y. Tzvi Langermann, "On the Beginnings of Hebrew Scientific Literature and on Studying History Through 'Maqbilot' (Parallels)," *Aleph: Historical Studies in Science and Judaism*, 2 (2002), 169–189. In the same volume, see Steve Wasserstrom, "Further Thoughts on the Origins of *Sefer Yesirah*," 201–221.

The *hiddushim* of speculative Halakhah are thus creative acts. Halakhic man is literally a creator: he creates the objects *ex nihilo*, that is, from their infinitesimal origin. Jewish mysticism and Kabbalah turned a metaphor into an idealist process of creative halakhic cognition. But why? Could not R. Soloveitchik find another metaphor for the creative element of halakhic cognition, namely, for the *hiddushim* of Torah? The answer is twofold:

1. *At the Substantive-comparative Level*: Only in mystical and magical traditions do we find creativity of the fabulous variety ascribed to cognition (objectification). Although rationalist traditions also hint at the possibility of miracles,[18] creation *ex nihilo*, or the creation of objects from their origin, appears mainly in texts with magical meaning. But halakhic cognition is not entirely coextensive with Cohen's ideal cognition, since Halakhah is normative. Knowledge of the mathematical natural sciences is indeed an integral part of halakhic cognition, but the normative element plays an essential role in it.[19] The neo-Kantian model, then, cannot fully explain the creation of objects through halakhic *hiddushim*, nor can the mystical-magic mechanism. Between the action of the magician and its so-called results is a process that cannot be explained in scientific terms.
2. *At the Polemical Level*: For halakhic man, speculative Halakhah is the only avenue for creativity in Judaism. The use of mystical-magic sources, therefore, paradoxically shows that a halakhic interpretation, such as that of the Book of Creation, is the only one possible in regard to these sources. The sole meaning of the move that R. Soloveitchik endorses in order to clarify the cognition of halakhic man is thus to remove the original contents from these sources and replace them with a singular halakhic interpretation.

[18] See Aviezer Ravitzky, "The Anthropological Theory of Miracles in Medieval Jewish Philosophy," in *Studies in Medieval Jewish History and Literature*, vol. 2, ed. Isidore Twersky (Cambridge: Harvard University Press, 1979), 231–272.

[19] Note, however, that R. Soloveitchik reduces halakhic concepts to their mathematical dimensions ("quantities and measures") and they are therefore so close they coalesce. The definition of the halakhic system as normative, as noted, hardly affects the comparison with Cohen's epistemology.

Mysticism as Metaphor: (2) Creation

From the Book of Creation, R. Soloveitchik turns to a mythical interpretation of creation as a metaphor for the halakhic endeavor. He begins with several verses from Genesis 1, beginning with verse 2, "The earth was chaos and void, and darkness was upon the face of the deep," and ends with the separation between light and darkness, the waters from the waters, earth and the firmament, earth and the seas (verse 10), dwelling, as it were, on the fundamental antinomies of creation. Note that he opens with chaos and darkness, which is a negative foundation, seeking to present evil as a vital-mythical element that threatens the world's very existence:

> When God engraved and carved out the world, he did not entirely eradicate the chaos and the void, the deep, the darkness, from the domain of His creation. Rather, he separated the complete, perfect existence from the forces of negation, confusion, and turmoil and set up cosmic boundaries, eternal laws to keep them apart…
>
> However, the forces of relative nothingness[20] at times exceed their bounds. They wish to burst forth out of the chains of obedience that the Almighty imposed upon them and seek to plunge the earth back into chaos and the void. It is only the law that holds them back and bars the path before them…
>
> However, this relative "nothingness" is plotting evil, the deep is devising iniquity,[21] and the chaos and void lie in wait in the dark alleyways of reality and seek to undermine the absolute being, to profane the lustrous[22] image of creation.…The deep wishes to cast off the yoke of the law (*hok*), to pass beyond the boundary (*hug*) and limit that the Creator set up and carved out and inundate the world and the fullness thereof. However, at the rebuke of the Almighty, it flees in retreat. From the sound of His thunder it is driven back and hastens to its "lair"—the lair[23] of nothingness…
>
> All of kabbalistic literature is imbued with this idea. The "other side," the "husks," the "mighty deep," the "angels of destruction," the "offspring

---

[20] Relative nothingness refers to the qualitative-sensorial world (*Wahrnehmung*). On the meanings of the term see below, and compare *Das reine Denken*, 40.

[21] In the Hebrew original *amal va-aven*, according to Psalms 10: 7; 90: 10.

[22] According to *Genesis Rabba* 53: 6 (Theodor-Albeck edition, 561); 59: 8 (Theodor-Albeck edition, 636); 84: 8 (Theodor-Albeck edition, 1010), and others.

[23] In another context, see Rashi on Genesis 1: 15.

> of chaos,"[24] etc., all symbolize the realm of emptiness and the void, the domain of "nothingness," devoid of any image or stature, that does battle with the glorious existence enveloped by the luster of the image of the Divine Presence.
>
> However, this view, which threads its way[25] through the entire course of Jewish thought is not just a mysterious theoretical notion but a practical principle, a fundamental ethico-halakhic postulate. (102–105)

Creation, therefore, has two meanings. One is to bring an object into existence, and the other to prevent its nullification and collapse. This prevention attempt assumes strength and validity in light of the negative-mythical forces that threaten to destroy creation and preclude its existence. The process of creation, then, includes two stages: (1) Being—God created natural order; (2) Preservation—God preserves this order from the demonic forces threatening to destroy it ("the deep wishes to cast off the yoke of the law"). The parallel between divine creativity and the creativity of halakhic man works as follows: halakhic man creates the ideal halakhic objects from their origin (the purifying spring, the sacred time, and so forth) out of experience, that is, out of halakhic-mathematical laws, and he also prevents negative forces from undermining these laws. "Nothingness" and "void" seek to harm the foundations of orderly existence. According to R. Soloveitchik, then, halakhic creativity not only parallels divine creativity but also completes it: "Just as the Almighty constantly refined and improved the realm of existence during the six days of creation, so must man complete that creation and transform the domain of chaos and void into a perfect and beautiful reality" (106).

What are the forces of darkness? What is the negative aspect of halakhic man's creativity? What demonic forces does he struggle against in order to protect his creations? In R. Soloveitchik's mythical description of creation, the answer is clear: these are the negative powers described in ancient mysticism and in the Kabbalah (the "other side," the "husks," and so forth). The great danger in these powers appears to be the comparison with divine forces and the blurring of the borders between them. The positive aspects of the divine world fear the evil

---

[24] For his terms on evil, R. Soloveitchik draws mainly on the Zohar. See Lachower and Tishby, *The Wisdom of the Zohar*, vol. 2, 447 ff.

[25] M. Midot 83: 1; TB Zevahim 53a, and more.

impact of the impurity bordering upon them. The law is what prevents the dangerous encroaching of the impure—at the cosmic level, the law of nature, and at the cognitive-ideal level of halakhic man, halakhic law. The cognitive activity of halakhic man pushes myth out of the epistemic realm. Whereas the power of mysticism lies in the creation of the void and the lack, the power of halakhic cognition lies in the creation of objective reality.

R. Soloveitchik's previous discussion showed that evil-seeking nothingness is the "flaw" in creation, that is, the lack of correspondence between external reality and ideal halakhic consciousness.[26] But halakhic man is opposed to any concern with this gap. He knows that sinking into this incongruence is an ominous move because it is a slide into the realm of mythical messianism, into the realm of a dream about the future holding within it yet a new dream world, where order slides into fantasy. Moreover, it is not only addiction to the messianic idea that R. Soloveitchik dreads. He also seems to intimate that halakhic man is afraid that myth might overwhelm him, and his cognitive activity is meant to remove unreal elements from his cognition. In the present context, then, the term *nothingness* has two meanings:

1. One is the qualitative world of sensorial experience (*Wahrnehmung*), which includes an intensive component or magnitude that cannot be reduced to the laws of reason—the sense, or *Empfindung*—and fluctuates "from its beginning, the pure intuition = 0, to any arbitrary magnitude,"[27] that is, between various degrees of relative nothingness. According to this meaning, the mission of halakhic man is to create a correspondence between the chaos outside cognition and the ideal halakhic order.
2. The mythical realm. According to his meaning, the aim of halakhic man's creativity is to push away mystery and myth and impose total halakhic rationality. "Nothingness" symbolizes mysticism and Kabbalah, which produce the world of demons.

---

[26] "The most fervent desire of halakhic man is to behold the replenishment of the deficiency in creation, when the real world will conform to the ideal world and the most exalted and glorious of creations, the ideal Halakhah, will be actualized in its midst" (99). See also below.

[27] Immanuel Kant, *Critique of Pure Reason*, tr. Paul Guyer and Allen M. Wood (Cambridge: Cambridge University Press, 1998), 290. See *Das reine Denken*, 99.

Halakhic man thus wages a dual struggle: bringing the qualitative chaotic world to "surrender" to the halakhic world of ideal structures (a "surrender" that results from its very redundancy once reason has created its objects), and the surrender of myth and mystery to the halakhic-rational-normative world.

R. Soloveitchik continues to develop the notion of the "flaw" and again resorts to the unique style prevalent in *Halakhic Man*:

> When a Jew goes outside and beholds the pale moon casting its delicate strands of light into the empty reaches of the world, he recites a blessing. The natural, orderly, cosmic phenomenon precipitates in his religious consciousness both melancholy thoughts and bright hopes. He contemplates this spectacle of the lawful cycle of the waxing and waning of the moon and sees in it a symbol of defectiveness and renewal. Just as the moon is "defective" and then "renewed," so creation is "defective" and will be "renewed," "replenished." To be sure, God "with His word created the heavens. [He] gave them a fixed time so that they should not alter their appointed charges" [from the blessing over the new moon]. We are not speaking here about any mythological notions, heaven forbid, but about the cognition of the natural law governing the courses of the heavenly hosts based upon clear, precise astronomical knowledge. However, the law itself, the orderly movement itself, symbolizes a wondrous mystery. The very court which would make its astronomical calculations "in the same manner as the astronomers, who discern positions and motions of stars, engage in calculations,"[28] would go outside and recite a blessing over the new moon. The Jewish people see in the orderly and lawful motion of the moon in its orbit a process of defectiveness and renewal, the defectiveness of the creation and its renewal, its replenishment. They, therefore, whisper a strange silent prayer: "May it be Thy will…to replenish the defect of the moon so that there be in it no diminution. And let the light of the moon be like the light of the sun, like the light of creation, like it was before it was diminished. As it is said: 'and God made the two great lights' (Gen. 1: 16)" [from the prayer following the blessing over the new moon]. The Jewish people, by means of this prayer, give allegorical expression to their hope for the perfection of creation and the repairing of the defects in the cosmos, to their hope for the realization of that great and awesome symbolic eschatological vision: "The light of the moon shall be as the light of the sun" (Isa. 30: 26). (106–107)

R. Soloveitchik thoroughly describes here the redemptive creativity of halakhic man: he sees a world in which cyclical regularity is faulty, as it were ["the defectiveness of the moon"]. In the wake of this vision, two dimensions come to the fore, symbolized by a blessing and a prayer:

---

[28] *The Code of Maimonides*, Laws of the Sanctification of the Month, 1: 6.

1. *A Blessing*. In order to promote the materialization of his yearning, that is, to objectify it, halakhic man blesses the vision ("blessing over the moon"), meaning he finds its parallel in the "fact of Halakhah," in a halakhic order founded on scientific laws. The blessing over the moon, then, symbolizes the epistemic dimension.
2. *A "Strange" Prayer*. Halakhic man longs for a world characterized by a stable and perfect order (without "deficiency") that will enable him to develop a full halakhic-critical consciousness. He promotes the "irritating" event, as it were, that is absorbed by his senses, striving toward perfect correspondence with halakhic cognition. The prayer, then, reflects the dimension of will and ethics.

Another kind of halakhic creativity now emerges: the desire to draw qualitative reality closer to epistemic halakhic objects. R. Soloveitchik will state below that "the perfection of creation, according to the view of halakhic man, is expressed in the actualization of the ideal Halakhah in the real world" (107–108). His words here, however, reflect precisely the opposite process: adapting external-qualitative reality to ideal halakhic orders. How? In this passage, R. Soloveitchik hints at a parallel to the mathematization of cognition that comes to the fore in the philosophy of Hermann Cohen. Halakhic man observes the course of the moon and quantifies the spectacle ("calculations"). This process ends with the formulation of a blessing. The correspondence with ideal halakhic cognition, therefore, develops as follows:

1. The absorption of the qualitative impressions ("pale moon casting its delicate strands of light").
2. The creation of a mathematical-physical model out of a "fact of science" that corresponds to these impressions ("the cognition of the natural law governing the courses of the heavenly hosts based upon clear, precise astronomical knowledge").
3. The mathematical representation of these qualitative impressions by no less than the official halakhic authority ("the very court which would make its astronomical calculations").
4. The coalescence of "the fact of Halakhah" and "the fact of science," that is, the correspondence of the mathematical-physical model or its conversion into ideal halakhic order through the blessing over the moon ("would go outside and recite a blessing over the new moon").
5. The correspondence between order and the reality outside cognition,

> that is, the critical-conscious stage, is not perfect ("the people of Israel . . . defectiveness and renewal").[29]

Between the second and third stage, R. Soloveitchik writes: "However, the law itself, the orderly movement itself, symbolizes a wondrous mystery." This statement is itself a wondrous mystery, since these are the precise words that R. Soloveitchik uses to describe *homo religiosus* (as opposed to both cognitive man and halakhic man). For *homo religiosus*, "the concept of lawfulness is in itself the deepest of mysteries" (7). By contrast, the passage above describes *halakhic man* who, as cognitive man, does not seek the mystery of existence but its lawfulness. Despite his reservations about myth in the cited passage, therefore, R. Soloveitchik is forced to admit that myth is helpful in explaining halakhic creativity, and particularly the critical stage that examines the correspondence with reality and finds in it faults and deficiencies. This constraint had already been evident above, when R. Soloveitchik used a magical interpretation of the Book of Creation in order to explicate the intensiveness of creativity in halakhic cognition. In terms of idealist philosophy, the following formulation could be offered: the development of thought in the disclosure of its infinitesimal foundations is a process explicated by recourse to the aesthetic dimension (metaphor). R. Soloveitchik holds that the mythical style excels in describing this dimension, but the reference to myth here is meant to prove the opposite: the location of the external-qualitative event and phenomenon in the context of ideal cognition and consciousness is precisely the barrier preventing a takeover by myth, which is symbolized by nothingness and by the negative forces.

R. Soloveitchik recurrently emphasizes that he does not perceive the eschatological vision literally: the miraculous-apocalyptic meaning must be rejected and the vision must be interpreted in allegorical-naturalistic terms. In other words, the true mission of halakhic man is to shift the "symbolic" apocalyptic myth to natural dimensions. The hope of replenishing the deficiency of the moon has one aim—the correspondence between reality and halakhic cognition, so that a

---

[29] The reference is not to an apocalyptic world where another, fantastic order rules. R. Soloveitchik emphasizes he is dealing with a "symbolic eschatological vision" and repairing an "allegorical" deficiency. He merely intends that the given concrete world is not generally built for the rule of Halakhah. See also below.

suitable halakhic consciousness may come into being. The "mystery" of halakhic man is thus the hope of a world with valid halakhic laws, where a perfect halakhic consciousness can be shaped. R. Soloveitchik again clarifies between the lines: halakhic man has nothing in common with mystery; quite the contrary, he rejects it. The formal resemblance with the quest for the esoteric masks an abysmal gap: *homo religiosus* interprets the esoteric as miraculous-apocalyptic worlds (the light of the moon as the light of the sun), whereas halakhic man interprets this element as the lack of correspondence between reality and absolute halakhic order. Alternatively, the esoteric in the natural phenomenon merely conveys the inability to develop a perfect consciousness in light of the current reality. The calculation of the court removes, on the one hand, the cover of "mystery" from the qualitative phenomenon, that is, it discloses its pure mathematical parallels; on the other hand, it reveals the gap between the present and the "mysterious" future world, which is concerned with the full affirmation of naturalistic Halakhah as a way of life that characterizes the future world. Halakhic man hopes for a messianic world so that his consciousness might be perfect, although his "naïve" epistemic process is already perfect. Clearly, then, entire areas within Halakhah lack perfect expression in the concrete world (for instance, purity and impurity). Current reality, therefore, does not confirm the full objectification of halakhic cognition. Only in the future, with the emergence of a society based on halakhic foundations, will halakhic consciousness be perfect.

Creative Man and the Rejection of Mystery

According to R. Soloveitchik, creativity and striving for creativity are features that characterize human existence. "Man is obliged to perfect what his Creator 'impaired'" (107). Creativity is a constitutive activity at all levels of realization, whether immature or ripe, personal or general. R. Soloveitchik illustrates this statement relying on a story by Y. L. Peretz about an orphan. Two issues occupy the wretched, starving protagonist of the story: finding another scallion, and amending the world with the coming of the messiah or, in R. Soloveitchik's terms, "cosmic righteousness."[30] The amendment, the re-creation of the world,

[30] 158, n. 114.

is a characteristic of human beings, even at their lowest ebb. R. Soloveitchik insists on clarifying that creativity is not mystical-kabbalistic. For this purpose, he returns to the distinction between halakhic man and *homo religiosus* ("the divergent approaches of Halakhah and mysticism" [108]), but now as creative types:

> A new aspect of the idea of holiness arises here. We have already emphasized, that while the universal *homo religiosus* understands the concept of holiness as a rebellion against this world, as a daring attempt to scale the very heights of transcendence,[31] Judaism explains the concept of holiness from the perspective of the secret of "contraction." Holiness is the descent of divinity into the midst of our concrete world—"For the Lord thy God walketh into the midst of thy camp . . . therefore shall thy camp be holy" (Deut. 23: 15)—is the "contraction" of infinity within a finitude bound by laws, measures, and standards, the appearance of transcendence within empirical reality, and the act of objectification and quantification of that religious subjectivity that flows from hidden sources. Now, however, in the light of the idea of creation stored up in the treasure-house of Halakhah, this outlook on holiness takes on additional dimensions. The dream of creation finds its resolution in the actualization of the principle of holiness. Creation means the realization of the idea of holiness. The nothingness and naught, the privation and the void are rooted in the realm of the profane; the harmonious existence, the perfected being are grounded in the realm of the holy. If a man wishes to attain the rank of holiness, he must become a creator of worlds. If a man never creates, never brings into being anything new, anything original, then he cannot be holy unto his God. That passive type who is derelict in fulfilling his task of creation cannot become holy. Creation is the lowering of transcendence into the midst of our turbid, coarse, material world; and this lowering can take place only through the implementation of the ideal Halakhah in the core of reality (the realization of the Halakhah = contraction = holiness = creation). (108–109)

R. Soloveitchik appears to be repeating his comments in section viii of Part One, discussed at length above.[32] Contraction is twofold here as well: from subjectivity to objectivity in the creation of the objects within cognition, and from cognition to reality in the creation of consciousness. The emphasis here is on the creative-aesthetic aspect: kabbalistic and mystical terms are perceived as metaphors for the creative process of halakhic cognition. In this sense too, the creative dimension of halakhic man is described according to Cohen's aesthetic criteria:

---

[31] According to Numbers 14: 44.

[32] See above, 163–183, on the discussion of drawing down and contraction as metaphors.

Cohen's philosophical interest is to include aesthetics within the rational system that describes consciousness. At the same time, he insists on distancing this realm from mysticism, since the aesthetic consideration can easily slide into mysticism. Cohen views mysticism as a threat to civilized human existence,[33] and halakhic man too, as noted, relates to mysticism as an existential menace. Despite the differences between the epistemological realm (which has no essential connection with concrete-qualitative reality) and the moral-aesthetic one (which does have such a connection in the ideal of realizing Halakhah in the real world), the creative dimension of halakhic man is inseparable from the epistemic dimension discussed in Part One.

A careful reading of R. Soloveitchik's words in the last passage will show that powers previously presented as negative and mythical ("nothingness and naught, the privation and the void") are presented here as "rooted in the realm of the profane," as if belonging to some neutral domain. The reason for this is simple: here, at the end of section ii of Part Two, R. Soloveitchik discusses the allegorical rather than the realistic dimension, as attested by the equation at the end of the passage. He explicitly points out here how the demonic-mystical terms are emptied of their contents and identified with the obstacles hindering the realization of halakhic consciousness. Contraction, drawing down, and creativity are but metaphors for the correspondence between halakhic consciousness and reality. Almost paradoxically, halakhic man is engaged in a dual struggle of creativity: on the one hand, he contends with the subjectivity that "flows" through quantification and objectification and, on the other, he contends with the profane using the same tools: the realization of the quantified objects in the neutral world, which now becomes "holy." Both religious subjectivity and the profane are described through mythical metaphors, and halakhic man escapes both and overcomes them through creativity. The dual meaning of creativity re-emerges: intra-epistemic creation (overcoming subjectivity), and the affirmation of its reality (overcoming the profane). Mystical tradition signals and symbolizes the aims of halakhic man's struggle, and creativity is his weapon.

---

[33] See Moshe Meir, *Hermann Cohen: New Perspectives* [Hebrew] (Ph.D. dissertation: Hebrew University of Jerusalem, 2000), 76–78. In *Religion of Reason Out of the Sources of Judaism*, Cohen strongly objects to mysticism.

The absolute rejection of mysticism's demonic potential as a feature of the creative process appears at the end of the section in the motif of the microcosm. Creative forces struggle against the forces of void and nothingness not only in the infinite cosmos, but within the person. A "strange dualism" has been poured into human existence (109). Man must choose between "the image of God or the beast of prey, the crown of creation or the bogey of existence, the noblest of creatures or a degenerate creature, the image of the man of God or the profile of Nietzsche's 'superman'" (ibid.). The alternative to halakhic creativity is not only cosmic destructiveness, but also moral decline into nihilism.[34]

Summary

Halakhic man, then, does not envisage a choice between options: "The most fundamental principle of all is that man must create himself. It is this idea that Judaism introduced in the world" (ibid.). Only one possibility is available—halakhic creativity or the destruction of the world. Failure to develop and realize halakhic cognition strengthens the destructive myth, and vice-versa: halakhic creativity develops together with the rejection of the myth about a mystical void. In other words: halakhic man creates himself by prevailing over the remnants of the *homo religiosus* making up his personality. This principle, which draws a sharp distinction between halakhic man and *homo religiosus*, recurs from another direction in the discussion on penitence in the next chapter: whereas *homo religiosus* views penitence as a vain activity from a creative perspective, for halakhic man penitence reflects creativity and renewal.

In sum: the first two sections of Part Two focus on creativity as the rejection of the mystical and mythical perspective of *homo religiosus*. Besides halakhic creativity, R. Soloveitchik discusses in these sections the meaning of realizing Halakhah in the concrete world. No discussion of halakhic creativity is possible without a full affirmation of consciousness by the qualitative world, to which halakhic man's teleological will

[34] It is a plausible assumption that R. Soloveitchik did not scrutinize too closely the meanings that Nietzsche ascribes to this term in *Ecce Homo*, and related to it according to the Nazi interpretation.

indeed aspires. From here onwards, however, in the last four sections of *Halakhic Man*, the actual, real meaning is again blurred, and R. Soloveitchik returns to "genuine" creativity, which is the objectification process unfolding within halakhic cognition. This creativity is disclosed through the re-creation of the personality in repentance, providence, and prophecy.

CHAPTER TWELVE

CHANGE OR INTERPRETATION: REPENTANCE AS CREATIVITY

In the concluding sections of *Halakhic Man*, R. Soloveitchik deals with conceptual issues, some with essential ties to theoretical Halakhah and others linked to it only artificially, by virtue of being expressions of creativity. Although creativity is presented in the first two sections of Part Two as the creation of worlds, this presentation is more negative than positive. In these sections, R. Soloveitchik intends to present creativity as the realization of Halakhah in the concrete-qualitative world, that is, as striving for full confirmation of the pure structures created in cognition, and particularly as a rejection of myth and mysticism. For this purpose, he uses actual mythical images: the creator of worlds (halakhic man) overcomes the "nothingness." By contrast, when describing creativity in the concluding sections, R. Soloveitchik alludes to the positive feature of self-creation, in a transition from the external-qualitative dimension of halakhic creativity to the internal-personal dimension. R. Soloveitchik chooses the three most significant expressions of self-creation in halakhic man: repentance, providence, and prophecy. Repentance is discussed in connection with the perception of time, and this will be my concern in this chapter.

"Hillukim"

Sections iii and iv of Part Two deal, as noted, with repentance as self-creation. Substantively, the discussion involves two issues:

1. *Repentance as a Reinterpretation of the Past*. R. Soloveitchik clarifies in Part Two that the process of repentance reveals a form of hermeneutical creativity.
2. *Repentance as the Realization of Eternity in the Present*. R. Soloveitchik emphasizes in Part Two the creative dimension of the Oral Law.

The issue of repentance in R. Soloveitchik's work and its sources in Scheler's phenomenology of religion has already been discussed at

length in Eliezer Goldman's philosophy,[1] and my concern here is to examine how repentance fits into the general conceptual framework of *Halakhic Man*. *Ab initio*, neither the Bible nor talmudic literature relate to repentance as a commandment but as the act of a sinner; hence, repentance was not included in the various lists of commandments drawn up by the original enumerators.[2] In time, however, repentance turned into an intentional rather than an *ex post factum* act. I will argue that halakhic man perceives repentance as he does any moral, practical, or conceptual-philosophical process, through ideal halakhic categories and through their creative aspects.

R. Soloveitchik opens section iii by framing repentance within the context of a halakhic-analytical *hilluk*. He draws a distinction between two concepts of repentance: repentance as divesting the sinner of his evil status [*rashʿa*], and repentance as atonement (requiring confession).[3] Divesting the sinner of his status as a *rashʿa* means re-creating the sinner's personality. This re-creation at the personal-intimate level

---

[1] Eliezer Goldman, "Repentance and Time in the Thought of Rav Soloveitchik" [Hebrew], in *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik*, ed. Avi Sagi (Jerusalem: WZO, 1997), 175–189. See also Yitzhak Blau, "Creative Repentance" in *Exploring the Thought of Rabbi Joseph B. Soloveitchik*, ed. Marc D. Angel (Hoboken, NJ: Ktav, 1997), 263–274; David Hartman, *Love and Terror in the God Encounter: The Theological Legacy of Rabbi Joseph b. Soloveitchik*, vol. 1 (Woodstock, Vt.: Jewish Lights, 2001), 92–94.

[2] See for instance, Jacob Elbaum, *Repentance and Self-Flagellation in the Writings of the Sages of Germany and Poland 1348–1648* [Hebrew] (Jerusalem: Magnes Press, 1992), 12 ff.; Joseph Dan, *On Sanctity: Religion, Ethics and Mysticism in Judaism and Other Religions* [Hebrew] (Jerusalem: Magnes Press, 1997), 404.

[3] R. Soloveitchik began discussing these issues fifteen years before he wrote *Halakhic Man*, in a letter he wrote in May 1929. See *Letters of ha-Gaon Rabbi Yosef Dov Halevi Soloveitchik (1916–1941)* [Hebrew] (Jerusalem, 2001), 20–23. R. Menachem Krakovsky, R. Soloveitchik's uncle and author of *Avodat ha-Melekh*, objects to this *hilluk*. He refers to a text in TB Shavuʿot 12b, which wonders how does the *seʿir* sacrifice atone for failure to observe a positive commandment: if the transgressor has not repented, the sacrifice cannot atone because it is in the category of "sacrifice of a *rashʿa*," and if he has repented, his sin is atoned even on an ordinary day (unlike the *seʿir* offering, which is confined to Yom Kippur). R. Soloveitchik's "*hilluk*" offers a third option: that of someone who repents (in his thought) but does not confess. He is now divested of his status as *rashʿa*, so that the words "the sacrifice of the wicked is an abomination" (Proverbs 15: 8) do not apply to him, but his offering cannot atone because he has not confessed. But if an objection still appears in the Talmud, R. Soloveitchik's *hilluk* does not apply. R. Krakowsky holds that a thought, as a mental act, is strong enough to create a prohibition (*humra*), but not strong enough, as an external act, to divest the *rashʿa* of his status as sinner, whereas R. Soloveitchik holds that thought is a positive act even without a confession, though he suggests no answer to R. Krakovsky's objection in his letters. In *On Repentance*, ed. Pinhas Peli (New York: Paulist Press, 1984), R. Soloveitchik devotes a section entitled "The Power of Confession" to this question.

is tantamount to the creation of the world at the cosmic level: "Man, through repentance, creates himself, his own 'I'" (113). Through this *hilluk* ("two laws"), R. Soloveitchik answers an objection to a statement by Maimonides by relying on a *baraita* from TB Kiddushin, and even uses it to settle a contradiction within Maimonides' writings.[4] The concept of repentance, then, evolves in halakhic cognition from its simple foundations (divesting the sinner of his status as *rashʿa* and atonement). Repentance is built as a pure epistemic object.

Although the halakhic-cognitive process is a major concern for R. Soloveitchik throughout *Halakhic Man*, he never finds it necessary to demonstrate the "*hillukim*" method typical of the Brisk yeshiva. Only here, in a discussion about repentance, does he choose to discuss a relevant example at length. Would it not have been proper to provide such an example, for instance, in the initial presentation of the halakhic man who comes across a spring? The comparison with a later article written precisely on this issue sharpens this question. In "*Mah Dodekh Mi-Dod*," R. Soloveitchik presents R. Hayyim of Brisk's endeavor and illustrates extensively:

> Take, for instance, the matter of legal deeds [*shetarot*] in Halakhah. Until R. Hayyim, this matter had been based on technical rules dealing with the writing and signing of deeds, touching on the form and external aspects of the deed on the one hand, and on presumptions resting on psychological patterns of behavior and reaction on the other. What did R. Hayyim do? He strove for full conceptualization of the entire matter and, for this purpose, diverted the focus from the technical core and replaced it with ideal contents and pure constructions, leading to comprehensive change in the study of these laws. The deed shed its concrete reality and became a pure logical object—an object representing original evidence that does not require testimony and acceptance in court nor any of their derivations…[5]

R. Soloveitchik refers here specifically to R. Hayyim of Brisk's celebrated *hilluk* between written testimony, declared invalid by the Torah, and evidence from a deed (*shetar*), which the Torah does accept. Property

---

[4] Note that the discussion raises a further question: is repentance in the form of a personality change sufficient to divest the sinner of his status as *rashʿa* or is flogging also necessary? (112, note 122). R. Soloveitchik thereby illustrates the activity of halakhic cognition as an ongoing, endless process, thereby perhaps hinting at Natorp's view—solving problems creates bigger problems.

[5] "*Mah Dodekh Mi-Dod*," 78–79. On the links of this work to *Halakhic Man*, see below, ch. 14.

(*kiniyan*) deeds (of betrothal, slave purchases, and so forth) are included in the conceptual category of *deed*, meaning they are covered by the Torah rule on deeds. Hence, they do not require cross-examination since witnesses signed on a deed are as witnesses who have undergone cross-examination by the court. By contrast, the Torah rule on deeds (*din shetar*) does not apply to deeds of evidence (*shitrei re'ayah*), which are valid only after a ruling issued by the rabbis, who allowed them only in order to enable loans.[6] The deed thus became "a pure logical object," that is, a halakhic object within cognition. R. Hayyim infinitesimally reduced the deed that appears in halakhic laws (the "fact of Halakhah") and re-created it as an object. Through the "pure" structure he created (the *hilluk* between a deed and a written testimony) he settled a problem in Maimonides' Laws of Evidence 3: 4 and even explained other sources, as a scientist who creates a mathematical-physical structure (forces, formulae), and then explains several physical phenomena through it. Legal events unfolding in the qualitative world of the senses and sustained by psychological considerations become in R. Hayyim's work ideal structures of basic abstract concepts, such as the law of deeds.

R. Soloveitchik then cites additional examples, such as the *hilluk* between the act (*ma'aseh*) of prayer and fulfilling the commandment (*kiyyum*) of prayer, and that between fulfilling the commandment through action and in one's heart.[7] Or, in his eulogy for R. Yitzhak Zeev Soloveitchik that deals with the personality and actions of halakhic man, he sees fit to bring examples of pure models from different realms. *Halakhic Man*, however, offers no such examples, and the "*hilluk*" he does choose to discuss appears almost at the end of the essay in the context of a discussion on repentance. Why? According to the theory I presented in previous chapters, the answer can be summed up as follows:

1. *Halakhic Man* is a work meant to bring the pure type closer to the wider public, and R. Soloveitchik thus avoids references to complex scholarly material. He prefers dealing with the parallels between halakhic man and the scientific and philosophical thought reflecting the qualities of this type when confronting the modern world.

---

[6] *Novellae of Rabbenu Hayyim Ha-Levi on Maimonides' Mishneh Torah* [Hebrew] (Brisk, 1936), Laws of Evidence 3: 4.

[7] "*Mah Dodekh Mi-Dod*," 79.

Hence, although a presentation of "*hillukim*" is warranted, he refrains from it.

2. "*Hillukim*" do appear in his discussion of repentance, however, because R. Soloveitchik wants to intimate to the discerning reader that *creativity* will assume a new meaning in his essay from this point onward. So far (in the opening sections of Part Two of *Halakhic Man*), the emphasis was on the "realization" of Halakhah in the sensorial-qualitative world, that is, on the adaptation of halakhic ideal structures to the reality outside cognition. From here onward, creativity becomes a re-creation of the personality. The new meaning of creativity is now the development of ideal halakhic thought and the personality's adaptation to such a development. The height of halakhic creativity, then, is in the epistemic-idealistic realm rather than in its concrete realization outside cognition. The application of the "*hillukim*" method at the opening of the discussion on repentance signals the turning point in the perception of creativity and, in fact, the return to the meaning dominant in Part One of *Halakhic Man*.
3. Repentance is the most intimate and dialectical event concerning this figure. R. Soloveitchik thus seeks to emphasize that even a loaded emotional issue such as repentance is for halakhic man merely an object of theoretical analysis.

This issue is discussed again below, following a detailed clarification of various perceptions of repentance endorsed by *homi religiosi* and their sources.

Phenomenological and Existential Outlooks

Repentance as self-creation requires a special perception of causality and of time, which is incompatible with the perspective of *homo religiosus*.[8] R. Soloveitchik writes as follows on these issues:

> Here there comes to the fore the primary difference between the concept of repentance in Halakhah and the concept of repentance held by *homo religiosus*. The latter views repentance only from the perspective of atonement, only as a guard against punishment, as an empty regret

[8] See Dov Schwartz, *Faith at the Crossroads: A Theological Profile of Religious Zionism*, tr. Batya Stein (Leiden: Brill, 2002), 121–122.

> which does not create anything, does not bring into being anything new. A deep melancholy afflicts his spirit.[9] He mourns for the yesterdays that are irretrievably past,[10] the times that have long since sunk into the abyss of oblivion, the deeds that have vanished like shadows,[11] facts that he will never be able to change. (113)
>
> The future imprints its stamp on the past and determines its image. We have here a true symbiotic, synergistic relationship. The cause is interpreted by the effect, moment *a* by moment *b*. The past by itself is indeterminate, a closed book. It is only the present and the future that can pry it open and read its meaning. There are many different paths, according to this perspective, along which the cause can travel, it is the future that determines its direction and points the way. There can be a certain sequence of events that starts out with sin and iniquity but ends up with *mitzvot* and good deeds, and vice versa. The future transforms the thrust of the past. This is the nature of that causality operating in the realm of the spirit if man, as a spiritual being, opts for this outlook on time, time as grounded in the realm of eternity. However, the person who prefers the simple experience of unidimensional time—time, to use the image of Kant,[12] as a straight line—becomes subject to the law of causality operating in the physical realm. This principle imposes the rule of the cause on the effect, the domination of an earlier point in time upon a later one. (115)
>
> Therefore, the creative gesture, of which man is capable, cannot be reconciled with the scientific concept of causality, whether it be prospective or retrospective. But it can be reconciled with the principle of causality that is rooted in the type of consciousness we described earlier. When the future participates in the clarification and elucidation of the past—points out the way it is to take, defines its goals, and indicates the direction of its development—then man becomes a creator of worlds. (116–117)

The time perception of halakhic man is opposed to that of *homo religiosus*, for whom repentance is an ascetic act of contrition expressing sadness and mourning. The depressive feelings reveal the structure of *homo religiosus*' cognition, in which time is a one-directional and one-dimensional vector. The fact that Kant represents an approach close to that of *homo religiosus* shows that this is a self-contradictory type. According to R. Soloveitchik, as noted, Kant is the archetype of an internal contradiction between consciousness of the concealed and

---

[9] In the original Hebrew "*tehegu akh nekha'im*," according to Isaiah 16: 7.

[10] In the original Hebrew, "*yom etmol ki ya'avor*," according to Psalms 90: 4.

[11] In the original Hebrew, "*yamav ke-tsel over*," according to Psalms 144: 4.

[12] R. Soloveitchik refers to Kant's adoption of Newton's conception of time in his later thought. Note that Kant is again mentioned regarding *homo religiosus*. See the discussion below.

scientific laws. Kant could not differentiate between the objective and subjective realms of cognition.[13] *Homo religiosus*, who does not rely on scientific laws when seeking the concealed and the wondrous, has a one-dimensional perception of time.

But what is the time perception of a *homo religiosus* such as Maimonides who does know how to differentiate between the realms, that is, a man for whom the religious subjectivity of his consciousness relies on scientific laws, as consciousness' objective layer? A complementary answer to this question appears in *The Halakhic Mind*. In this work, R. Soloveitchik presents repentance as expressing the epistemic outlook of *homo religiosus*, and addresses the issue of time. *Homo religiosus* has a unique perception of time and of causality (different both from that adopted in the natural sciences and from that endorsed in the humanities) as neither a quantitative transformation nor a stream of consciousness. In the cognition of *homo religiosus*, time appears as a "substance bearing accidents,"[14] that is, as a "reality" described at times as "holy" and at times as "profane." Time is characterized by various attributes (festival, Sabbath, ordinary day, and so forth). The calendar, which has Sabbaths and festivals, reflects the time perception of *homo religiosus*. In his view, time flows circularly and in cycles; in practice, *homo religiosus* imposes a calendar pattern on time. In sum: time is reversible. "The act of reconstructing past psychical life, of changing the arrow of time from a forward to a retrospective direction, is the main premise of penitence."[15] R. Soloveitchik refers to the perception of time as reversible as a "paradox," and finds the association with repentance in Kierkegaard's philosophy.[16] The epistemic outlook unique to the philosophy of religion is not satisfied with common views of causality either. The mechanistic-scientific approach and the teleological approach that R. Soloveitchik ascribes to the humanities do not exhaust the view of causality found in the philosophy of religion.[17]

---

[13] See above, 84–88.

[14] *The Halakhic Mind*, 47.

[15] Ibid., 49. Goldman, "Repentance and Time," 187–188.

[16] See George J. Stack, "Kierkegaard and the Phenomenology of Repetition," *Journal of Existentialism* 7 (1966–1967), 111–128; Avi Sagi, *Kierkegaard, Religion, and Existence: The Voyage of the Self*, trans. Batya Stein (Amsterdam: Rodopi, 2000), 108–109. For Kierkegaard, repetition actually relates to the concrete self and, as such, does not necessarily overlap the meaning of repentance in Jewish tradition. See also Schwartz, *Faith at the Crossroads*, 198–199.

[17] *The Halakhic Mind*, 50.

Why does R. Soloveitchik fail to distinguish between the two types of *homi religiosi* in *Halakhic Man*? Obviously, this is the perspective of a halakhic man who utterly rejects the very being of *homo religiosus*, a rejection consistently evident throughout his description of halakhic man's cognition and personality. This pure type does not waste his time clarifying the unique epistemological outlook of *homo religiosus* and the various types that represent it given that, *a priori*, he perceives this figure as strange and alien to his cognition. Any dialogue between halakhic man and *homo religiosus* is doomed to fail. *Homo religiosus* is indeed perceived as a threat to the values of halakhic man, and halakhic man therefore relates to the existence of *homo religiosus* only insofar as he must do so to highlight the risk it poses to him. The notion of repentance developed by a *homo religiosus* of the Maimonides type (but not of the Kant type) is still worth considering in order to gain a more precise understanding of how halakhic man perceives repentance.

The perception of return or repetition as the philosophical foundation of repentance has two meanings or, more precisely, two different emphases: (1) *Changing* the past, at least at the mental-conscious level; (2) *Reinterpreting* the past. Both meanings appear in Kierkegaard's thought. Whereas the philosophical-phenomenological tradition of tradition stresses the change aspect, existentialist tradition often stresses reinterpretation.[18] In the notes to the text of *Halakhic Man*, R. Soloveitchik directs readers to Scheler's *Repentance and Rebirth*. The feature common to phenomenological theories of repentance and to the approach that R. Soloveitchik ascribes to Kierkegaard in *The Halakhic Mind* is, as noted, a mental and conscious change involving a change of the past. This change relates to the consciousness of the penitent, however, while this characteristic refers to the qualification of the past and its reshaping within this consciousness. According to Scheler (in Goldman's formulation) "penitence, which is an act of repentance, is the denial of that part of our being that led us to commit the negated actions. This act of negation in the present changes the totality of the self. We are reborn, as it were, and become free to direct our lives."[19]

---

[18] See, for instance, Piotr Hoffman, "Death, Time, History: Division II of Being and Time," in *The Cambridge Companion to Heidegger*, ed. Charles Guignon (Cambridge: Cambridge University Press, 1993, 207. On models of repetition in existentialist thought see Avi Sagi, *Albert Camus and the Philosophy of the Absurd*, tr. Batya Stein (Amsterdam-New York: Rodopi, 2002) 81–85.

[19] Goldman, "Repentance and Time," 180.

From the perspective of *homo religiosus*' consciousness, time is reversible and can be reshaped. The phenomenological tradition, which shapes the perception of *homo religiosus* in *The Halakhic Mind*, presents return as a concrete conscious change. R. Soloveitchik indeed holds that to repent is "to alter the past," and repentance is therefore "an act which denies the laws of causality and regulation in men's life."[20]

The consciousness of halakhic man is not built in this fashion. From his perspective, the creative dimension of repentance lies in the *reinterpretation* of the past. Halakhic man knows that the past cannot be changed, but his perception of time presents the past as a set of hylic facts to be interpreted. Although the past cannot be changed or dismissed, it can be clarified and thus reinterpreted. Halakhic man's renewed creativity emerges as intellectual analysis and examination:

> The Halakhah declares that the person who returns to his Maker creates himself in the context of a living, enduring past while facing a bright and welcoming future.[21] Repentance, by definition, means (1) a retrospective reflection upon the past, separating out that which is living in it from that which is dead; (2) a vision of the future in which one distinguishes between a future that is already present and one that has not as yet been "created"; (3) an examination of the cause located in the past in light of the future, determining its direction and destination. (115)

Halakhic creativity does not change our consciousness of the past, nor does it negate the psychic background that shaped past events; it is entirely focused on the hermeneutical-analytic level. Halakhic man creates himself through repentance by applying his cognitive and intellectual tools to the past, thereby granting meanings, dispositions, and directions to events already past. Halakhic man's cognition is thus explained according to the Heideggerian tradition, which emphasizes the reinterpretation of the past.[22]

---

[20] Joseph B. Soloveitchik, "Sacred and Profane: *Kodesh* and *Chol* in World Perspectives," *Jewish Thought* 3 (1993), 76.

[21] In the Hebrew original, "*he-atid ha-masbir lo panim sohakot*," according to Soferim 16: 3; Pesikta de-Rav Kahana, *Ba-Hodesh Ha-Shelishi* 12: 25; Tanhuma, *Yitro* 17.

[22] Other facets of Soloveitchik's thought become evident later. See Soloveitchik, *On Repentance*, 170–173.

Repentance Man

R. Soloveitchik should have contrasted, as noted, the world view of halakhic man with that of the *homo religiosus* in *The Halakhic Mind*. In other words, he should have drawn a distinction between the two types of *homi religiosi* and contrasted them with halakhic man. At this point, in light of the distinction between repentance as change and repentance as interpretation, the distinctions between the *homi religiosi* and halakhic man emerge more clearly. In practice, a preliminary division of the penitent obtains, composed of three different types of *homi religiosi* and halakhic men:

1. A *homo religiosus* for whom repentance is fruitless penitence and the acceptance of suffering. The past is a datum that cannot be changed, either concretely or in one's consciousness, and the act of penitence is thus the only characteristic of repentance. Kant represents this type (*Halakhic Man*).
2. A *homo religiosus* for whom repentance is the change of the past, at least in consciousness. The change of the past can appear as a denial of the "sinful" components of consciousness. Scheler represents this approach (*The Halakhic Mind*).
3. Halakhic man, for whom repentance is a reinterpretation of the past (*Halakhic Man*).

A dialogue could possibly be assumed between the *homo religiosus* of type (2) and halakhic man (type 3). But "pure" halakhic men, as noted, do not engage *homi religiosi* in a genuine dialogue. From their perspective, cognitive change (of the past) is tantamount to fruitless penitence; both are actions far removed from rational criteria. Even when *homo religiosus* strives for rational argumentation—and types of *homi religiosi* who search for the concealed through reliance on scientific laws were noted above—halakhic man holds that the risk he poses exceeds the potential benefits. Hence, he judges *homo religiosus* by his eventual ending: the danger lies in the perception of penitence as a vain activity, without any personal-conscious creativity. The split between halakhic man and *homo religiosus* is the key to the understanding of halakhic man's view of repentance.

This principle clarifies an additional fact that R. Soloveitchik only intimates in his discussion: an essential apparent closeness between *homo religiosus* of type (1) and halakhic man of type (3). According to both types, the past represents "facts that he will never be able to change"

(113). Both halakhic man and the *homo religiosus* sunk in vain, fruitless actions rule out the phenomenological perception of changing or denying the past. The difference between them is that halakhic man is busy interpreting the past and studying its meaning and directions, whereas *homo religiosus* plunges into futile mourning. Halakhic man maps the past, as it were, relying on the correct criteria and coordinates (of the past as well as the present) and, in reinterpreting the past, creates himself. Yet, concerning the attitude to changing the past and the actual impossibility of changing it, R. Soloveitchik plays down the similarity between these two types, although both rule out the option of altering the past. Halakhic man still fails to engage *homo religiosus* in a dialogue, proving that he utterly rejects him.

Eternity and the Present

The interpretation of the past expresses the personal, intimate dimension of repentance. But halakhic man does not miss the embodiment of eternity in the repentance experience, and eternity means a series of collective events that build up "the Jewish people's all embracing collective consciousness of time" (117). Scheler states that repentance is a phenomenon that transcends the intimate personality and involves social, historical, and collective aspects: "There is, however, a pure form of collective responsibility: it comprises an unceasing awareness that even the *total* moral world of all past and future, all stars and heavens, could be radically different if 'I' were only 'different.'"[23] Eternity and temporality intermingle in the experience of repentance, and this principle emerges in Scheler's phenomenology as solidarity. In Cassirer's philosophy too, a qualitative time where past, present, and future coalesce is the unifying element of the various symbolic systems building cognition.[24] R. Soloveitchik emphasizes that cosmic and national events such as the Creation, the Exodus from Egypt, the Sinai revelation, and so forth, join the eschatological redemption that directs the course of history and all constitute "man's present consciousness"

[23] Max Scheler, *On the Eternal in Man*, trans. Bernard Noble (New York: Harpers, 1960), 57. R. Soloveitchik directs the reader to an English translation of Scheler, and it can therefore be assumed that he had not read Scheler in the German original.

[24] See, for instance, Aharon Grünhut, "The Relation between Language and Knowledge in the Philosophy of Cassirer" [Hebrew], *Iyyun* 6 (1957), 225.

(118). *Homo religiosus* is interested in the theological and metaphysical aspects of this special consciousness, as R. Soloveitchik writes in *The Halakhic Mind*:

> New time vistas must open for the *homo religiosus*. There is the problem of duality of time and eternity, time and time-endlessness (which is different from eternity). Again, there is the question of God in His full transcendence beyond time, and God in His immanence in time. This problem does not only bear upon the idea of God but also upon the concept of time. God in the temporal world presents the composite of time and eternity; it implies the intrusion of eternity upon temporality. (The clarification of this problem is of the utmost importance to an analysis of the idea of Revelation).[25]

These issues do not concern R. Soloveitchik in *Halakhic Man* because they are far removed from this type. Metaphysical problems do not bother halakhic man or are perhaps unintelligible to him, a claim that is also reflected in the conception of time. R. Soloveitchik offers several views of time in his 1940s writings. In *The Halakhic Mind*, he presents the definition adopted by the physicist ("who freezes time in geometric space"), by the psychologist ("who intuits time as living and creative") and by the philosopher-metaphysician (qualitative time).[26] *Halakhic Man* offers two extreme and contradictory definitions of time: whereas the approach of the exact sciences presents time as a quantitative element, the humanities present it as a distinctively qualitative element. In elegant and cautious formulations, R. Soloveitchik states:

> The Halakhah, however, is not particularly concerned with the metaphysics of time.... Judaism disapproves of too much subjectivity, of an undue emphasis on quality. Therefore, it does not view time from the perspective of the *geistenswissenschaften*. The fact that the concept of time in the Halakhah is bound with measurable time periods—days, weeks, months, years, sabbatical and jubilee cycles—demonstrates that Judaism does not desire a flowing stream of time but rather wishes to establish a time that is fixed and determined. (121)

Halakhic man has reservations about this qualitative perception of time and draws away from it. Consider R. Soloveitchik's position in *Halakhic Man* vis-à-vis the one he formulates in his other, earlier writings:

---

[25] *The Halakhic Mind*, 47.
[26] Ibid. 14.

1. In *The Halakhic Mind*, R. Soloveitchik claims that *homo religiosus* does not accept the scientific, "external" (quantitative) approach to time nor the perspective of the humanities (qualitative and stream of consciousness). *Homo religiosus* knows that, although subjective and internal-qualitative time cannot be quantified exactly, it can still be objectified.[27] The study of time consciousness, as the study of consciousness in general, must always begin from the external-objective dimension. The objective time of *homo religiosus* is in a middle position between quantitative and qualitative time.
2. In "Sacred and Profane," another article also published then in its Hebrew version, R. Soloveitchik adopts Bergson's qualitative approach to time as his starting point for evaluating time. Quantitative time itself is "dead," and *homo religiosus* measures time "by pure quality."[28] Although quantitative and qualitative time mix here to some extent, the dominant element in the time of *homo religiosus* is qualitative.
3. In *Halakhic Man*, the pure halakhic type rejects only the time perception of the humanities.[29] R. Soloveitchik is uneasy with the over-quantification of the scientific approach ("the quantitative nature has been emphasized most strikingly by the union of space and time in the theories of Minkowski and Einstein" [121]), but rejects altogether the time perception of the humanities. Halakhic man, then, strongly adheres to scientific thought, even when overstated. Contrary to the *homo religiosus* of "Sacred and Profane," who leans in a qualitative direction, halakhic man here favors a quantitative perception of time.

The distinction between R. Soloveitchik's position and that of "pure" halakhic man, who is uneasy about the qualitative perception of time, is again obvious. R. Soloveitchik himself tends toward a midway stance

---

[27] *The Halakhic Mind*, 67. "Objective" and "subjective" are used here in a phenomenological context, as dimensions of religious consciousness, rather than as Cohen's idealistic-epistemological concepts. On the objective dimension of religious consciousness, see above, chs. 2 and 3.

[28] Soloveitchik, "Sacred and Profane," 65.

[29] This clarifies why R. Soloveitchik returns to discuss the essence of time (119–123) after he had discussed the question of repentance as an interpretation of the past (110–116) and of eternity (116–119). R. Soloveitchik intimates to the discerning reader that the consciousness of halakhic man rejects not only *homo religiosus* (1), "who seeks refuge in the shadow of a fragmented, shattered time" (121), but also the criteria of *homo religiosus* (2), who has a (phenomenological) consciousness of time.

that is highly considerate of the qualitative approach, as evident from (1) and (2). Once the time perception of halakhic man no longer rests on a metaphysical basis, how does he envisage the fusion of time and eternity? The perception of a divine presence in time or beyond it does not bother halakhic man at all, since it cannot be translated into halakhic-ideal terms. R. Soloveitchik answers this question as follows:

> The consciousness of halakhic man, that master of the received tradition, embraces the entire company of the sages of the *masorah*. He lives in their midst, discusses and argues questions of Halakhah with them, delves into and analyzes fundamental halakhic principles in their company. All of them merge into one time experience. He walks alongside Maimonides, listens to R. Akiva, senses the presence of Abaye and Raba. He rejoices with them and shares in their sorrow. "David, king of Israel, yet lives and endures" [Rosh ha-Shanah 25a];[30] "our father Jacob did not die: [Taʿanit 5b; cf. Gen. Rabbah 96: 4];[31] "Moses, our teacher, did not die" [Zohar I, 37b].[32] There can be no death and expiration among the company of the sages of tradition.[33] Eternity and immortality reign here in unbounded fashion. Both past and future become, in such circumstances, ever-present realities. (120)[34]

The endless developmental process of halakhic thought is the true meaning of eternity's break into the present. Halakhic man does not budge from "a priori Halakhah" and from the processes of its construction; his cognitive world is self-contained, creates its objects, and determines their meaning. The combination of eternity and time in halakhic man's cognition is realized in specific halakhot: the commandment of narrating the story of the Exodus from Egypt, reciting *Hallel*, the great *Hallel* and the *Nishmat* prayer, the blessing of *shofarot* in the Rosh Ha-Shanah Mussaf prayer, and so forth. The process of transmission "symbolizes the Jewish people's outlook regarding the beautiful and resplendent phenomenon of time" (120). Prima facie, the transmission of the Oral Law contradicts creativity; when the disciple receives from his teacher what the latter had obtained from his own teacher, where is creativity?

---

[30] See also PT Shekalim 2, 47a; Zohar I 192b; ibid., 207a.

[31] See also *Yalkut Shimʿoni Va-Yehi* #157 and *Yirmiyahu* # 302.

[32] See also *Sifrei Deuteronomy Piska* 357; TB Sotah 13b; *Midrash Tannaim* Deuteronomy 34 e.

[33] That is, the transmission of the Oral Law.

[34] For another experiential description of a consciousness of eternity within temporality, see "From Thence You Shall Seek," 232.

But transmission is not passive for halakhic man, since eternity enters the temporal: Moses is still present although the discourse unfolds in a tannaitic, amoraic, or Lithuanian academy, centuries after his demise. This is the creative aspect of the time perception in the cognition of halakhic man. *Homo religiosus* also accepts the break of eternity. In "Sacred and Profane," R. Soloveitchik describes the sense of communion with the nation's leaders in the historical events in which they participated:

> For Jewish boys and girls, Avraham is not a mythical[35] figure but an ever-present inspiration. They live through his tribulations and wanderings. They travel with him from Syria to Palestine. They feel the fear and trembling of Yitzchak on the *akeidah.* They escape with Yaʿakov to Charan…[36]

Tradition is known for its supra-temporal and supra-local component.[37] For *homo religiosus*, this component is the religious experience; for halakhic man, it is the scholarly tradition.

Repentance and Freedom

The development of halakhic man's ideal cognition is a process that presents halakhic man as free. Halakhic man, as noted, is accountable to an autonomous cognitive-halakhic command and, as such, his freedom is a variation of the Kantian morality of duty.[38] His outlook on repentance discloses another facet of freedom: halakhic man is not bound by any kind of time. Freedom is twofold:

1. The freedom to choose between unidimensional and multidimensional time. "Man is given the choice[39] of deciding between two perceptions of time—evanescence and eternity—and ordering his

---

[35] In Hebrew original *mistori*, more accurately translated as concealed and esoteric.

[36] "Sacred and Profane," 72. This article also emphasizes Rabbi Akiva's legacy of heroism in the Bar Kokhba revolt as an expression of a qualitative time perception. R. Soloveitchik's mention of Rabbi Reines in this context (in the Hebrew version of this article [155]) is not surprising. This article seems to represent a landmark in R. Soloveitchik's path of increasing rapprochement with the Mizrahi.

[37] See Max Scheler, *Man's Place in Nature*, trans. Hans Meyerhoff (Boston: Beacon Press, 1961), 26–27.

[38] See above, 213–219.

[39] In the Hebrew original, "*ha-reshut netunah la-adam*," according to *Code of Maimonides*, Laws of Repentance 5: 1; 7: 1.

life accordingly" (121). Unidimensional time reflects a perception that separates the temporal from the eternal; moreover, past and future do not touch one another. Multidimensional time combines and unites the various perceptions.

2. Multidimensional time itself is characterized by the rational-halakhic subordination of the past to the future. From the perspective of halakhic man, the past is not the sole element shaping the present and the future in his world. Not only is the future interpreted according to the past, but the meanings of the past are also shaped according to the future.

Autonomy of will, then, characterizes halakhic cognition in its perception of time too. Halakhic man chooses to subordinate the past to the future. From his perspective, the future determines the meanings and the purpose of the past. R. Soloveitchik defines the multidimensional perception of time as follows:

> But there is a kind of man who abides under the shadow[40] of a complete and resplendent time. His soul, grounded "in days past" (Deut. 4: 32), in the early history of his people, is devoted to the eschatological ideal. He looks behind him and sees a hylic matter that awaits the reception of its form from the creative future. He looks ahead of him and confronts a creative, shaping force that can delineate the content of the past and mold the image [*partzuf*] of the "before." He participates in the unfolding of the causal sequence and the ongoing act of creation. he views existence from the perspective of eternity and enjoys the splendor of creation. His consciousness embraces the entire historical existence of the Jewish people. Such a time consciousness, whose beginning and end is everlasting life, is the aim of Halakhah and its termed creation—the realization of the eternal Halakhah in the very midst of the temporal, fleeting world, the "contraction" [*tzimtzum*] of the glory of the infinite God in the very core of the concrete reality, the descent of an everlasting existence into a reality circumscribed by the moment. (122)[41]

Creativity is therefore an outcome of freedom, which derives directly from a priori, autonomous, and ideal halakhic thought.[42] Pouring the concept of *tzitmtzum* into the characteristics of halakhic cognition and

---

[40] In the original Hebrew, *be-tsel Shadai yitlonan*, according to Psalms 91: 1.

[41] On the perception of freedom as an element of western tradition see Sanford Budick, *The Western Theory of Tradition: Terms and Paradigms of the Cultural Sublime* (New Haven: Yale University Press, 2000).

[42] On repentance as freedom in Hermann Cohen's thought, see Jacob B. Agus, *Jewish Identity in an Age of Ideologies* (New York: F. Ungar, 1978), 68.

using terms typical of Lurianic Kabbalah (*partzuf*), link the creative perception of repentance to the symbolic view of mysticism that R. Soloveitchik presents in sections i and ii of Part Two. In the passage above, the following equation appears: creativity = eternity (past + future) realized in the present = ideal halakhic cognition (eternity) realized in the qualitative world (the present), which becomes consciousness in the wake of its affirmation. Temporal-qualitative reality thus lends support to the halakhic activity of cognition. For halakhic man, then, genuine creativity lies in the objectification process of ideal halakhic cognition and in its realization, or affirmation, in the qualitative-terrestrial world. Profound creativity is the creation of the personality through freedom and autonomy, "a never-ending process of self-creation" (122), and halakhic man's personality is merely the outcome of his cognition. To restate: it is when halakhic cognition requires the affirmation of the real world in order to become consciousness that the connection of halakhic man to temporal life and to the real world is revealed.

Summary

Sections iii and iv of Part Two reveal a new meaning of creativity, which will be fully clarified in the last two sections. Creativity is defined as the re-creation of the personality, an issue that would also occupy R. Soloveitchik in later years. "*Kol Dodi Dofek*" offers an outline of R. Soloveitchik's interests during the 1950s, and personal creativity is part of the list. Rather than similarities, however, a crucial difference emerges: *Halakhic Man* refers to personal creativity, but locates it within a priori ideal halakhic cognition and, at times, describes it in terms typical of existentialist thought.[43] Whereas in "*Kol Dodi Dofek*" the style expresses existential contents and meanings, in *Halakhic Man* the discussion is confined to ideal cognition and consciousness, and to the personality structure they require. For halakhic man, whatever is not absorbed as a structured component of pure halakhic cognition is meaningless and, in fact, non-existent. Creativity is a feature of halakhic cognition because it derives from ideal halakhic thought. Practical Halakhah in

[43] See Dov Schwartz, "On Preachers and Preaching in the Religious Zionist Movement" [Hebrew] in *A Hundred Years of Religious Zionism*, vol. II, ed. Avi Sagi and Dov Schwartz (Ramat-Gan: Bar-Ilan University Press, 2003), 368–384.

"*Kol Dodi Dofek*," which is observed in the sensorial-qualitative world, is the element that reveals existential suffering and helps to live with it. In *Halakhic Man*, however, theoretical-ideal Halakhah is the realm where creativity and personal change unfold. Repentance changes the personality of halakhic man because it can be broken down analytically to create pure structures that clarify its foundations. Repentance is created as a pure halakhic object in the cognition of halakhic man. The use of "*hillukim*" on the matter of repentance shows that personality changes reflect the context of halakhic cognition, from which halakhic man neither does nor can deviate.

Repentance is presented in *Halakhic Man* as an intentional activity. Halakhic man does not view repentance as an *ex post factum* situation, where the sinner who succumbed to temptation must repent. Repentance is a constant cognitive activity, in which halakhic man interprets past and present events in light of the future. Even an action that is not sinful may, when subject to later interpretation, reveal more noble meanings than those perceived at the time it was performed. For halakhic man, then, repentance is an ongoing process reflecting the infinite development of halakhic cognition. R. Soloveitchik shares this perception of repentance as an intentional process with other twentieth century thinkers, such as R. Abraham Yitzhak Kook. Nevertheless, repentance remains for halakhic man within the definition of a pure epistemic object.

CHAPTER THIRTEEN

ON PROVIDENCE AND PROPHECY

At the closure of *Halakhic Man*, R. Soloveitchik deals at length with the peaks of creativity: providence and prophecy. Creativity, understood as the realization of Halakhah in the qualitative external world, declines, and halakhic, theoretical, intra-cognitive creativity awakens in its stead. R. Soloveitchik clarifies here that his discussion of halakhic man's morality and aesthetics also relies on the transcendental method. Specifically: the cognition, moral will, and aesthetic activity of halakhic man rest on the same basic assumptions underlying halakhic-epistemic idealism. In the last two sections, R. Soloveitchik strives to reproduce in halakhic consciousness the same unity (cognition, ethics, and art) that Hermann Cohen seeks in the three volumes of his *System der Philosophie*. Through a series of hints, R. Soloveitchik suggests that "genuine" creativity is reflected in rational moves within cognition whose various facets, as noted, are disclosed through the transcendental method. This chapter shows that halakhic man creates his personality, including his prophetic dimension, by developing a priori halakhic cognition.

The Peak of Creativity: (1) Providence

At the end of the essay, then, the focus is on the peaks of creativity: providence and prophecy. The last two sections are related to the previous ones dealing with repentance, setting up a creative "ladder of ascent" that implies a gradual progression of creativity. Self-creativity dictates the stages of the progression:

> Man starts with repentance, with a fleeting awareness of sin,[1] with the feeling of regret for the past and determination for the future; he continues to exercise his creative powers by searching for individual providence to single him out as an independent personality; and he finally closes and consummates the cycle of creation with attaining the level of prophecy (131).

[1] See TB Gittin 57b; TB Kiddushin 49b; Maimonides, *Code*, Laws of Marriage 8: 5.

Two characteristics in this discussion of providence deserve note, two that are indeed one and set the tone of the discussion (123–128):

1. *A Personal Characteristic*: Maimonides's figure and his writings are at the center of the discussion. In other words, R. Soloveitchik argues that halakhic creativity culminates in the figure of Maimonides.[2] But presenting Maimonides' view of prophecy as the apex of halakhic creativity is problematic, since it is precisely Maimonides who draws a blunt and clear-cut distinction between Halakhah and prophecy. Maimonides diligently tries to remove the prophets qua prophets from the dynamics of Halakhah and, except as a temporary measure [*hora'at sha'ah*], denies any connection between prophecy and Halakhah. The centrality of Maimonides' role can be inferred from the essential role of his *Code* in the Brisk method of study. The foundations of R. Soloveitchik's discussion in these concluding sections, however, are mainly the theological-theoretical aspects of Maimonides' writings in general and the *Guide of the Perplexed* in particular. Maimonides' views on providence and prophecy, on which R. Soloveitchik relies at the end of his essay, reach their most powerful and systematic formulation in the *Guide*. This leads to the second characteristic.
2. *A Disciplinary Characteristic*. The last two sections of *Halakhic Man* deal with distinctively theological and philosophical theories. Providence and prophecy are theoretical concepts for Maimonides, related to individual perfection on the one hand and political perfection on the other. These theories have no broad halakhic grounding or essential halakhic implications. And yet, in his emphatic style and in his explicit statements about them in the course of his discussion, R. Soloveitchik addresses them as halakhic matters. The combination of these two characteristics again shows that, for a genuine halakhic man, nothing is beyond Halakhah. For this pure type, no area is indifferent to ideal-a priori halakhic cognition. Abstract theological approaches, then, find room in halakhic cognition when formulated and perceived as halakhic laws and, for this purpose, they are (artificially) defined as decidedly halakhic.

---

[2] On Maimonides and R. Soloveitchik see Lawrence Kaplan, "Maimonides and Soloveitchik on the Knowledge and Imitation of God," in *Moses Maimonides (1138–1204): His Religious, Scientific, and Philosophical Wirkungsgeschichte in Different Cultural Contexts*, ed. Görge K. Hasselhof and Otfried Fraisse (Würzburg: Ergon, 2004), 491–523.

R. Soloveitchik chooses to present Maimonides' view of providence as a solution to the problem of individual immortality, that is, he opens the discussion about the peaks of creativity with the issue of the material intellect and its conjunction with the active intellect. This conjunction is the immortality of the intellect, which is the meaning that Maimonides attaches to the *world to come*. R. Soloveitchik holds that this psychological and philosophical issue involves a confrontation between reason and religion. In the philosophical-scientific orientation of the Middle Ages, the intellect does not survive after death as the individual intellect of a particular person. When matter corrupts, the individual intellect is absorbed within generality (in medieval terminology: conjunction with the active intellect). This approach is represented in R. Soloveitchik's work by Averroes, the Moslem philosopher who was Maimonides' contemporary in Spain.[3] R. Soloveitchik argues that a philosophical perspective that negates individual immortality contradicts religion in general (as attested by the critique of medieval Christian scholastics) and Judaism in particular ("contradicts the very foundations of Judaism" [123]). Judaism for halakhic man is obviously equivalent to halakhic cognition. Hence, "the Halakhah has always insisted upon the principle of individual immortality" (ibid.). Maimonides, who is presented in this discussion as the archetypal halakhic man, faced a conflict between philosophy and religion. According to R. Soloveitchik, he managed to resolve it by upholding individual immortality while also preserving the principle that only the general remains after death. But how did Maimonides settle this contradiction?

R. Soloveitchik could not have found the solution in Maimonides' discussions about immortality as such, which are brief and unsatisfactory.[4] He therefore turns to individual providence, which Maimonides

---

[3] See, for instance, Herbert A. Davidson, *Alfarabi, Avicenna and Averroes: Their Cosmologies, Theories of Active Intellect, and Theories of the Human Intellect* (New York: Oxford University Press, 1992), 338. R. Soloveitchik also mentions the form of the species and its unity as a sign of universality: "true authentic existence is to be found only in the realm of the forms" (123). On this fundamental issue, see Frederick J. Roensch, *Early Thomistic School* (Dubuque, Iowa: Priory Press, 1964).

[4] See Dov Schwartz, "Avicenna and Maimonides on Immortality: A Comparative Study" in *Medieval and Modern Perspectives on Muslim-Jewish Relations*, ed. Ronald L. Nettler (Chur, Switzerland: Harwood and Oxford Centre for Postgraduate Hebrew Studies, 1995), 185–197; Amira Eran, "Al-Ghazali and Maimonides on the World to Come and Spiritual Pleasures," *Jewish Studies Quarterly* 8 (2001), 137–166. R. Soloveitchik's statement, whereby "here [concerning the immortality of the soul] Maimonides appears in his full intellectual and ethical splendor as he resolves this problem in a brilliant

discusses at length and from which, by analogy, he infers individual immortality. But Maimonides' theory of providence evokes a confrontation similar to the one evoked by immortality: the philosophical outlook rules out individual providence since it regards it as identical to the permanent, general laws that are the basis for the material and human world. In medieval thought, providence concerns species rather than individuals. By contrast, "the belief in individual providence is a cornerstone of Judaism, both from the perspective of Halakhah and from the perspective of philosophical inquiry. It is the tenth of Maimonides's thirteen fundamentals of faith" (123–124). Religious intuition compels individual providence. Here too, then, is a polarity awaiting reconciliation though, on this question, Maimonidean texts enable a solution by presenting providence (and individual immortality) as products of creativity.

According to R. Soloveitchik, Maimonides offers one solution for both these tensions (immortality and providence): general laws apply to the entire world, *save* man. Man can extricate himself from generality, which is given, and preserve his individuality. R. Soloveitchik cites from Maimonides' two chapters on providence (*Guide of the Perplexed* 3: 17–18). Below is a brief presentation of Maimonides' approach in these chapters, followed by an extensive description of R. Soloveitchik's interpretation of them:

1. *Guide of the Perplexed* 3: 17: Individual providence characterizes only man qua man, that is, as an intellectual creature.[5] All other creatures are subject only to general providence, which is exclusively concerned with the preservation of the species.

And R. Soloveitchik comments:

---

and striking fashion" (123) dramatically contrasts with Maimonides' almost absolute indifference to the question of individual immortality.

[5] This is Maimonides' view, to which R. Soloveitchik refers after detailing five other outlooks. This view, which opens with the words "As for my own belief," is the one cited by R. Soloveitchik (124). Maimonides' view of providence is intricate, and has been addressed by his translator and by other thirteenth-century scholars. See Dov Schwartz, "The Debate over the Maimonidean Theory of Providence in Thirteenth-Century Jewish Philosophy," *Jewish Studies Quarterly* 2 (1995), 185–196; Idem, "R. Kalonymus' *Mesharet Moshe*" [Hebrew], *Kovets Al-Yad* 14 (1998), 297–394. See also Israel J. Dienstag, "Maimonides on Providence: Bibliography" [Hebrew], *Daat* 20 (1988), 5–28.

> The gist of Maimonides's view is that man occupies a unique position in the kingdom of existence and differs in his ontological nature from all other creatures. With reference to all other creatures, only the universal, not the particular, has a true, continuous existence; with respect to man, however, it is an everlasting principle[6] that his individual existence also attains the heights of true, eternal being. Indeed, the primary mode of man's existence is the particular existence of the individual, who is both liable and responsible for his acts. Therefore, it is the individual who is worthy of divine providence and eternal life. Man, in one respect, is a mere random example of the biological species—species man—an image of the universal, a shadow of true existence.[7] In another respect he is a man of God, possessor of an individual existence. The difference between a man who is a mere random example of the biological species and a man of God is that the former is characterized by passivity, the latter by activity and creation. The man who belongs solely to the realm of the universal is passive to an extreme—he creates nothing. The man who has a particular existence of his own is not merely a passive, receptive creature but acts and creates. Action and creation are the true distinguishing marks of authentic existence. (124–125)

2. *Guide of the Perplexed* 3: 18: The scope of providence corresponds to the intellectual level the individual has attained.

And R. Soloveitchik comments:

> However, this ontological privilege, which is the peculiar possession of the man who has a particular existence of his own, a privilege that distinguishes him from all other creatures and endows him with individual immortality, is dependent upon man himself. The choice is his. He may, like the individual of all the other species, exist in the realm of the images and shadows, or he may exist as an individual who is not part of the universal and who proves worthy of a fixed established existence in the world of the "forms"[8] and "intellects separate from matter" [Maimonides, *Laws of the Foundations of the Torah* 4: 9]. Species man or man of God, this is the alternative which the Almighty placed before man. If he proves worthy, then he becomes a man of God in all the splendor of his individual existence that cleaves to absolute infinity and the glorious "divine overflow." If he proves unworthy,[9] then he ends up as one more

---

[6] In the Hebrew original "*halakhah le-dorot*," according to Tosefta Berakhot 5: 2; TB Berakhot 11a; TB Pesahim 100a; and elsewhere.

[7] See *Guide of the Perplexed* 3: 46; Michael Schwarz, "Maimonides and the *Babu'ah*" [Hebrew], *Daat* 42 (1999), 5–6.

[8] Maimonides, *Code*, Laws of the Foundations of the Torah 2: 3, and elsewhere.

[9] In the Hebrew original, *lo zakhah*. For this formulation, see TB Eruvin 54a; Tb Yoma 72b; TB Sotah 17a, and elsewhere.

> random example of the biological species, a turbid and blurred image of universal existence. (125–126)

As an interpreter of Maimonides' text, R. Soloveitchik adds three ideas that do not necessarily emerge from the interpreted text, or at least from part of it:

1. *Types*. In Chapter 17, Maimonides presents man as subject to individual providence by definition. He contrasts man with the rest of the natural species, which are subject to general providence (that is, to the preservation of the species). There is no room here for a distinction between a human type subject to providence and another that is not. R. Soloveitchik claims that this typological distinction appears as early as Chapter 17.
2. *The Intellect as Creativity*. Maimonides clarifies that providence applies to man as an intellectual creature: "For he who propounds this question ought to ask himself: Why did He give intellect to man and not to the other species of animals?" (124, quoted from Maimonides). R. Soloveitchik reads intellect as meaning "action," "creation," and "innovation," an interpretation that, to some extent, contradicts the original Maimonidean meaning. According to the theory of the intellect that informs Maimonides' approach, the intellectual process means precisely receptivity. The intellect absorbs matter's abstract forms from the outside, and its level is determined by the quantity of forms that the person has acquired. True, the ontological status of the intellect changes from potentiality to actuality in the course of its development, and this appears to have been R. Soloveitchik's intention. According to Maimonides, however, the intellectual process per se is not a creative process.
3. *Creativity as a measure of providence*. In Chapter 18, the level of providence is determined according to human apprehension. Apprehension refers to the acquisition of knowledge, that is, of scientific truths. The greater the individual's knowledge, the more individual the providence protecting him. Maimonides also points to moral virtues as a criterion of providence, although he appears to refer to them as actual conditions of intellectual perfection. The more moral the person, the greater his concentration on the acquisition of knowledge, and hence the greater his intellectual achievements. There is no room here for other factors that determine the level of intellectual development. R. Soloveitchik replaces scientific achievements with personal creativity.

R. Soloveitchik's interpretation of Maimonides, then, includes the following elements: Chapter 17 is interpreted as presenting two types, the species man, and the man of God. The species man remains within the realm of general providence without attaining individual providence. Like other living species, he is also subject to generality, that is, to the fixed laws and their accompanying accidents. By contrast, the man of God is worthy of individual providence. This type is described as "unique," and the divine rule relating to him includes the specific reckoning of his reward and punishment. R. Soloveitchik writes about the man of God: "He understands full well the dualism running through his being" (128). R. Soloveitchik appears to be intimating the presence of the species man as a dialectical pole within the man of God as well. The man of God sways between uniqueness and mediocrity. In any event, he is the one subject to individual providence.

And what should a man do to become a man of God rather than a species man? Specifically: how will the man of God dimension become the dominant human feature? The answer proposed by R. Soloveitchik is unequivocal: creativity. Whereas the species man leaves no mark on his generation and on those to come, the impression of the man of God upon humanity and culture is timeless thanks to the creativity of his personality. "Such a man is no longer a prisoner of time but is his own master" (ibid.). Halakhic man is not bound to a specific time because he himself constitutes his time according to the structure of his cognition and his morality of duty. Halakhic creativity is a continuous, endless process and, as such, is not subject to unidimensional time. Timelessness, as noted in the previous chapter, derives from two characteristics of halakhic cognition:

1. Repentance becomes an epistemic-halakhic object. Hence, the meaning of repentance is the interpretation of the past according to the future. This interpretation is perceived as the release of cognition from unidimensional time.
2. Halakhic cognition is continuous and infinite, and brings the past closer to the future. Through the act of halakhic *hiddush*, the later scholar engages in a dialogue with the preceding generations (Moses, Rabbi Akiva, and so forth). The discussion on providence adds another feature:
3. *Hiddush* and creativity, once conceived and performed, become timeless.

Through creative action, man extracts himself from the category of anonymous species and becomes a man of God, unique and individual, of whom it will be said: "His life is replete with creation and renewal, cognition and profound understanding. . . . He is not active but passive. His personality is not characterized by receptivity but by spontaneity" (127–128). The development of halakhic, ideal-a priori thought described in Part One of *Halakhic Man* reflects a distinctively intellectual and analytical process. In his emphasis on the centrality of reason, R. Soloveitchik is close to the spirit of Maimonidean intellectualism, although "*lomdus*" is far from Maimonides on two counts: (1) Maimonides identified the summit of rationality with metaphysics, whereas "*lomdus*" rejects metaphysics *ab initio*; (2) A gap separates authentic Maimonidean contents (the laws in the *Code*) from the "*lomdus*" that relies on them (the Brisk method). Nevertheless, creativity also means action that is voluntary rather than purely rational: adapting the qualitative-chaotic reality outside cognition to the ideal halakhic cognition. At this stage as well, then, R. Soloveitchik deviates from Maimonides' original intention although, as shown below, the full meaning of halakhic creativity is not entirely exhausted through the present analysis. An examination of the contents and the literary style of Part Two of *Halakhic Man* will reveal that creativity focuses almost exclusively on the purely internal cognitive level.

R. Soloveitchik's "creative" interpretation of Maimonides' outlook on providence enables the abstract theological theory of providence to be included within halakhic cognition. The inspiration of providence becomes a commandment, which R. Soloveitchik's interpretation defines as follows: man is commanded to abandon the man of the species category to reach the man of God category. He must strive for a high level of divine individual providence.[10] Creativity, which is the action that determines the essential personality change, is presented as an explicit divine command and, as such, as a distinct concern of halakhic man. Creativity becomes an object of halakhic-ideal analysis. Following is R. Soloveitchik's formulation of this commandment:

> The fundamental of providence is here transformed into a concrete commandment, an obligation incumbent upon man. Man is obliged to

[10] As shown below, the Creation is perceived in the mind of halakhic man as another source that compels creativity. Creation turns into "an ethical principle, a norm and obligation binding upon man" (133).

> broaden the scope and strengthen the intensity of the individual providence that watches over him.[11] Everything is dependent on him; it is all in his hands. When a person creates himself, ceases to be a mere species man, and becomes a man of God, then he has fulfilled that commandment which is implicit in the principle of providence. (128)

The Peak of Creativity: (2) Prophecy

R. Soloveitchik's discussions of prophecy in connection with halakhic man renounce a priori the prophet's social-political function, which had played an important role in the work of thinkers such as Maimonides. Prophecy for R. Soloveitchik is, above all, the realization of the individual personality. This is rather obvious: halakhic man, the head of the Volozhin or the Brisk yeshiva, does not consider himself a public leader. Quite the contrary: he is an individualistic, elitist type who, at most, is surrounded by a small select group. The greater the involvement of halakhic man in society, the more evident his isolation and his uniqueness.[12] R. Soloveitchik compares providence and prophecy on several counts, which expose the inner coherence of these concepts:

1. Both providence and prophecy are divided into a theological-dogmatic dimension and a creative-human dimension.
2. The discussion about providence and prophecy dictates a division into two ideal types, the species man (the subject of providence) and the man of God (the prophet).
3. Both providence and prophecy shape an identical ethos: the individual must attain release from the species man and be included in the man of God category.
4. The discussion focuses on the personal aspect of providence and prophecy, and avoids consideration of their social function.[13]

On the question of prophecy, R. Soloveitchik fully endorses the Maimonidean principle that prophecy requires suitable preparation.[14] Maimonides entirely rules out the possibility that someone who is not

---

[11] In the Hebrew original *hofefet ʿalav*, according to Deuteronomy 33: 12.

[12] See above, ch. 9.

[13] See Aviezer Ravitzky, "A Prophet Facing his Society in Modern Jewish Thought" [Hebrew] in *History and Society: The Annual Conference on Jewish Thought*, ed. Yehezkel Cohen (Jerusalem: Ministry of Education, 1980), 171.

[14] See also, "From Thence You Shall Seek," 218.

ready might be granted the gift of prophecy.[15] For R. Soloveitchik, preparation for prophecy reflects the creative action, and its attainment and realization represent the height of creativity. The personality of the individual preparing for prophecy undergoes an essential transformation, and he is involved in a process of self-creativity. R. Soloveitchik appears to suggest here to the reader that the principle of preparation, as a creative act of personality change, is more significant than the realization itself. He does so by changing the order of the components of prophecy in the following two passages:

> The principle of prophecy, as an article of faith, like the fundamental of providence,[16] has a twofold aspect:[17] the belief in (1) prophecy as a reality—i.e., that God causes men to prophecy;[18] (2) prophecy as a norm—i.e., that each person is obliged to aspire to this rank, that every man should make a supreme effort to scale the mountain[19] of the Lord, until he reaches the pinnacle of the revelation of the Divine Presence . . . (128–129)
>
> Maimonides, in the above passage, explicitly states that the fundamental of prophecy[20] includes two elements: (1) the personality of the prophet; (2) the phenomenon of prophecy. To be sure, the outpouring of the spirit, the divine overflow, is dependent upon heavenly grace; nevertheless, the preparation for prophecy and the task of self-creation have been entrusted to man. (130)

In the first passage, divine grace (the infinite divine emanation) precedes human activity (the prophet's attainment of it). By contrast, in the second passage, the creation of a new human personality through human action precedes the celestial emanation[21] indicating that, for halakhic

---

[15] The reference is obviously only to Maimonides' explicit statements and not to his concealed hints. See, for instance, Alvin Jay Reines, *Maimonides and Abrabanel on Prophecy* (Cincinnati: Hebrew Union College Press, 1970), 19.

[16] The comparison between prophecy and providence is the following: providence is a given, static situation (emanation), to be attained through intellectual action (Maimonides) and intellectual-creative action (R. Soloveitchik). Prophecy is also a given ("outpouring of the spirit"), attainable through the appropriate action. Maimonides compares prophecy to Creation (*Guide of the Perplexed* 2: 32).

[17] In Hebrew original *mofi'a be-du-partsufim*. See TB Berakhot 61a; Tanhuma 97: 2, and elsewhere.

[18] In Hebrew original, "*ha-El menabe et benei ha-adam*." See Maimonides, *Code*, Laws of the Foundations of the Torah 7: 1.

[19] In Hebrew original, "*la'alot be-har Adonai*," according to Psalms 24: 3; Exodus Rabbah 4: 1.

[20] Maimonides, *Commentary on the Mishnah*, introduction to *Helek*. R. Soloveitchik altered the order here, since Maimonides wrote the *Commentary on the Mishnah* before the *Code*.

[21] In fact, R. Soloveitchik is simply repeating Maimonides' view. The first source is

man, the essential element is personal creativity. The discerning reader discovers that the precedence of the theological declaration concerning the existence of providence and prophecy is merely rhetorical; in truth, the constitutive foundation of the peak of divine worship is personal creativity. Halakhic man is not interested in the theological principle of prophecy *per se* but rather as an expression of creative human action. At the same time, R. Soloveitchik emphasizes that this theological question—prophecy—includes halakhic aspects that enable it to "penetrate" creative halakhic cognition. "Thus, the belief in prophecy has an ethical and practical dimension; it incorporates within its scope binding and authoritative law. Prophecy is man's ultimate goal, the end point of all his desires" (129). The fact that prophecy evolves within halakhic thought ultimately leads us to perceive human activity as primary, and the abstract theological principle of divine emanation ("the outpouring of the spirit") as secondary.

What is the meaning of the personal creativity revealed in providence and prophecy? Does R. Soloveitchik abandon the foundation of epistemic idealism at the end of *Halakhic Man*? Eventually, R. Soloveitchik will rely on creativity and personal realization in his existential thought:

> The prophet creates his own personality, fashions within himself a new "I" awareness and a different mode of spiritual existence, snaps the chains of self-identity that had linked him to the "I" of old—to man who was just a random example of the species, who "walk[ed] in the darkness of the times"[22]—and turns into a man of God, his mind "bound beneath the [celestial] throne." (130)

This passage could indeed be interpreted as referring to personal creativity, in the style of authentic existence of existentialist philosophies, and R. Soloveitchik perhaps wanted the ordinary reader to understand

---

from the *Code*, Laws of the Foundations of the Torah 7: 1, where Maimonides begins by asserting the existence of prophecy ("It is one of the foundations of religion to know") and only later turns to the individual's longing to attain it. By contrast, in the introduction to *Helek* in his *Commentary on the Mishnah*, Maimonides begins with the individual's search ("that a man should know that among the species of men there are to be found men whose nature is such,") and only then concludes with the existence of prophecy ("and this is prophecy"). According to this *hilluk* in the commandment of prophecy, we must still establish why Maimonides changed the order of these laws in his writings.

[22] From Maimonides, *Code*, Laws on the Foundations of the Torah 7: 1, cited in Halakhic *Man*, 129.

the figure of halakhic man in this manner. It could also be interpreted, however, in idealist-epistemic symbolic terms; before halakhic man (who turned into a prophet) developed his consciousness, he dealt with the "given" in space and time through the hints of the sense or its stimulation. With the development of cognition, halakhic man creates the objects from their infinitesimal origin and until their mature appearance ("objectification"). At the end of the critical process, halakhic man develops a new consciousness, entirely divorced from the previous one. The creative process comes to an end: consciousness is now an absolutely new creation. Previously, objects such as a ram horn, a tabernacle, a spring, and a *sherets* had been part of a given receptive system of which halakhic man learns through the impressions of his senses. Now, after halakhic man has dissected these terms into their infinitesimal foundations by reducing quantities and recreating them through the "*hillukim*" method, this system is the creation of his cognition. He detaches himself from temporary perceptions and from the sensorial world ("the darkness of the times") and becomes a creator of worlds, that is, the cognitive-halakhic ideal world. The movement is from receptivity to creativity.

The True Meaning of Creativity: Interpreting Maimonides

In Part One of *Halakhic Man*, as noted, the term *Halakhah* refers to halakhic, ideal-a priori thought in the Brisk style of scholarship. In the first four sections of Part Two, R. Soloveitchik adds the extra-cognitive dimension of the term, when he discusses the realization of ideal Halakhah in the qualitative-external world. Do the last two sections of the essay preserve the integrative meaning of the term?

In the concluding sections of the essay, R. Soloveitchik builds a complex structure in his substantial discussion of creativity:

1. Theory of the intellect (intellectual conjunction with the active intellect defined as individual immortality)—123–124
2. Providence—124–128.
3. Prophecy—128–131.
4. Theory of the intellect (conjunction with the active intellect)—131–132.

The quasi-medieval theory of the intellect, therefore, with which R. Soloveitchik opens and closes the discussion about the peak of

personal creativity, is the framework and the key for understanding halakhic creativity. Creativity should thus be understood in light of the perception of the intellect that R. Soloveitchik discusses together with the halakhic theory of cognition. And he writes as follows:

> The mystery of creation, according to Maimonides, is latent in the adhesion of the initially passive intellect—which functions with reference to the active intellect as does matter in its potentiality with reference to the form that acts upon it—to the active intellect. Man initially is receptive, is pure potentiality. But creation, by definition, means spontaneity, actuality, action, renewal, aspiration, and daring. Therefore, man must become a creature that both acts and causes others to act. The potentiality must transform itself into actuality, the receptivity into spontaneity. The hyle in this process of creation must ultimately be able to act, drawing upon its own resources. The creature must become a creator, the object who is acted upon a subject who acts. The concept of the individual action is of major importance in Judaism, and this idea molds the shape of the concept of creation as it appears in Maimonides' philosophy. Moreover, Maimonides' view on this matter is consistent with his overall philosophical system. Cognition, for Maimonides, is the identity of the intellect, the intellectually cognizing subject and the intellectually cognized object. Moreover, for Maimonides, this principle of identity not only applies to the infinite, divine cognition but also to finite, human cognition. The moment the hylic intellect (the material intellect, as it is called by the Arab philosophers, or passive intellect, as it is termed by the Aristotelians) passes from potentiality to actuality—i.e., at the moment of actual cognition—it unites and conjoins with the active intellect. However, this identity is constant and eternal only with respect to the infinite divine intellect but not with respect to the intellects of His creatures, for their cognition is finite and intermittent. The identity is broken when the act of cognition ceases. As long as the act of cognition lasts, the unity remains in force. For this reason the great ideal of man is to multiply acts of intellectual cognition (in frequent succession) in order thereby firmly to establish (to be sure, with many interruptions, for is not the absolute continuity of cognition reserved solely for God?) the constancy of the unifying act of cognition. Man has the choice to devote his hylic intellect either to the apprehension of the senses and the imagination, which is restricted to matter circumscribed by space and time, or to a pure intellectual cognition of the separate, essential forms. Creation finds its expression in man's fulfilling all of his tasks, causing all of the potentiality implanted in him to emerge into actuality, utilizing all of his manifold possibilities, and fully bringing to fruition his own noble personality. (131–132)

R. Soloveitchik links the theory of the intellect to providence and to prophecy by ruling on a prolonged controversy in medieval thought. Most medieval rationalists held that the potential human intellect

("material," "hylic") reaches conjunction with the active intellect by acquiring knowledge. The controversy hinges on the question of whether this conjunction is possible while man is alive or whether it only takes place after detachment from constraining, limiting matter. Although many scholars ruled that this conjunction is only possible after death;[23] R. Soloveitchik rules it is already possible during a person's lifetime.[24] Conjunction occurs, then, when a suitably prepared person succeeds in transcending, and his intellect is transformed from potentiality into actuality. At other times, a person leads an ordinary life.

According to this ruling, these various issues share a common denominator: providence, prophecy, and conjunction are all phenomena directly dependent on man's intellectual activity according to Maimonidean philosophy. All three reflect a transition from routine to spiritual transcendence and, in practice, also a transformation of the personality (from "species man" to "man of God"). For R. Soloveitchik, creativity or the disposition leading to a vast and fundamental personality change, ties all these issues together.

Without assuming that this writing involves concealed messages, the passage above is admittedly inconsistent. The substantive and terminological framework of this passage is rooted in medieval thought: intellectual conjunction with the active intellect based on the epistemological process of union between the form and the intellect apprehending it. This process reflects the transformation of material (hylic) intellect into intellect *in actu* and later into acquired intellect, which enables conjunction with the active intellect.[25] The discussion on the perception of the intellect in light of medieval sources (Maimonides) leaves no room for doubt: as described here, creativity is a distinctively intellectual process. The transformation of the material intellect from potentiality into actuality takes place only through the acquisition of knowledge. The practical-moral layer does not play an essential role in the medieval perception of the intellect, and is meant to devote itself to the acquisition of knowledge without any disturbance from the

---

[23] See, for instance, Dov Schwartz, *The Philosophy of a Fourteenth Century Jewish Neoplatonic Circle* [Hebrew], (Jerusalem: Bialik Institute, 1996), 203–210.

[24] As in the approach Averroes conveys in some of his writings. See Alfred L. Ivry, "Averroes on Intellection and Conjunction," *Journal of the American Oriental Society* 86 (1966), 76–85.

[25] See Davidson, *Alfarabi, Avicenna and Averroes*; Schwartz, *Fourteenth Century Jewish Neoplatonic Circle*, 179.

yetzer. At the core of this passage, however, R. Soloveitchik includes the dimension of practical action ("the concept of the individual action is of major importance in Judaism"). This is a surprising move: the creativity typical of the theory of the intellect is basically intellectual. Indeed, this creativity fits the development process of halakhic cognition according to Hermann Cohen's epistemology.[26] Recall that, in Cohen's philosophy, scientific cognition creates its own objects. Why, then, is action mentioned in an entirely intellectual discussion?

The inclusion of a practical dimension in creative activity cannot be fully understood unless another leading element in Part Two of *Halakhic Man* is taken into account: the realization of ideal halakhic thought in the qualitative-sensorial world. In this part of the essay, halakhic man strives for the full adaptation of external reality to halakhic thought. Consequently, the term *Halakhah* also assumes the meaning of practical Halakhah, besides the ideal a priori one. R. Soloveitchik senses a need to mention the creativity of realization as well, but he also tries to intimate to the discerning reader that the practical dimension (the realization of Halakhah) is marginal vis-à-vis the epistemic dimension. Essential creativity retains the original meaning assumed in Part One, that is, the development of halakhic-ideal cognition. Apprehension, not action, is the creativity that is primarily sought by halakhic man. These are also R. Soloveitchik's closing words in the passage cited above: "The unfolding of man's spirit that soars to the very heavens,[27] that is the meaning of creation" (132). The creative realization of the personality is thus obviously intellectual: creation refers to the creation of the spirit. The realization of Halakhah in the qualitative world relinquishes its place to genuine creativity, which is personal-intellectual: the development of halakhic cognition. R. Soloveitchik reveals here that, in his view, the descent to the concrete world is a husk that conceals the true creative core—ideal halakhic consciousness.

In relying on the terminology of the medieval theory of the intellect, then, R. Soloveitchik's aim is primarily negative: the peak of creativity

---

[26] The common denominator uniting Maimonides, Hermann Cohen, and halakhic man, according to R. Soloveitchik's description, is the link between intellectual perfection and scientific knowledge. Obviously, Maimonides' Aristotelian-Moslem science is entirely different from Newtonian science. In a note (162, n. 138), R. Soloveitchik points to the link joining Maimonides and Cohen through his reference to Solomon Maimon's commentary on the identification between form and the thought thinking it. See *Giv'at ha-Moreh*, ed. S. H. Bergman and N. Rotenstreich (Jerusalem, 1965), 101–108.

[27] In the Hebrew original, "*ha-marki'a shehakim*," according to Job 37: 18.

is not linked to the qualitative-external world, but to the intellectual personality. Genuine creativity is the development of ideal halakhic thought. The common denominator between the medieval theory of the intellect and Brisk "*lomdus*" amounts essentially to three issues:

1. Identifying creativity with intellectual achievement.
2. Establishing intellectual achievement on scientific knowledge.
3. Relying on Maimonides as philosopher and judge.

What is the difference between them? In order to clarify the relationship between the philosophical consciousness derived from Maimonides' theory of the intellect and the halakhic consciousness derived from Maimonides' halakhic approach, R. Soloveitchik draws a distinction between Judaism and Greek philosophy.[28] He counterposes the Aristotelian view about the relativity of matter and form as (to some extent) the creative principle of generation and corruption, to the halakhic creativity embodied in Maimonides. The Aristotelian scheme ("the idea of the fourfold nature of existence" [132]) is: hylic (abstract), matter (relative), form (relative),[29] pure form. Two elements differentiate this scheme from the halakhic-Maimonidean one:

1. *Creation, Contingency, and Necessity*. Creation—as the peak of creativity—is perceived as a voluntary act performed out of absolute freedom;[30] hence, it is also the source of the moral behavior and

---

[28] The distinction between Greece and Israel is a prominent feature of early religious-Zionism in the thought of Zeev Jawitz. See Dov Schwartz, *Challenge and Crisis in Rabbi Kook's Circle* [Hebrew] (Tel Aviv: Am Oved, 2001), 226.

[29] For instance, a shred of wood is a form of the element of earth, which is its matter; a plank of planed wood is a form of a shred of wood, which is its matter; the frame of a window is a form for a plank of wood, which is its matter, and so forth. In a note (163, n. 141), R. Soloveitchik refers to Paul Deussen's popular book as his source for this discussion. The link that R. Soloveitchik assumes between matter and form on the one hand and potentiality and actuality on the other ("Existence [apart from the first form], by definition, means development, the passing from potentiality into actuality" [133]) appears in Aristotle's writings (*Met.* 1042b 9–10, 1043a 2–7).

[30] Obviously, R. Soloveitchik perceives freedom in its Kantian meaning, of subordination to reason or, in the case of halakhic man, to ideal-a priori Halakhah. He therefore emphasizes in regard to the freedom of creativity:

> However, as was explained earlier, the complete freedom of the man of God is embodied in his perception of the norm as an existential law of his own individual and spiritually independent being; he discovers his freedom in the halakhic principle, which is deeply rooted in his pure soul. For this norm, this principle is unaccompanied by any sense of compulsion, and a person does not feel "as though he were compelled by some mysterious, hidden power." Rather he rejoices in its fulfillment and realization. (135–136)

the halakhic norm. Creation becomes a component of halakhic cognition, which moves it to create its objects (the "objectification" process), and in fact—its world. Creation is the source of "the yearning for creation that has so entirely seized hold of the Jewish imagination" (133). By contrast, the Aristotelian process of existence coming into being reflects a "necessary concatenation" (133), which leaves no room for any initiative of creation out of freedom. This is also true concerning cognition: in the Aristotelian process of perfection, the intellect plays a receptive role, absorbing forms from the outside (in a process of abstraction) rather than creating them. The difference between the "Greek" and the halakhic approaches is thus twofold: (1) creativity; (2) contingency.

2. *Individual and Universal*. Halakhic creativity focuses on the individual. The individual creates his own cognition as an individual personality that will not be blurred.[31] Aristotelian intellectual creativity seeks abstraction from matter and conjuction with the pure form that is distinct from matter. Early and later interpreters of Aristotelian texts diligently embarked in a search for the pure form. One of its features, however, is unquestionable: pure form reflects a universality (genus and species) that is opposed to the individuation of matter. For Aristotle, matter is what bestows particularity and individuality, while form is the universal, non-particular foundation: "The dream of the Attic sage is the obliteration of that particularity which is rooted in matter" (134).

Maimonides adopts in the *Code* the halakhic approach that serves as the basis of the Brisk method of scholarship, and in the *Guide* the theory of the intellect that is founded on Aristotle's scheme of existence. R. Soloveitchik's awareness of this tension within Maimonides comes to the fore in *The Halakhic Mind*. In principle, this tension can be settled in two ways. One is to explain Maimonides' philosophy in light of his halakhic thought (as halakhic scholars sometimes do), and the other—to interpret his halakhic thought in light of his philosophy (as is sometimes the practice among medieval scholars of Jewish philosophy). According to R. Soloveitchik, Maimonides endorses the former approach:

> The concept of creation has its roots in the Halakhah, and from there it was transferred by Maimonides to the domain of philosophy.

[31] R. Soloveitchik is thereby implicitly relying on Fichte. See below 328–330.

> Therefore, Maimonides, in the *Mishneh Torah*, used the Aristotelian notions of active and passive intellect very sparingly but instead took up at great length the new principle which Judaism brought to light—namely, prophecy as a binding ethical ideal, prophecy as an act of self-creation and self-renewal. (134)

Halakhic consciousness is thus the source of philosophical consciousness, and dictates Maimonides' ruling on immortality, as shown at the opening of section vi.

R. Soloveitchik nevertheless understands that he has not settled this self-contradiction in Maimonides. How is it possible to endorse the notion of universality as a philosophical purpose (conjunction and communion with the active intellect) while preserving the self-affirmation of halakhic man as an individual-unique personality? Or, in R. Soloveitchik's version: how is it possible to reconcile the perfection of the species man (that, in Aristotelian terms, means identifying purpose with the realization of the species form) with the personal perfection of the man of God? This is his answer:

> Man, initially, must cause all of the potentialities of the species implanted in him to pass into actuality; he must completely realize the form of the species "man." However, once he has actualized this universal form, then, instead of having his own specific image obliterated, he acquires a particular form, an individual mode of existence, a unique personality, and an active, creative spirit.[32] He leaves behind the domain of the species and enters his own personal domain. The realization of the universal in man's being negates any claim that the species has on him. This outlook is truly striking in its paradoxical nature. It is a hybrid of two views: the view of Aristotle, with its emphasis on the universal, and the view of the Halakhah, with its emphasis on the individual. The method is Greek, the purpose halakhic.[33] The goal of self-creation is individuality, autonomy, uniqueness, and freedom. (135)

---

[32] R. Soloveitchik appears to be integrating here the psychological terms of the soul (*nefesh, yehidah, ruah*). See, for instance, Genesis Rabbah 14: 9.

[33] The method of halakhic cognition is therefore distinctively scientific, and thus "Greek." The comparison rests on the identification of the halakhic method (in its epistemic idealism version) with the scientific method, that is, on the mathematization of cognition; clearly, Aristotle's scientific thought and Hermann Cohen's thought (meaning the mathematical-Newtonian method) are entirely different. The ways of halakhic knowledge are thus mathematical-physical, but the aim is to re-create the halakhic system. To some extent, R. Soloveitchik's approach is antithetical to that of the *Nazir* (R. David Cohen). For the *Nazir*, the classic halakhic method is analogy, since Halakhah relies on the analogical thought of halakhic midrashim, whereas the aims and the contents of cognition are not exclusively Jewish. See Dov Schwartz, *Religious Zionism Between Logic and Messianism* [Hebrew], (Tel-Aviv: Am Oved, 1999), 234–272.

R. Soloveitchik presents here an interesting and unusual explanation of Maimonides' approach. In this view, creative perfection involves two mutually opposed stages, and the second stage emerges once the first has disappeared. At the first stage, creativity is confined to universal law, which is deterministic and species-dictated. According to the Maimonidean view of this stage (in R. Soloveitchik's version), man acquires a scientific-intellectual knowledge hinging by definition on universal species and concepts, and his intellect becomes universal. At the second stage, creativity is expressed in the transfer to the individual realm. The achievement of the previous stage, its being universal, collapses and disappears, to be replaced by the personal creativity characterized by freedom and autonomy: "instead of having his own specific image obliterated, he acquires a particular form, an individual mode of existence" (ibid.). The second, individual stage appears when the first is at its height, at which point it vacates its place to the personal stage.[34] Self-creation is thus release from subordination to universal-natural necessity, and its replacement by voluntary submission to reason. From the perspective of halakhic man, this lawfulness is distinctly halakhic:

> The will outwits the structured lawfulness of the species; it creates a new free mode of being in man, one which is not enslaved by the rule of the structured lawfulness of the universal but which it ascends to the very heavens and cleaves to the divine overflow. The will is the source of repentance, providence, prophecy, and the freedom of the spirit. However, this whole process of development unfolds in an ethical-halakhic spirit. (137)

R. Soloveitchik clarifies: free, autonomous will is what brings halakhic man to acceptance of halakhic laws as the basis of his creative activity. This activity is equivalent to establishing the foundations for "the fact of Halakhah," that is, of the legal-halakhic system. And he concludes:

> And halakhic man, whose voluntaristic nature we have established earlier is, indeed, a free man. He creates an ideal world, renews his own being and transforms himself into a man of God, dreams about the complete realization of the Halakhah in the very core of the world, and looks

[34] Here too, R. Soloveitchik outlines a scheme resembling a well known pattern of the medieval theory of intellect, whereby the intellect involves two dispositions. Once the first disposition is completed, it disappears and is replaced by the second. A view of this type appears in Averroes' writings. See Schwartz, *Fourteenth Century Jewish Neoplatonic Circle*), 179.

> forward to the kingdom of God[35] "contracting" itself and appearing in the midst of concrete and empirical reality. (137)

This concluding passage is the key to an understanding of Part Two of *Halakhic Man*. A clear-cut conclusion is now possible: the creativity of halakhic man is primarily epistemic-idealistic. R. Soloveitchik, then, does not abandon the epistemic domain to enter the qualitative-external one. In its deep sense, as noted, creativity is merely the development of halakhic, ideal-a priori thought ("he creates an ideal world"). Self-creation, which is concerned with the transition from species man to man of God, unfolds directly out of the halakhic thought that creates its objects as "genuine" creation. The full realization of Halakhah in the qualitative world, to take place in the Maimonidean version of the messianic era, remains a dream and an emotional hope. It is definitely not an epistemic consideration. Insofar as halakhic man is endowed with human feelings, these are directed to the ideal of redemption in the distant future. The realization of Halakhah in the sensorial-qualitative world is more strongly emphasized in Part One, where creativity is presented by negation. As opposed to myth and mysticism, halakhic man presents the fullness of Halakhah in the concrete world as well. The realization of Halakhah is the barrier that halakhic man sets before sweeping engulfment by mysticism. By contrast, in sections iii–vi of Part Two, creativity is interpreted as the creation of the personality, which for halakhic man means developing the halakhic thought that creates its objects.

Facets of Creativity

The main characteristics of halakhic man—be it his cognition, his pure will, or his aesthetic-creative activity—are rooted in pure idealism. But Cohen's philosophy obviously does not satisfy R. Soloveitchik as a full explanation of the creativity principle and the individualism it compels. Instead, he finds the suitable combination of cognition, morality, freedom, and creative individuality in Fichte's approach (163, note 146). Cohen and the neo-Kantians deny that the "self" plays a role in the development of cognition, and they do not consider that consciousness of the "self" (the transcendental subject) precedes other

---

[35] In the Hebrew original "*malkhut Shadai*," according to the *'Aleinu* prayer.

forms of consciousness. According to the neo-Kantians, Kant rejects any association between the "I think" consciousness and psychology. Kant's Marburgian followers, however, go further. For them, "I think" lacks any ontological dimension.[36] By contrast, on the basis of the "I" consciousness, Fichte creates a distinctively idealistic approach. Furthermore: Fichte offers a philosophical basis for an essential union between cognition and morality, whereas Cohen demands only methodological uniformity between them. Except for the principle of purity and the way in which it is revealed, cognition and will are essentially different from one another. In his dissertation, R. Soloveitchik sharpens the distinction between Fichte and Cohen as follows:

1. According to Fichte, the general "I" has absolute actuality (*Wirklicheit*); according to Cohen, pure thought is free from reality.
2. According to Fichte, the general "I" is perceived as an I-subject and as self-consciousness; Cohen, however, excludes the subject and the "I" from pure thought.
3. According to Fichte, the generation of the "I" methodologically precedes the generation of the "non-I," whereas according to Cohen, the generation of pure thought parallels the generation of being (*Sein*).
4. According to Fichte, the process of pure thought is driven by a moral motive, whereas according to Cohen the dominant motive of this process is the generation of being.[37]

The creativity of halakhic man is explained according to Fichte's idealist model, as a synthesis of the moral norm and the laws of pure cognition, and as an expression of the "I" consciousness." Hegel opens his review of Fichte's thought as follows: "The absolute is

[36] See Meshulam Groll, *Works* [Hebrew] (Tel Aviv: Am Oved, 1966), 154–155. Even after cognition has reduced quantity infinitesimally and quality is all that remains, we still find no evidence of an "I" consciousness. In these circumstances, that is, when quantity has disappeared but no new cognitive object has yet evolved, we can only point to the existence of the categories, although this is not yet the consciousness of "I think" but only a cognitive-organizational tool. The forms of sensibility have indeed disappeared at the pre-structural stage of the object, since these forms locate the sense datum, which is infinitesimally reduced already. The categories of thought, however, reflect the thinking reason, which will eventually create various judgments.

[37] Rainier Munk, *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought* (Amsterdam: J. C. Gieben, 1996), 17, note 16; Helmut Holzhey, *Cohen und Natorp*, I (Basel: Schwabe, 1986), 65.

subject-object, and the ego is this identity of subject and object."[38] Possibly, R. Soloveitchik perceives the "I" consciousness, which is the foundation of Fichte's thought, as "sparks" (in R. Soloveitchik's formulation in the note cited above) of individuality. In any event, the creativity of halakhic man should certainly be interpreted according to idealist criteria. Even if one qualifies the above claim that genuine creativity is a development of a priori halakhic thought and adds to it ethic and aesthetic aspects more significantly related to reality than epistemology, it would still remain within the realm of epistemic-idealist philosophy. In referring readers to Fichte, R. Soloveitchik clarifies that the decision to approach halakhic creativity with scientific tools, despite its normative-ethical concern, rests on a solid philosophical-idealist basis. The realization of Halakhah in the qualitative world dims the idealist basis of R. Soloveitchik's discussions only slightly. In sum: idealist-epistemic philosophy is the instrument for understanding halakhic man's epistemic and moral personality.

Summary

In Part Two of *Halakhic Man*, R. Soloveitchik presents a complex structure incorporating several layers of creativity. First, two meanings and contents of creativity are discerned:

1. *Hiddushim*. These are various levels and stages in the self-creativity of halakhic cognition. *Hiddushim* are the foundations of pure halakhic laws, and they are created in the endless process of halakhic thought. This sense connects the two parts of *Halakhic Man*, and rests directly (from the perspective of philosophical tools of expression) on Hermann Cohen's epistemology, while also fitting other philosophic-idealist models.
2. *Renewed Self-creativity*. In this sense, halakhic man creates his moral and intellectual personality out of a halakhic perspective. This process, as noted in this chapter, is discussed at length in Part Two of *Halakhic Man*. This meaning also rests on Hermann Cohen's ethics, where the fundamental principles of moral thought are revealed in man's being as a "legal man." For R. Soloveitchik,

[38] G. W. F. Hegel, *The Difference between Fichte's and Shelling's System of Philosophy*, tr. H. S. Harris and Walter Cerf (Albany, NY: SUNY, 1977), 119.

self-creation is also associated with the real and temporal world. Halakhic man's will is fashioned by imposing halakhic laws on the external-qualitative reality.

These two meanings do indeed implement the view of creation at two levels:

1. *A Cognitive Level*. Creativity means the development of ideal halakhic cognition, which combines scientific and legal laws.
2. *An Extra-cognitive Level*. Creativity means the realization of ideal Halakhah in the world of senses and qualities. The motivation driving this type of creativity is the messianic hope derived from halakhic man's pure will.

At the same time, R. Soloveitchik presents the manifestations of creativity in two realms, pointing to their expression in the universal philosophical tradition and to their source in Judaism:

1. *Ideal Halakhic Cognition* (the idealist-critical tradition).
   An echo of the longing for creativity, the ultimate desire of Judaism, makes itself heard in the philosophy of Kant, which is based upon the principle of the spontaneity of the spirit in general, and in the neo-Kantian school of Hermann Cohen, in the concept of the creative pure thought in particular (163–164, note 147).

2. *Halakhic Morality*: (phenomenological-religious and existentialist tradition). "This concept of the obligatory nature of the creative gesture, of self-creation as an ethical norm, an exalted value, which Judaism introduced into the world, reverberates with particular strength in the world views of Kierkegaard, Ibsen, Scheler, and Heidegger" (ibid.).[39]

R. Soloveitchik, as noted, included phenomenological meanings of creation in his view of halakhic creativity. Repentance, providence, and prophecy as expressions of self-creativity attest to the other meaning of

[39] As a source for the philosophy that presents creativity as self-realization, R. Soloveitchik mentions at the end of the note "S. H. Bergman's discussion of Ibsen's drama *Peer Gynt*" (ibid.). This gives us some indication about R. Soloveitchik's sources, some of which are secondary. See Shmuel Hugo Bergman, "The Philosophy of Martin Heidegger" [Hebrew] *Hogei ha-Dor* (Tel Aviv: Mitspeh, 1935), 146. The article about Peer Gynt was later reprinted in S. H. Bergman, *Thinkers and Believers* [Hebrew] (Tel Aviv: Dvir, 1959), 161–170.

creativity, which is not fully exhausted within a rigid epistemic idealism. Nevertheless, I still claim that this dimension was meant to dim the extremism of halakhic man, for whom the one and only "authentic" creativity is the objectification of cognition. The sage is preferable to the prophet, and halakhic man does not yearn for the prophet preaching at the gate. The hints implicit in R. Soloveitchik's essay are enough to clarify to the discerning reader the one and only interest of halakhic man. Phenomenological-religious and existentialist tradition thus help R. Soloveitchik to blur the epistemic "rigidity" of halakhic men, who do not place value on personal and experiential creativity.

As in Part One of *Halakhic Man*, the "negative" presence of *homo religiosus* shapes the discussion in Part Two as well. This presence balances the phenomenological-religious style typical of *homo religiosus*, and the creative figure of halakhic man emerges as its polar opposite. Creativity means rejecting the mystification and demonization of religion. For halakhic man, religious creativity begins and ends with pure halakhic lawfulness and (contrasting to some extent with the epistemic structure discussed in Part One of the essay) with its realization in the reality outside cognition. This realization is another means for blurring the sole epistemic concern of halakhic man. At the end of his essay, R. Soloveitchik clarifies to the perceptive reader that genuine creativity means developing the halakhic thought that creates its objects and adjusting the personality structure to this development. Ultimately, halakhic man is enclosed within his epistemic world, and the realization of Halakhah does not fulfill an essential role within it. Creativity is personal-cognitive.

R. Soloveitchik, then, ends *Halakhic Man* with the unifying element that characterizes this pure type: knowledge, moral will, and creative-aesthetic activity, all originate in the same source—the development of ideal halakhic cognition. The essay begins and ends with the cognition of halakhic man, and the encounter with the real world is a mental episode lacking any essential meaning. Halakhic man was and remains within his a priori cognitive world, whether we deal with his thought or address the will and the creativity that characterize him. The re-creation of the personality, uniqueness, and individuality can indeed be interpreted in phenomenological terms; the phenomenological characteristics of halakhic man, however, derive primarily from halakhic cognition and from the personality derived directly from it.

CHAPTER FOURTEEN

HALAKHIC MAN AFTER TWENTY YEARS: WHAT HAS CHANGED?

In 1964, nearly twenty years after the publication of *Halakhic Man*, R. Soloveitchik published "*Mah Dodekh mi-Dod*," which is a eulogy of his uncle R. Yitzhak Zeev Soloveitchik. The eulogy includes a special chapter devoted to "the method of R. Hayyim, man of Brisk." *Halakhic Man* and "*Mah Dodekh mi-Dod*" interface at many points that need not be detailed here. The question is whether, in the later essay, R. Soloveitchik examines and measures halakhic man through a different perspective. The significant style differences between the two works are obvious. *Halakhic Man* is a theoretical, systematic essay, whereas "*Mah Dodekh mi-Dod*" is a eulogy that resorts to a classic homiletic style.[1] Notwithstanding the eulogy's homiletic wrapping, however, central changes in R. Soloveitchik's perception of halakhic man are evident in two areas: 1. The completion of aspects insufficiently discussed or emphasized in *Halakhic Man*; 2. The toning down of extreme aspects in the personality of halakhic man. This chapter discusses these changes.

The Genius

A eulogy, by definition, is the portrayal of a personality, and a discussion of R. Yitzhak Zeev's personality will obviously touch on his prodigious scholarship.[2] In *Halakhic Man*, R. Soloveitchik deals with the epistemic meaning and implications of halakhic creativity. In his discussion of creativity, he emphasizes how it parallels the creation of worlds, and he reviews its manifestations in repentance, providence, and prophecy.

---

[1] Compare Pinhas Peli, "The Uses of Hermeneutics ('Derush') in the Philosophy of J. B. Soloveitchik: Method or Essence?" [Hebrew], *Daat* 4 (1980), 111–128. For a hagiographical description of R. Soloveitchik as homilist, see H. R. Rabinowitz, *Men of Understanding* [Hebrew] (Jerusalem: Chaim, 1972), 59–69.

[2] Marvin Fox, "The Rav as a Maspid," in *Joseph B. Soloveitchik: Man of Halakhah, Man of Faith*, ed. Menachem D. Genack (Hoboken, N.J.: Ktav, 1998) 190–191.

He also implies that he "wavers" between two types of creativity, the pure-halakhic (cognitive) type on the one hand, and its realization in the qualitative domain on the other. He ignores, however, the psychological process of the scholarly-halakhic *hiddush*. The psychological dimensions are obviously not essential to an understanding of halakhic man's unique cognition, and this issue has been discussed extensively above. By contrast, in his eulogy of R. Yitzhak Zeev, R. Soloveitchik devotes a special passage to the psychology of creating halakhic *hiddushim*. He presents two possible ties between the (theoretical, a priori) Torah and its students: betrothal and marriage. The betrothal bond characterizes a person who grasps the Torah by "acquisition," that is, through diligent study. He then goes on to discuss the marriage bond in great detail:

> But there is a higher rank. Occasionally, the Torah marries and unites with an individual… The Torah is thus absorbed into the innermost recesses of his being and bonds with him. Whoever attains this, attains an additional soul,[3] the soul of the Torah, from which the spring pool flows.[4] When barriers no longer separate man from the Torah, not only do forty nine gates of halakhic thought and cognition open up before him but so do forty nine gates of halakhic feeling and vision.[5] God endows him not only with a rational soul, but also with a soul possessing halakhic vision. Logical halakhic reasoning draws on the pre-intellectual vision tempestuously breaking through from the depths of his personality, which is protected[6] by the holy inspiration. This mysterious intuition is the source of halakhic creativity and innovation. Rigorous intellect, characterized by precise definition and clear formulation, thinks only what it has been furnished by the visionary soul. The halakhic man that the Torah has wed "sees" halakhic contents, "feels" halakhic ideas as if they had been tones, sights, or smells. He not only lives *within* Halakhah but lives *the* Halakhah, just as he lives *within* the world and *the* world with its many colors, sounds, scents, and in its warmth. At this stage, the Torah is revealed to man not only as the intelligence[7] that marks the serene, clarifying, and critical rationality, but also through channels from the *sefirah* of wisdom that is the wellspring of the creative genius' intuition, the broad and deep vision that conquers the wasteland of being.[8]

---

[3] See TB Betsa 16a.

[4] On the kabbalistic associations of the term, see Hayyim Zalman Dimitrovsky "The Upper Pool" [Hebrew] in *Saul Lieberman Memorial Volume*, ed. Shamma Friedman (New York and Jerusalem: The Jewish Theological Seminary of America, 1993), 277–290.

[5] TB Rosh Hashanah 21b; TB Nedarim 38a.

[6] In original Hebrew *hofefet alav*, according to Deuteronomy 33: 12.

[7] See above, note 4.

[8] "*Mah Dodekh mi-Dod*," 74–75.

In this passage, R. Soloveitchik returns to the claim that the objective world of halakhic man is halakhic-ideal thought; he lives and acts within this cognitive realm. R. Soloveitchik adds to it the psychological mechanism of the *hiddush*. Halakhic man is endowed with intuition, a kind of celestial inspiration ("heart," "wisdom"),[9] ultimately formulated in a rationalist version as a Torah *hiddush* ("mind," "intelligence").

R. Soloveitchik resorts to the conceptual notion often discussed in aesthetic scholarship, the *intuition of genius*. Scholars of aestheticism have often concluded that the genius is gifted with a talent unhampered by pre-set rules, and that his creation is original. "Genius is a *talent* for producing that for which no determinate rule can be given," writes Kant, and he adds: "consequently that *originality* must be its primary characteristic."[10] In art, genius is easily spotted. The encounter between a tempestuous soul and intuitive perception that purportedly characterizes the genius-artist was emphasized in the works of Schopenhauer and other thinkers,[11] and left its mark also on R. Soloveitchik. For some rationalists and romantics, however, scientific innovations are no less creative than works of art. Newtonian science, for instance, is included in the unifying-comprehensive trend endorsed by Schlegel, through which he seeks to remove the barriers between separate disciplines and present them as united. According to Schlegel, founders of modern physics should indeed be viewed as artists rather than as philosophers.[12] In his aesthetic theory, Kant compares nature to a work of art, and points to the shared foundation of creative imagination, mathematics, and geometry.[13] In the realm of the philosophy of science, some renowned scholars also tend to view scientific discoveries as a result of intuition, creativity, and intellectual love for the object of

---

[9] On the anti-logical meaning of intuition in Romantic thought, see Hermann Cohen, *Äesthetic des reinen Gefühls*, I (Berlin: B. Cassirer, 1922), 25.

[10] Immanuel Kant, *Critique of the Power of Judgment*, tr. Paul Guyer and Eric Matthews (Cambridge: Cambridge University Press, 2000), 186 (emphasis in original).

[11] See, for instance, S. Tsemah, *On Beauty: Explaining Beauty and its Sources* [Hebrew] (Tel Aviv: Dvir, 1939), 60–61.

[12] See Friedrich von Schlegel, *Philosophical Fragments*, tr. Peter Firchow (Minneapolis: University of Minnesota Press, 1991), § 381. At the time, Newton's achievements were attributed not only to reason but also to creative imagination. See James Engell, *The Creative Imagination: Enlightenment to Romanticism* (Cambridge, Mass.: Harvard University Press, 1981), 127–128.

[13] See David Summers, "Why Did Kant Call Taste a 'Common Sense'?" in *Eighteenth Century Aesthetics and the Reconstitution of Art*, ed. Paul Mattick Jr. (New York: Cambridge University Press, 1993), 133.

research, which are not (necessarily) rational. This perception of the source of discovery enables the comparison between the scientist and the artist.[14] R. Soloveitchik describes Torah *hiddushim* that, as noted in previous chapters, come into being just as scientific cognition in the Marburg neo-Kantian tradition creates its foundations—as a product of genius. The intuition of genius is ultimately intellectual-scientific and, according to Hermann Cohen, is ruled by a set of laws that enable it to become an object of critical analysis.[15]

The psychological-cognitive dimension typical of the creativity of genius is clarified in the eulogy. In *Halakhic Man*, genius is not informed by a "pre-intellectual" domain and is certainly not "mysterious." Rather, halakhic man is described as a genius in the sense that the Enlightenment assigns to this concept. His genius is evident in the halakhic system (experience or "the fact of Halakhah"), re-created through his virtuosity and his inspiration. Genius, then, rather than rooted in the unconscious, grows from a rational system ruled by mathematical-physical laws. By contrast, in "*Mah Dodekh mi-Dod*," R. Soloveitchik presents a romantic version of genius. Romantic thinkers see the genius as a personality influenced by nature's concealed forces. The intuition of genius, then, is inspired by a divine nature, wondrous and mysterious.[16] The connection between halakhic man and prophecy, described as rational in the early essay, becomes supernatural in the later one, somehow softening the absolute rationality of halakhic man. In the later work, R. Soloveitchik allows halakhic man's bountiful creativity to be directed by hidden psychological elements entirely absent from *Halakhic Man*.

The Personality

In the passage cited, R. Soloveitchik resorts to the midrashic tradition about forty-nine gates of intelligence given to Moses and a fiftieth gate

---

[14] For Popper and Hempel, scientific discovery is a product of conjecture and hypothesis. See Peter Achinstein, "The Scientist as Artist" [Hebrew], *Iyyun* 28 (1979), 232–233.

[15] See Andrea Poma, *The Critical Philosophy of Hermann Cohen*, tr. John Denton (Albany: SUNY, 1997), 134–135. Aesthetic-critical approaches draw a distinction between creative art and intellectual intuition. See, for instance, Benedetto Croce, *Guide to Aesthetics*, tr. Patrick Romanell (Indianapolis: Bobbs Merrill, 1965), 12.

[16] See Jacob Fleischman, "Between Romantism and Philosophy" [Hebrew], *Iyyun* 8 (1957), 5–6.

that was denied to him.[17] This tradition, which links intellectual grasp to the figure of Moses, is associated with R. Soloveitchik's symbolic distinction between betrothal and marriage: betrothal is in the rank of intelligence ("his Torah [i.e., that of the betrothed] flows and comes from the *sefirah* of intelligence, the serene theoretical understanding that orders and formulates, clarifies and classifies"),[18] and marriage is in the rank of wisdom. R. Soloveitchik draws a psychological parallel with the process of emanation from the two supreme *sefirot*, wisdom and intelligence.

1. Emanation at the ontological level: at the stage of wisdom, the objects are in a situation of potentiality, and at the stage of intelligence, they differentiate into their details.
2. Emanation at the psychological level: wisdom reflects intuition, and intelligence—discourse.

Consider now again the midrashic tradition. In the passage cited, R. Soloveitchik ascribes two meanings to the term *intelligence* ("forty-nine gates of intelligence"): (1) "halakhic thought and cognition"; (2) "halakhic feeling and vision." In other words, R. Soloveitchik found the discursive meaning of *intelligence* insufficient and added the intuitive meaning ("wisdom"), returning to the beginning of the eulogy where he draws a distinction between the social and the solitary types. The ordinary prophet is a social type whereas Moses is special and unique and, as such, also withdrawn from society. R. Soloveitchik again emphasizes the four distinctions that Maimonides draws between Moses and the rest of the prophets, distinctions that highlight Moses' uniqueness.[19]

The emerging picture leads to the following conclusion: classic halakhic man is coextensive with Moses. He is gifted with intuition, which is not a characteristic of ordinary prophets/scholars; he is an asocial type, different in this sense too from ordinary prophets/scholars. But scholars of Jewish thought have often emphasized the prophet's social role. R. Soloveitchik, then, solves here a warranted query: halakhic man is blessed, as it were, with celestial assistance (intuition) as a prophetic figure. But does not Maimonides state that an ordinary prophet cannot make new halakhic rulings relying on his prophecy? The answer

---

[17] TB Rosh Hashanah 21b; TB Nedarim 38a.

[18] "*Mah Dodekh mi-Dod*," 74.

[19] On this issue see, at length, Dov Schwartz, *Contradiction and Concealment in Medieval Jewish Thought* [Hebrew] (Ramat Gan: Bar Ilan University Press, 2002), 69–80.

is that halakhic man is not an ordinary prophet. He bonds with Moses and, through his halakhic activity, becomes part of him. He is, so to speak, a representative of Moses in the generations that followed him. Moses' prophecy is not ordinary prophecy, and he does not resemble other prophets. By definition, Moses' prophecy is Halakhah itself, the giving of the Torah, and ordinary prophets draw their authority from him. Just as an ordinary prophet cannot, according to Maimonides, be compared to Moses because he can never attain Moses' perfection, halakhic man cannot be compared to an ordinary prophet either. When halakhic man strives for the supreme creativity represented by prophecy, he actually means Moses' prophecy. Striving for prophecy is thus a paradoxical endeavor: he strives for communion with an unattainable perfection. Despite these appearances, however, R. Soloveitchik disagrees with Maimonides on this point. His cognitive-creative world does enable him to reach communion with Moses' action, since he creates halakhic objects from their origin, just like Moses. This is indeed the profound meaning that halakhic man's cognition ascribes to the concept of *tradition*.[20] Halakhic man is Moses' successor, a greatness that is unsurpassable.

R. Soloveitchik then clarifies halakhic man's connection to prophecy, when he hints at the lightnings parable at the opening of the *Guide of the Perplexed*:

> The vision begins to glitter as do the distant, endlessly[21] beguiling lights, flashing and stopping, shining and fading in a dark, stormy night…[22] Very slowly, he [who engages in "creative halakhic action"] joins the lights together into a continuous chain of splendor that spreads a vast glow.[23]

Halakhic man reaches the perfection that Maimonides ascribes to Moses, that is, a frequent glimmer of lights leading to steady illumination.

---

[20] See above, 304–305.

[21] In Hebrew, "*bli afsayim*," meaning without ends, according to Ezekiel 47: 3.

[22] Compare to Maimonides: "But sometimes truth flashes out to us so that we think that it is day, and then matter and habit in their various forms conceal it so that we find ourselves again in an obscure night, almost as we were at first. We are like someone in a very dark night over whom lightning flashes time and time again." Maimonides, *The Guide of the Perplexed*, tr. Shlomo Pines (Chicago: University of Chicago Press, 1974), 7.

[23] "*Mah Dodekh mi-Dod*," 75. In Maimonides: "Among us there is one for whom the lightning flashes time and time again, so that he is always, as it were, in unceasing light. Thus night appears to him as day. That is the degree of the great one among the prophets." Ibid.

These conclusions follow directly from an analysis of the psychological aspect of halakhic man's creative process, an aspect almost entirely absent from *Halakhic Man*. R. Soloveitchik does discuss prophecy in this essay but places no emphasis on its psychological-creative aspects because *Halakhic Man* is meant to present the cognitive-creative aspects of this figure. Hence, prophecy features in it as the peak of creativity, but without analyzing the process of "prophetic" *hiddush* per se and the psychological and aesthetic mechanism that led to its appearance. This aspect is added in "*Mah Dodekh mi-Dod*." Here, R. Soloveitchik focuses on the personality of halakhic man and its psychic processes in order to describe his uncle in his full stature and within the parameters of the homiletic genre. To some extent, "*Mah Dodekh mi-Dod*" begins where *Halakhic Man* ends. *Halakhic Man* presents prophecy at the cognitive level as a goal of halakhic-creative thought, whereas the eulogy specifies the mark of this process on the personality.

Zionism and the State of Israel

Concerning halakhic man's personality, R. Soloveitchik emphasizes the characteristics he had already discussed in *Halakhic Man*. These personality characteristics are traceable to his unshakable devotion to "the Torah and his ability to concentrate on it day and night… He entirely immerses his spirit and his soul in halakhic reasoning and does not turn away his attention from it even for a moment."[24] The personality characteristics of halakhic man are wholly shaped by halakhic cognition, and truth therefore guides him in his ethos "as in mathematics."[25] His moral-social behavior is rigorously dictated by his halakhic cognition, which cannot accept compromise: "Just as halakhic reasoning bears no concessions, neither does the real world."[26]

These details are already known from *Halakhic Man*. In the eulogy, however, R. Soloveitchik adds a significant dimension of the personality, which he deliberately ignores in *Halakhic Man*: the political aspect. R. Yitzhak Zeev Soloveitchik had reservations about the State of Israel.[27]

---

[24] "*Mah Dodekh mi-Dod*," 84.

[25] Ibid., 87.

[26] Ibid. The result of these personality patterns is that "his consistency sometimes led him to be cruel to himself and to his household" (ibid.).

[27] See, for instance, Avi Ravitzky, *Messianism, Zionism, and Jewish Religious Radicalism*, tr.

R. Soloveitchik traces back this reaction directly to the structure of halakhic cognition:

> He [R. Yitzhak Zeev] could not translate the idea of secular political sovereignty into halakhic contents and values… He saw historical reality as it is, without embellishment,[28] and did not delude himself with beautiful dreams and charming hopes, which facts defy.[29] Halakhic man was disappointed and withdrew into his world. [30]

Two reasons are behind R. Yitzhak Zeev's qualified and alienated stance, representing the attitude of a pure type of halakhic man toward the State of Israel:

1. *A Cognitive Reason*. A secular state has no room in halakhic cognition. In this sense, the attitude of halakhic man toward the secular-liberal state is comparable to his attitude to Kabbalah and to mysticism. Neither of these areas is absorbed in halakhic cognition, and both are perceived as a latent threat to its constitutive values and norms. Cognitive indifference leads to personal reservations.
2. *A Personality Reason*. Since halakhic man draws away from dreams and hopes, severing the "psychic facts" from the dominant cognitive activity, he is an incorrigible realist. He does not delude himself concerning the future of the secular-liberal state.

Halakhic Man could have made the same statements about secular Zionism. By the 1940s, the direction of the Zionist movement was already clear: the creation of a western-liberal state. The Zionist interpretation of religion negated religion's traditional contents and, through reinterpretation, replaced them with alternative modern meanings.[31] But in

---

Michael Swirsky and Jonathan Chipman (Chicago: University of Chicago Press, 1996, 176; Menachem Friedman, "Religious Circles Contending with the Establishment of the State as an Expression of the 'Return to History'" [Hebrew], in *Zionism and the Return to History: A Reevaluation*, ed. S. N. Eisenstadt and Moshe Lisak (Jerusalem: Ben Zvi Institute, 1999), 459–461. On the opposition of R. Hayyim of Brisk to Zionism, see Yosef Salmon, *Religion and Zionism: First Encounters* (Jerusalem: Magnes Press, 2002), 347–349.

[28] In original Hebrew "*lelo khal u-serak*," according to TB Ketuboth 17a; TB Sanhedrin 14a.

[29] In original Hebrew "*metaphot al pneihem*," according to Genesis Rabbah 22: 13.

[30] "*Mah Dodekh mi-Dod*," 89–90. Compare Aaron Lichtenstein, "R. Joseph Soloveitchik," in *Great Jewish Thinkers of the Twentieth Century*, ed. Simon Noveck (Washington: B'nai B'rith, 1963), 292–293; Dov Schwartz, *The Land of Israel in Religious Zionist Thought* [Hebrew], (Tel-Aviv: Am Oved, 1997), 246–273.

[31] See Dov Schwartz, *Religious Zionism Between Logic and Messianism* [Hebrew], (Tel-Aviv: Am Oved, 1999), 110.

Halakhic Man, R. Soloveitchik prefers to ignore this question and, at most, hints at it.[32] It is a plausible assumption that his writing of this essay at a time the tragic magnitude of the Holocaust was already known, besides his having left Agudat Israel, leads R. Soloveitchik to disregard this issue.[33] In "*Mah Dodekh mi-Dod*," however, R. Soloveitchik does not hesitate to deal with the attitude of the pure halakhic man to the State of Israel and, by extension, to the Zionist idea, and his position is unequivocal: pure halakhic man cannot digest a Jewish secular-liberal state. As he does concerning Kabbalah and mysticism, the pure type withdraws into himself and occasionally warns, implicitly and explicitly, against the dangers looming in a phenomenon unfit for scholarly halakhic cognition.

Toning Down the Comparison

From a detailed and innovative description of the personality features and the genius of pure halakhic man in his eulogy of R. Yitzhak Zeev, R. Soloveitchik turns to another question: understanding the development of halakhic cognition through philosophical-scientific tools, namely, the comparison to the conventionalist approach to science. R. Soloveitchik writes as follows about the method of R. Hayyim of Brisk:

---

[32] R. Soloveitchik's latent dialectic attitude to Hayyim Nahman Bialik may reflect his attitude to the Zionist movement in general. In the description of the first type of *homo religiosus*, for whom subjective religiosity replaces reason and is therefore dangerous, R. Soloveitchik uses a line from a Bialik poem: "The person . . . clings to religion as does a baby to its mother and finds in her lap 'a shelter for his head, the nest of his forsaken prayers' [H. N. Bialik, '*Hakhnisini tahat kenafekh*'] and there is comforted for his disappointments and tribulations" (*Halakhic Man*, p. 140). On the other hand, R. Soloveitchik directs the reader to Bialik's article "Halakhah ve-Aggadah" (in *Kol kitvei Bialik* [Tel Aviv, 1951], 207–214) to support the opposite view: "The Halakhah . . . translates subjectivity into objectivity, the amorphous flow of religious experience into a fixed pattern of lawfulness" (*Halakhic Man*, 59). This article, although it represents a turnabout concerning poetry, is still a variation of the secular approach that perceives Halakhah in a cultural perspective. See, for instance, Eliezer Schweid, *Judaism and Secular Culture* [Hebrew] (Tel Aviv: Hakibbutz Hameuhad, 1981), 60–64. Lichtenstein, "R. Joseph Soloveitchik," 283, notes that it was R. Soloveitchik's mother who introduced him to Ibsen, Pushkin, Lermontov, and Bialik.

[33] See above, ch. 1. See also Gerald J. Blidstein, "The Religious-Zionist Commitment of Rabbi Joseph B. Soloveitchik" (Hebrew), in *The Path of the Spirit: The Eliezer Schweid Jubilee Volume*, ed. Yehoyada Amir (Jerusalem: The Hebrew University of Jerusalem and The Van Leer Jerusalem Institute, 2005), 439–450.

> Some acquaintance with the conceptualization and mathematization of nature upheld by the ancestors of classic and modern physics, from the times of Galileo and Newton until today, will enable us to understand R. Hayyim's approach to Halakhah that, in a strange way,[34] resembles that of the mathematical sciences to the concrete world.[35]

Prima facie, this view represents a change from R. Soloveitchik's approach in *Halakhic Man*. As noted,[36] the most daring assumption of *Halakhic Man* is the mathematization of halakhic cognition, that is, constituting abstract halakhic concepts on "quantities and measures." Doing so enables the infinitesimal method and the cognitive creation of pure halakhic objects. R. Soloveitchik emphasizes the scientific-mathematical concerns of halakhic men, which brings them closer and closer to cognitive men. Ideal Halakhah rests on the sciences, placing it a breath away from Cohen's perfect scientific cognition. Indirectly, the study of halakhic man's cognition relies also on the application of the transcendental method to the law in Cohen's ethics. Although "the fact of science" is replaced by "the fact of Halakhah," these are not absolute substitutions because one element of "the fact of Halakhah" (perhaps even an essential characteristic) are the mathematical-physical sciences. Twenty years later, the resemblance to the scientific outlook is presented as strange. The contact between Halakhah and science is confined to a structural similarity:

> The laws and principles [of halakhic thinking] are not psychological-factual but ideal-normative, as are those of logical-mathematical thought… Hence, according to this method, Halakhah cannot express itself in patterns of thought borrowed from other realms. It has a rhythm of its own, which cannot be changed.[37]

In the eulogy of R. Yitzhak Zeev, R. Soloveitchik prefers to blur the deep affinity, almost to the point of identity, between halakhic and scientific cognition. Instead, he stresses the absolute autonomy of halakhic cognition, and its link with scientific thought becomes a "strange" similarity. R. Soloveitchik may have retreated over the years from the

---

[34] At the beginning of *Halakhic Man*, R. Soloveitchik uses the term "strange," when counterposing halakhic man to the "students of religion": "The image that halakhic man presents is singular, even strange. He is of a type that is unfamiliar to students of religion" (3).

[35] "*Mah Dodekh mi-Dod*," 75.

[36] See above, 195–207.

[37] "*Mah Dodekh mi-Dod*," 76.

Gaon of Vilna's presentation of mathematics and the natural sciences as constitutive elements of halakhic man's cognition. The connection to the sciences among the Gaon's disciples had been, after all, "a relatively brief episode."[38] The relationship between ideal-halakhic thought and the conventionalist approach to science is reduced to a mere parallel; the systematic involvement of halakhic thought in scientific thinking, and certainly the absolute mathematization and formalization of Halakhah that play such an essential role in *Halakhic Man*, disappear. R. Soloveitchik had invested enormous efforts in bringing together the halakhic-theoretical norm and the mathematical natural sciences. For this purpose, he rejected Cassirer's cognitive-pluralistic model in order to present halakhic man's cognition as monolithic and exclusively founded on mathematical formalism ("quantities and measures"). Over the years, he came to realize the extremism of this approach and tried to blur it as far as possible in the eulogy of his beloved uncle. The possibility that R. Soloveitchik may have retracted from this view, however, cannot be dismissed.

The Place of the Sense-Qualitative World: A Decision

The place of the extra-cognitive sensorial world vis-à-vis halakhic-ideal cognition is another issue to which R. Soloveitchik returns in the eulogy. Again, he asks: What is the role of sense? What is the place of the qualitative world in the cognition of halakhic man? His answer follows:

> The [real] event certainly leaves its mark upon halakhic man, awakens his intellectual powers, encourages his observation, stimulates his curiosity, inspires his thought, directs it to the areas on which the event has shed light, and forces it to confront spiritual-ideal contents that supply some answers to the perplexities of the event. Yet, the mutual relationship Halakhah-event does not unfold in the realm of pure halakhic thought but in the depths of halakhic man's soul. The event is a psychological motivation that propels pure thought into its orbit. As soon as it begins its course along its specific orbit, however, its movement does not yield to the event but obeys its unique normative-ideal lawfulness.[39]

---

[38] See Immanuel Etkes, *The Gaon of Vilna: The Man and his Image*, tr. Jeffrey Green (Berkeley, Ca.: University of California Press, 2002), 70.

[39] "*Mah Dodekh mi-Dod*," 77.

In this passage, R. Soloveitchik clarifies what had been vague and obscure in *Halakhic Man*. In the early essay, as noted, R. Soloveitchik does not rule on the status of the sensorial world. He presents it according to various options formulated in neo-Kantian philosophy—as the posing of a problem (demand), as a task, and as a disposition.[40] In the eulogy of R. Yitzhak Zeev, R. Soloveitchik clarifies that the qualitative world and its senses act as a stimulus and motivate ideal halakhic thought to create its objects. The senses, then, merely set a problem before cognition and, as such, they stimulate it to develop itself and create its foundations.

Ideal halakhic cognition is closed within its pure world and displays absolute indifference to the concrete event. R. Soloveitchik again mentions the neo-Kantian interpretation of Kant: "In his time, Kant had proclaimed the independence of pure reason within scientific-mathematical cognition. R. Hayyim fought a war of liberation for the rationality of Halakhah and demanded full autonomy for it."[41] According to the neo-Kantian interpretation, what Kant formulates in the *Critique of Pure Reason* are the epistemic conditions for the laws of Newton's mathematical-physical science and not the "historical event," in R. Soloveitchik's formulation. The cognition of halakhic man is also concerned with pure norms rather than with their "historical" realization in a qualitative-sensorial event. The concrete event stimulates halakhic man's cognition to bring up laws as formulated, for instance, in Maimonides's *Code* or in the *Shulkhan Arukh*, and dissect them into their *hillukim* and their foundations so as to rebuild them as objects of halakhic cognition.

Two decades after writing *Halakhic Man*, R. Soloveitchik reveals that he actually does not enter the Marburg dispute over the status of sense, and his position on this question is pre-set and unequivocal: sense is the psychological stimulus that awakens halakhic-ideal cognition. R. Soloveitchik does consider, as noted, the psychological and aesthetic aspect of genius. The focus on the psychological dimension that accompanies cognition characterizes the description of halakhic man in the eulogy of R. Yitzhak Zeev. By contrast, Hermann Cohen has reservations about any association between psychology and

---

[40] See above 130–131. In "From Thence You Shall Seek," R. Soloveitchik notes: "Science . . . is the echo of the sense that 'stimulates' cognitive consciousness" (132).

[41] "*Mah Dodekh mi-Dod*," 78.

epistemology and R. Soloveitchik is indeed cautions in the eulogy as well lest he blur the distinction between these two realms. Nevertheless, he does reject Hermann Cohen's outlook whereby sense (*Empfindung*) only "hints" at the task incumbent on thought to create its foundations; in the eulogy, he adopts the stance of other Marburg thinkers such as Natorp, who exposes the "psychological and logical dimension" in sense.[42] R. Soloveitchik's interest in the psychological dimension of halakhic man's being—especially in the analysis of genius that characterizes this pure type—discloses a certain ease that could not be detected at the time of his writing Halakhic *Man*. Over the years, as it were, the rigid image of halakhic man softened, apparently at the cost of its faithful and historical description. Moreover, R. Soloveitchik renounces the vagueness he had endorsed in *Halakhic Man*. In the early essay, R. Soloveitchik presents other views about the place of sense vis-à-vis the process of cognition and leaves the choice to the reader. In the eulogy, R. Soloveitchik clearly formulates the view that sense acts as a psychological stimulus of cognition, which moves it to create its objects through the objectification process.

Halakhic Creativity

"*Mah Dodekh mi-Dod*" offers a new perspective on the question of halakhic creativity as well, although he no longer uses the term *creativity*. In the following passage, R. Soloveitchik draws clear-cut distinctions on an issue insufficiently clarified in *Halakhic Man*:

> The world of traditional Judaism involves a duality. Two central acts fully cover the essence of this Judaism: one is the act of pure halakhic thought (*midrash*), and the other, the act of halakhic realization. These two acts exist in two separate worlds: the first is located in the ideal world, which is inhabited by conceptual spiritual contents, pure Torah[43] entirely enfolded in precise reasoning, deep and wide, piercing and descending into the abyss to return and ascend to the sky.[44] This Torah does not depend on facts, on changing times, and on the vagaries of fate. The same Halakhah occupied R. Akiva, R. Joshua b. Hanania and Samuel ha-Katan, Abaye and Raba, Rashi and Maimonides, R. Joseph Caro and R. Moshe Isserles,

---

[42] *Das reine Denken*. 95. See above 76–77.

[43] In original Hebrew "*Torah tserufah*," according to Samuel II 22: 31 (and see Gersonides commentary *ad locum*); Psalms 18: 31.

[44] According to TB Sabbath 7a; Tb Eruvin 32b; TB Gittin 79a; and elsewhere.

> the Gaon of Vilna and R. Akiva Eiger, the authors of *Ketzot Ha-Hoshen* and *Netivot Mishpat*, R. Hayyim of Brisk and his sons—my father and my uncle R. Yitzhak Zeev, of blessed memory. The other act is in the real world, stormy and raging, constantly changing shape. It confronts events, faces destiny, and turns outward without, however, submitting to the looming gloom of change. Its goal is to prepare a steady place for man, who is carried away as a crumb in the torrent of time, and protect him lest the ground be pulled out from under his feet and he tumble into the abyss of nothingness. It preserves the full parallel between the ideal world and the real world. Here too, in the domain of observing and realizing the commandments, there is persistence and stability. We sit in the same *sukkah* in which Rabbi Akiva and his friends sat, and hold the same four species they held.[45]

This passage clarifies the two aspects of halakhic creativity described by R. Soloveitchik as an action taking place at two entirely different levels:

1. The development of ideal halakhic cognition in the creative process of objectification.
2. The realization of Halakhah in the external-qualitative world.

In the perception of time he develops when discussing repentance as a creation of the personality, R. Soloveitchik also emphasizes the integration of eternity and the present.[46] This integration is manifest both in the timelessness of ideal halakhic cognition (halakhic men of all times), and in the realization of Halakhah in the extra-cognitive qualitative world, which also involves a timeless dimension (observing the same Halakhah at all times). The transparence and tendentiousness of the later essay as opposed to the deliberate vagueness that R. Soloveitchik adopts in *Halakhic Man* are again evident. In the early essay, R. Soloveitchik gradually leads the discerning reader from one meaning to another. The beginning of Part Two of *Halakhic Man* implies that halakhic creativity focuses, as it were, on the realization of Halakhah outside cognition.[47] Only by carefully tracing the style and the meaning of the discussion of repentance, providence, and prophecy[48] can one grasp the true significance of creativity, which is the development of ideal halakhic cognition. In *Halakhic Man*, the realizing version of

---

[45] "*Mah Dodekh mi-Dod*", 81–82.
[46] See above, ch. 12.
[47] *Halakhic Man*, Part Two, section i. See above, ch. 11.
[48] Ibid., sections iii–vi, chs. 12 and 13 above.

creativity is pushed to the margins and replaced by a priori, intra-cognitive halakhic creativity, which is indeed the straight and one-dimensional path chosen by pure halakhic men: their true concern is epistemic-idealist creativity, entirely unrelated to the shaping of the concrete-external world. Creative scholarship is the sole core of their quest. By contrast, in his eulogy, R. Soloveitchik refrains from favoring one type of creativity over another, as if both were equivalent. The eulogy presents both these types as equal rulers in the cognitive, moral, and aesthetic world of halakhic man.

Summary

To some extent, "*Mah Dodekh mi-Dod*" tones down the extreme epistemic idealism that R. Soloveitchik adopts in *Halakhic Man* and retreats to the warm lap of harmony and synthesis: the cognitive and psychological dimensions appear to be mutually joined, as it were; halakhic cognition is only similar and parallel to scientific-mathematical cognition rather than part of it and seeking unification with it, as it were; and the development of cognition and its adaptation to the sensorial world are two equivalent and legitimate forms of halakhic creativity, as it were. These views and others are directly dictated by the homiletic circumstances of the eulogy; the style of the homily demands clarity and clear-cut, softened distinctions. The homilist takes into consideration as far as possible the image accepted in the wide public, and styles his delivery so as to expose his audience to a direct and unambiguous presentation. By contrast, *Halakhic Man* was written as a convoluted monograph requiring an active, wise, and discerning public. Besides the various emphases that developed over the twenty years that elapsed between *Halakhic Man* and "*Mah Dodekh mi-Dod*," the differences between them are also a function of the variant genres. We also learn that R. Soloveitchik is not in full agreement with the stance adopted by his uncle, R. Yitzhak Zeev. They were diametrically opposed personalities and held clashing political views. And yet, except for a slightly apologetic touch, R. Soloveitchik excels in describing the figure of R. Yitzhak Zeev. This understanding helps to shed light on *Halakhic Man*. R. Soloveitchik does step into the shoes of this pure halakhic type and admires him deeply, but never tries to become one with R. Yitzhak Zeev's cognition and character. The attitude to the State of Israel offers a good illustration: R. Yitzhak Zeev opposes the State of Israel because his halakhic-theoretical cognition

rules his world, and halakhic cognition or halakhic men do not appear in different versions. True halakhic man cannot support a secular-liberal entity that has no room in his cognition, but R. Soloveitchik still does. The reason is that halakhic-theoretical cognition is only *one* layer of his personality and his cognition. He does not waver, however, in his admiration for halakhic men.

SUMMING UP

HALAKHIC MAN IN THE CONTEXT OF ITS TIMES

This study offers an interpretation of *Halakhic Man*'s key ideas through a detailed analysis of the essay and against the background of R. Soloveitchik's early writings. My central claim is that halakhic man is a pure, one-dimensional type, and the dialectic presented in *Halakhic Man* is only apparent. Another claim is that his one-dimensionality leads to lack of communication with the *homo religiosus* and the mystic, and even to a latent but sharp hostility against them. My summary opens with a crucial question touching on the mutual relationships between R. Soloveitchik's early writings: are they mutually contradictory and opposed or rather complementary? A series of conclusions concerning the unity of R. Soloveitchik's writings in light of the sequential interpretation of *Halakhic Man* presented so far will be followed by several additional implications of my interpretation.

Conclusions

R. Soloveitchik's early writings, as noted, are intertwined and mutually complementary. *Homo religiosus* is the crucial loop linking the various essays, according to the following claims:[1]

1. *The Halakhic Mind* posits the very need for a renewed and distinct definition of *homo religiosus* and for the description of his unique cognition, outlining the methodology (phenomenological, idealist, and scientific) to be used for this purpose.
2. "From Thence You Shall Seek" accomplishes the aim postulated in (1). It describes at length the dialectic features of *homo religiosus*' consciousness and its various stages by applying the methodology outlined in (1). This essay describes halakhic-practical consciousness in the real world.

[1] See above, ch. 2.

3. *Halakhic Man* describes *homo religiosus* through the prism of halakhic man. *Homo religiosus* appears here as a fully fashioned type, according to propositions (1) and (2), and is subject to sharp criticism from the perspective of halakhic man.
4. R. Soloveitchik's dissertation on Hermann Cohen's epistemology provides suitable philosophical tools for the description of halakhic man, who is diametrically opposed to *homo religiosus*. R. Soloveitchik may have written it to create a lexicon for this description. *Halakhic Man* cannot be fully understood without the foundations that R. Soloveitchik prepared in this early work.
5. "From Thence You Shall Seek" offers a synthesis of halakhic man and *homo religiosus*. From the vantage point of pure halakhic men, such a synthesis is impossible. The conclusion is that R. Soloveitchik does not identify with halakhic men.

This harmonic perception of R. Soloveitchik's early writings relies on the claim that, in these works, he ascribes two meanings to the term *Halakhah*:

1. A set of laws and norms that shape the Jewish way of life in the concrete world. This is the meaning of Halakhah that R. Soloveitchik uses in *The Halakhic Mind* and "From Thence You Shall Seek." The *homo religiosus* of "From Thence You Shall Seek" "bends and twists in his dialectical discourse-consciousness, entangled in a thicket of opposites—without exit or release. According with the suffering is the reward;[2] according to the rift in the heart is the worship of the heart."[3] Halakhah, meaning the halakhic way of life, reflects the conscious rift and gives it rich expression. Halakhah is also the objective aspect of religious life in the sense of being a concrete and extra-cognitive expression of the inner-subjective world of religion.
2. An analytical process where cognition, through analytical methods, creates pure halakhic structures out of their infinitesimal origin. This process characterizes the Brisk method of study and, as clarified in this study, is almost entirely unrelated to meaning (1). In this process, halakhic objects are constituted from their infinitesimal foundations up to the level of halakhic-creative lawfulness.

---

[2] M. Avot, 5: 23.
[3] "From Thence You Shall Seek," 179.

> The scholar seeks to understand the constitutive methods of the law, and creates a system of ideal judgments and structures. Halakhic law is emptied of its religious, metaphysical,[4] and extra-cognitive meanings, and is constituted solely on its qualitative and mathematical-physical dimensions ("quantities and measures"). This object, contrary to meaning (1), is purely a product of cognition. The second meaning of the term *Halakhah*, which refers to the mathematization of the religious law, is the one that R. Soloveitchik uses in *Halakhic Man*. In this essay, halakhic man is a "simple, whole personality.... 'In accordance with the suffering is the reward' [Avot 5: 23] and in accordance with the split the union!" (4). Halakhah, meaning the halakhic-idealist cognition exhausted in endless processes of analysis and creation, shapes a serene and self-contained figure that overcomes the existential split and views it as part of a distant past.

"From Thence You Shall Seek" approaches the second connotation of *Halakhah* as one special facet of the wealth of objective and subjective religious life. The stunning innovation of this essay is the possibility of merging "*lomdus*" with other types of cognition. R. Hayyim of Brisk and his colleagues would not only have rejected this insight, but would not have understood it. For halakhic man, *Halakhah* is a homonymous rather than a polysemic term. Marvin Fox is indeed right when he categorically asserts that the element unifying R. Soloveitchik's writings is his perception of Halakhah as "the only legitimate source of Jewish doctrine."[5] But this need not imply that *Halakhah* is a homogeneous term; quite the contrary, R. Soloveitchik pours two entirely different meanings into it.

Without pretending to trace the chronological order of R. Soloveitchik's writings, the following theory could be proposed: R. Soloveitchik apparently began writing "From Thence You Shall Seek" because he felt close to a perception of the dialectic religious experience as one

---

[4] It is strongly tempting at this point to compare Brisk's halakhic-ideal cognition (according to R. Soloveitchik) to Yeshayahu Leibowitz's view of Halakhah, which is also empty of any other meanings except for the commandment itself. Leibowitz, however, deals with meaning (1) of Halakhah whereas, in *Halakhic Man*, R. Soloveitchik deals with meaning (2), hence the absence of any interface between them. See Avi Sagi, "Rabbi Soloveitchik and Professor Leibowitz as Theoreticians of the Halakhah" [Hebrew]," *Daat* 29 (1992) 131–148.

[5] Marvin Fox, "The Unity and Structure of Rabbi Joseph B. Soloveitchik's Thought," *Tradition* 24, 2 (1989), 49.

that reflects the *homo religiosus* that relies on the halakhic-objective dimension. Possibly, he realized in the course of his writing that he had to clarify the methodology he was adopting and defend his very pursuit of an inquiry exploring the consciousness of *homo religiosus*, which he did in *The Halakhic Mind*. Finally, increasingly aware of the destruction of the world of Torah in Eastern Europe, R. Soloveitchik resorted to the categories of Marburg idealism to describe the tradition of study and the personality of his scholarly family dynasty. He may have, as noted, chosen his dissertation topic at an earlier stage of his intellectual development because of his sense that the tools provided by Hermann Cohen's idealism would help him to describe the study tradition he admired, albeit without identifying with the personality type created by this tradition.[6] The chronology question, therefore, has no clear-cut answer.

The Methodology of Halakhah

As for the place of *Halakhic Man* within a wider context, this essay presents halakhic cognition as a creative process of disclosing theoretical-ideal elements. "Concern with the statutes" reflects a dynamic cognition, which is exposed through the intensive activity of the Brisk dynasty. Halakhic cognition is thus linked to the methodology of Halakhah and to the unique Brisk style. This conceptual phenomenon is related to the renewed interest of religious-Zionist circles in discussing the methodology of Halakhah and describing its applications and implications (Hayyim Hirschensohn, Moshe Avigdor Amiel, Moshe Hameiri-

[6] As we know, R. Soloveitchik chose to write his dissertation on Cohen's epistemology because he could not find a suitable advisor on the topic he wanted to write about: Plato's influence on Maimonides. I am not convinced that these topics are essentially different, since the interpretation of the concept of ideas in Plato plays a central role in Cohen's epistemology. See, for instance, Andrea Poma, *The Critical Philosophy of Hermann Cohen*, tr. John Denton (Albany: SUNY, 1997), 21–36. Writing a book about Plato was also *de rigueur* at the time in academic circles, as evident in the literary output of many philosophers. R. Soloveitchik certainly thought that such a book in a Maimonidean context fitted his personality. In his youth, R. Soloveitchik probably tried to pursue a kind of thought that would provide him with adequate tools for the philosophical description of halakhic man because of his enormous admiration for this figure. This admiration is in no way marred by the fact that R. Soloveitchik himself is not entirely synonymous with it.

Ostrovsky, Simon Federbush, Eliezer Berkowitz, and others).[7] David Hacohen (*Ha-Rav ha-Nazir*), whose life endeavor was the exposure of analogical thinking in Jewish sources, plays a unique role in this movement.[8] He too was deeply influenced by Cohen's approach concerning creative thought, though he did not go so far as R. Soloveitchik, who founds *Halakhic Man* on epistemic idealism. In this sense, *Halakhic Man* joins a distinctive trend within the religious-Zionist camp.

The motivation of religious-Zionist thinkers and that of *Halakhic Man* differ on one essential count. Religious-Zionist thinkers sought to renew halakhic methodology in light of changing events. Moved by a sense of renewal and by a messianic impulse, the leaders of religious-Zionism turned to the re-examination of halakhic thought and to the formulation of its principles. By contrast, *Halakhic Man* was meant as a tribute and a homage to a world that R. Soloveitchik thought had disappeared and, possibly, to an attempt to revive it in the United States. *Halakhic Man* perpetuates the memory of the Brisk dynasty of scholars, whose survivors scattered in the United States and in Palestine. Partly on these grounds, R. Soloveitchik does not present his endeavor as a discussion of halakhic methodology based mainly on the pure concept of "*hiddush*," but rather as a description of living halakhic men. This motivation, however, is secondary to the more essential and systematic one: to present halakhic cognition as an infinitesimal and continuous process of dynamism and creativity. Furthermore: its cognitions are the only objective reality (*Wirklichkeit*) through which events and phenomena are examined. This is a rather abstract approach, in its identification of scholarly-halakhic thought with the one and only objective reality. The typological description helps to explain ideal halakhic cognition, since understanding a dynamic active personality is always easier than grasping an abstract idea. Lawrence Kaplan explains this differently. In his view, R. Soloveitchik does not draw an essential distinction between theoretical and practical Halakhah. For him, Halakhah itself is a revealed, unquestionable given: "For, while the *halakhah* may be a given, certainly the *halakhist* is not a given."[9] According to my analysis,

---

[7] See Dov Schwartz, *Faith at the Crossroads: A Theological Profile of Religious Zionism*, tr. Batya Stein (Leiden: Brill, 2002), 33–34.

[8] See Dov Schwartz, *Religious Zionism Between Logic and Messianism* [Hebrew], (Tel-Aviv: Am Oved, 1999), 139–345.

[9] See Lawrence Kaplan, "Rabbi Joseph B. Soloveitchik's Philosophy of Halakhah," *Jewish Law Annual* 7 (1987), 145.

practical Halakhah is a given, but theoretical Halakhah is a constant, endless process, which continues even in messianic times and in the world to come.[10] This Halakhah was not a given before Moses, nor is it a given for the Soloveitchik family. Like Moses, they too re-create the given halakhic system from its infinitesimal foundations through *hillukim*. The tradition of ideal halakhic men refuses to acknowledge the given as a solid concept, viewing it instead as a system of continuously evolving intra-cognitive objects.

Consistency and Esotericism

Consider now R. Soloveitchik's literary style. In this regard, the findings of the analysis appear paradoxical, at least at first glance.

On the one hand, I showed that R. Soloveitchik's approach in his early works is consistent. His writings are mutually complementary. This finding rests on the assumption that two different types are at stake: *homo religiosus* and halakhic man. "From Thence You Shall Seek" and *The Halakhic Mind* present the perspective of the *homo religiosus* with whom R. Soloveitchik identifies, whereas *Halakhic Man* presents the cognition of the eponymous type and represents R. Soloveitchik's forefathers in the Brisk dynasty. For this purpose, R. Soloveitchik bases *Halakhic Man* on his dissertation, since only the idealism of the Marburg school, and particularly Cohen's epistemology, provides an adequate model for describing halakhic man's cognition and its creative-dynamic character.

On the other hand, *Halakhic Man* is an essay fraught with many contradictions, and the interpretation I find suitable (without denying the possibility of others) is the esoteric. In other words, the contradictions and conflicts do not emerge between the various works but within the one specific essay, *Halakhic Man*. R. Soloveitchik senses a need to write the essay in a sophisticated and convoluted style in order to transmit to discerning readers extremely radical messages about the figure of halakhic man. First, this type is entirely focused on his own halakhic-ideal cognition and entirely oblivious to any aspects outside it. The realization of cognition in the non-cognitive world, meaning the extent of its "usefulness" and applicability, do not interest him, although he also longs for a halakhic state or a "halakhic cosmos." Second, halakhic man rejects *homo religiosus* in all its variations.

---

[10] According to R. Soloveitchik's *sui generis* interpretation. See above 137–140.

Moshe Sokol argues that, in all his key essays, R. Soloveitchik raises a unique problem of Jewish religiosity that concerns him at a specific period of his life.[11] If so, the central problem that concerned R. Soloveitchik at the end of the Second World War was the wavering between his commitment to the values of the destroyed world of the Lithuanian yeshiva, and lively dialectical religiosity as he interprets it. This religiosity is identical to that of the subjective, emotional, mental, and intellectual world of *homo religiosus* who accepts Halakhah as the objective dimension of his consciousness. Furthermore: I hold that R. Soloveitchik's dialectical sources cannot be understood without taking into account their political and apologetic background; *Halakhic Man* is a paradigm of the combination of contradictions and the art of writing.

The contradictions and opposites could also be explained as follows: following Kant and Cohen, R. Soloveitchik too draws a distinction between pure cognition on the one hand and ethical-autonomous will and aesthetic judgment on the other. In the purely cognitive realm, halakhic man and *homo religiosus* never touch. In the realm of the ideal-halakhic process, halakhic man is cognitive man par excellence. In the realm of will and judgment, however, *homo religiosus* and halakhic man do have shared features. But here too, the commonality between them is confined to the elementary human realm, and sustained at the early stages of halakhic man's personality development. Mostly, halakhic man seeks liberation from those traits he shares with *homo religiosus*. Possibly, R. Soloveitchik's approach originates in an analysis of the tense historical encounter at the Volozhin yeshiva between a *homo religiosus* (in many regards) and a halakhic man. I am referring to the broad-minded outlook endorsed by R. Naphtali Zvi Judah Berlin (*Ha-Natziv*) and his son R. Hayyim, as opposed to the one-dimensional scholarly approach adopted by R. Hayyim Soloveitchik.[12]

The esoteric axes of *Halakhic Man* are therefore two:

1. *The Character of Halakhic Cognition*. Ostensibly, there is a type of halakhic man who aspires to realize his ideal cognition in the concrete world as a legitimate expression of creativity; esoterically, classic

[11] Moshe Sokol, "'*Ger ve-Toshav* Anokhi': Modernity and Traditionalism in the Life and Thought of Rabbi Joseph B. Soloveitchik," *Tradition* 29, 1 (1994), 33.

[12] See Shaul Stampfer, *The Lithuanian Yeshiva* [Hebrew] (Jerusalem: Zalman Shazar Center, 1995).

halakhic men are entirely indifferent to any reality beyond cognition and exclusively concerned with ideal halakhic cognition.

2. *The Relationship Between Halakhic Man and Homo Religiosus*. This axis is divided into two:
   a. Ostensibly, halakhic man and *homo religiosus* share certain patterns in the realm of pure cognition, at least in its characteristic normative dimension;[13] esoterically, these two pure types have nothing in common.
   b. Ostensibly, halakhic man and *homo religiosus* are connected at the moral and aesthetic levels; esoterically, the acknowledgment of this connection as a fact and as a given reality serves halakhic man as a negative aim: he seeks release from it, because his will and his aesthetic action derive directly from his reason.

A comparison could be suggested that clarifies R. Soloveitchik's stance: Cohen's ethical theory, which strives to liberate the concept of man from the "lack of clarity and the insecurity" that clung to it in the wake of religion,[14] does so by relying on jurisprudence. Halakhic man also strives, a priori, to liberate Jewish law (meaning Halakhah as the ideal law) from the impreciseness and insecurity of religion, and does so by relying on (Cohen's) epistemology. In sum, Halakhah in its theoretical-ideal Brisk variety is an independent, autonomous realm, which denies other religious realms. For halakhic man, the subjective and transcendent wrapping of *homo religiosus* is a superfluous husk. Theoretical Halakhah is whole and self-sufficient.

Esoteric Experience

The discussion of *Halakhic Man* is accompanied by some despair concerning the possibility of the essay's acceptance by the wider public as well as by a scholarly audience because R. Soloveitchik, despite

---

[13] In "From Thence You Shall Seek," religious experience is indeed a classic element of consciousness. Moreover, *The Halakhic Mind* was meant to raise the experiential-subjective realm to the level of an epistemological component, that is, religious cognition. By contrast, *Halakhic Man* delivers the opposite message: cognition is scientific and halakhic and experience is relegated to the ethical and judicial realm.

[14] *Ethik des reinen Willens*, 68. Cohen clarifies that, by turning to the theory of law, ethics is released "from its exclusive relationship to religion, to psychology, and to general non-exact sciences" (ibid., 72).

widespread confusion in this regard, never intended concrete-practical Halakhah. The true meaning of *Halakhah* in *Halakhic Man*, as noted, is what R. Soloveitchik calls "theoretical Halakhah," namely, the Brisk method of study founded in the Lithuanian yeshivot ("*lomdus*"), and applied to this day in the yeshivot that followed in this path. In the Brisk method, halakhic foundations are re-created from their origin through the analysis of key halakhic concepts. The process of analysis is far more important than the practical halakhic implications. Only those who have studied in these yeshivot know, for instance, to what extent the study of concrete Halakhah and halakhic rulings are viewed as inferior pursuits. Furthermore: those who have experienced deep admiration for this type of study have also absorbed its total indifference to philosophical or mystical contents. Even when delivering homilies using conceptual terms that were not halakhic-theoretical, yeshiva heads were not interested in the contents of these terms. Quite the contrary: the Brisk method of study was transferred to the realm of moral preaching as well. In religious-Zionist yeshivot, this method appears to command less respect today, and this is an issue awaiting further sociological and educational research; in any event, drawing away from the Brisk method and its accompanying ethos means drawing away from the true implications of *Halakhic Man*.

Given the special meaning of the term Halakhah ("*lomdus*") and the ethos that derives from it, another issue deserves note: no philosophy of Halakhah can be developed from *Halakhic Man* in terms currently acceptable in the research of this discipline. This discipline deals directly with practical Halakhah as determined in halakhic rulings, and is only loosely connected to analytical study ("Brisk") and to the way of life it compels. At most, one could describe the devaluation of practical Halakhah as representing the status of the sensorial, extra-cognitive world vis-à-vis creative reason in Hermann Cohen's theory. The decline in the status of halakhic jurisprudence touches directly on the development of a philosophy of Halakhah; beyond it, however, *Halakhic Man* bears no essential message in this regard.

The description of the personality and the cognition of halakhic man is crucial to the understanding of R. Soloveitchik's thought. However we interpret this philosophy, we will find the Brisk scholar present in some form or another. A rigorous analysis of the relationship between *homo religiosus* and halakhic man is essential to the understanding of R. Soloveitchik's philosophical dynamic, and will enable the continued exposure of his thought's underlying foundations.

SELECTED REFERENCES

Agus, Jacob B. *Jewish Identity in an Age of Ideologies*. New York: F. Ungar, 1978.

Allison, Henry E. *Kant's Transcendental Idealism: An Interpretation and Defense*. New Haven: Yale University Press, 1983.

Angel Mark D. *Exploring the Thought of Rabbi Joseph B. Soloveitchik*. Hoboken, N.J.: Ktav, 1997.

Aquila, Richard E. *Matter in Mind: A Study of Kant's Transcendental Deduction*. Bloomington: Indiana University Press, 1989.

Benton, Ted. *Philosophical Foundations of the Three Sociologies*. London: Routledge and Kegan Paul, 1977.

Beqo, Annie, "Creation, Aesthetics, Market: Origins of the Modern Concept of Art." In *Eighteenth-Century Aesthetics and the Reconstruction of Art*. Edited by Paul Mattick, Jr. Cambridge and New York: Cambridge University Press, 1993, pp. 240–254.

Berger, M. S. "*U-vikashtem Mi-sham*: Rabbi Joseph B. Soloveitchik's Response to Martin Buber's Religious Existentialism." *Modern Judaism* 18 (1998), pp. 93–118.

Bergman, Samuel Hugo. "The *Ursprung* Principle in Hermann Cohen's Philosophy" (in Hebrew), in *Thinkers and Believers*. Tel-Aviv: Dvir, 1959, pp. 139–159.

Blidstein, Gerald J. "The Religious-Zionist Commitment of Rabbi Joseph B. Soloveitchik" (in Hebrew). In *The Path of the Spirit: The Eliezer Schweid Jubilee Volume*. Edited by Yehoyada Amir. Jerusalem: Department of Jewish Thought, Hebrew University of Jerusalem and the The Van Leer Jerusalem Institute, 2005, pp. 439–450.

———. "On the Halakhic Thought of Rabbi Joseph B. Soloveitchik: The Norms and Nature of Mourning." *Tradition* 30 (1996), pp. 115–130.

Borowitz, Eugene. "The Typological Theology of Rabbi Joseph B. Soloveitchik." *Judaism* 15 (1966), pp. 203–210.

Braiterman, Zachary. "Joseph Soloveitchik and Immanuel Kant's Mitzvah-Aesthetic." *AJS Review* 20 (2000/2001), pp. 1–24.

Bruckstein, Almut Sh. "Halakhic Epistemology in neo-Kantian Garb: J. B. Soloveitchik's Philosophical Writings Revisited." *Jewish Studies Quarterly* 5 (1984), pp. 346–368.

———. "Reshit as Ontology and Ethics: A Hermeneutics of the Infinite Based on Hermann Cohen's 'Principle of Origin.'" *Proceedings of the Eleventh World Congress of Jewish Studies*. Vol. 2, Division C. Jerusalem: World Union of Jewish Studies, 1994, pp. 53–60.

Caplan, Kimmy. *Orthodoxy in the New World: Immigrant Rabbis and Preaching in America (1881–1924)* (in Hebrew). Jerusalem: Zalman Shazar Center for Jewish History, 2002.

Cassirer, Ernst. *An Essay on Man: An Introduction to a Philosophy of Human Culture*. New York: Doubleday, 1953.

———. *Language and Myth*. Translated by Susanne K. Langer. New York: Dover, 1946.

———. "Hermann Cohen: 1842–1918." *Social Research* 10 (1943), pp. 219–232.

Carr, David. *Phenomenology and the Problem of History: A Study of Husserl's Transcendental Philosophy*. Evanston, Ill: Northwestern University Press, 1974.

Collingwood, F. J., 'Duhem's Interpretation of Aristotle on Mathemathics in Science.' In *Nature and Scientific Method*. Edited by Daniel O. Dahlstrom. Washington D.C: Catholic University of America Press, 1991, pp. 63–79.

Davidson, Herbert Alan. *Alfarabi, Avicenna, and Averroes, on Intellect: Their Cosmologies, Theories of the Active Intellect and Theories of the Human Intellect*. New York: Oxford University Press, 1992.

Dilthey, Wilhelm. *Gesammelte Schriften*, V. Band. Leipzig: Teubner, 1924.
Eliade, Mircea. *The Myth of the Eternal Return*. Translated by William R. Trask. Princeton, NJ: Princeton University Press, 1971.
Elior, Rachel. *The Paradoxical Ascent to God: The Kabbalistic Theosophy of Habad Hasidism*. Translated by Jeffrey M. Green. Albany: SUNY Press, 1993.
Etkes, Immanuel. *The Gaon of Vilna: The Man and his Image*. Translated by Jeffrey Green. Berkeley: University of California Press, 2002.
Fox, Marvin. "The Unity and Structure of Rabbi Joseph B. Soloveitchik's Thought." *Tradition* 24, 2 (1989), pp. 44–65.
Gadamer, Hans-Georg. "A New Epoch in the History of the World Begins Here and Now." In *The Philosophy of Immanuel Kant*. Edited by Richard Kennington. Washington D. C.: Catholic University of America Press, 1985, pp. 1–14.
Galgan, Gerald J. *God and Subjectivity*. New York: Lang, 1990.
Gellner, Ernest. *Reason and Culture: The Historic Role of Rationality and Rationalism*. Oxford: Blackwell, 1992.
Gillispie, Charles Coulston. *The Edge of Objectivity: An Essay in the History of Scientific Ideas*. Princeton: Princeton University Press, 1960.
Graupe, Heinz Mosche. *The Rise of Modern Judaism: An Intellectual History of German Jewry, 1650–1942*. Translated by John Robinson. Huntington, NY: R. E. Krieger, 1979.
Greenberg, Gershon. *The Holy Land in American Religious Thought, 1620–1948: The Symbiosis of American Religious Approaches to Scripture's Sacred Territory*. Lanham and Jerusalem: University Press of America and Institute of Contemporary Jewry, 1994.
Gruenwald, Ithamar. "Preliminary Critical Edition of Sefer Yetzirah." *Israel Oriental Studies* 1 (1971), pp. 132–177.
Guerriére, Daniel. "The Truth, The Nontruth, and the Untruth Proper to Religion." In *Phenomenology of the Truth Proper to Religion*. Edited by Daniel Guerriere. Albany: SUNY Press, 1990, pp. 75–101.
Hartman, David. *Love and Terror in the God Encounter: The Theological Legacy of Rabbi Joseph B. Soloveitchik*. Woodstock, Vt.: Jewish Lights, 2001.
Heidegger, Martin. *The Basic Problems of Phenomenology*. Translated by Albert Hofstadter. Bloomington: Indiana University Press, 1982.
Hintikka, Jaakko. "The Phenomenological Dimension." In *The Cambridge Companion to Husserl*. Edited by Barry Smith and David Woodruff Smith. Cambridge: Cambridge University Press, 1995, pp. 78–105.
Hoffman, Piotr. "Death, Time, History: Division II of Being and Time." In *The Cambridge Companion to Heidegger*. Edited by Charles B. Guignon. Cambridge: Cambridge University Press, 1993, pp. 195–214.
Holzhey, Helmut. *Cohen und Natorp*, Bd. 1, *Ursprung und Einheit: Die Geschichte der "Marburger Schule" als Auseinandersetzung um die Logik des Denkens*. Basel: Schwabe, 1986.
Horowitz, Rivka. "Hermann Cohen and Franz Rosenzweig" (in Hebrew). *Jerusalem Studies in Jewish Thought* 4 (1985), pp. 303–326.
Hort, Greta. *Sense and Thought: A Study in Mysticism*. London: G. Allen and Unwin, 1936.
Idel, Moshe. *Golem: Jewish Magical and Mystical Traditions on the Artificial Annthropoid*. Albany: SUNY Press, 1990.
———. *Hasidism: Between Ecstasy and Magic*. Albany: SUNY Press, 1995.
———. *Kabbalah: New Perspectives*. New Haven: Yale University Press, 1988.
Ivry, Alfred L. "Averroes on Intellection and Conjunction." *Journal of the American Oriental Society* 86 (1966), pp. 76–85.
Jacobs, Louis. *Hasidic Prayer*. New York: Schocken Books, 1973.
———. *Theology in the Responsa*. London and Boston: Routledge and Kegan Paul, 1975.
James, William. *The Varieties of Religious Experience*. New York: Random House, 1929.
Kant, Immanuel. *Critique of Pure Reason*. Translated by Paul Guyer and Allan W. Wood (Cambridge: Cambridge University Press, 1998).

——. *Critique of Practical Reason*, Translated by Mary Gregor. Cambridge: Cambridge University Press, 1997.
——. *Critique of Judgement*. Translated by J. H. Bernard. Amherst, N.Y.: Prometheus Books, 2000.
Kaplan, Lawrence. "Rabbi Joseph B. Soloveitchik's Philosophy of Halakha." *The Jewish Law Annual* 7 (1987), pp. 139–197.
——. "The Religious Philosophy of Rabbi Joseph Soloveitchik." *Tradition* 14, 2 (1973), pp. 43–64.
Kreisel, Howard T. *Maimonides' Political Thought: Studies in Ethics, Law, and the Human Ideal*. Albany: SUNY Press, 1999.
——. *Prophecy: The History of an Idea in Medieval Jewish Philosophy*. Dordrecht: Kluwer Academic Publishers, 2001.
Lamm, Norman. *Torah Lishmah in the Works of Rabbi Hayyim of Volozhin and His Contemporaries*. New York: Michael Scharf Publication Trust of the Yeshiva University Press, 1989.
Lichtenstein, Aaron. "A Review of Rav J. B. Soloveitchik's Philosophy" (in Hebrew). *Alon Shevut* 140–141 (1994), pp. 9–19.
——. "R. Joseph Soloveitchik." In *Great Jewish Thinkers of the Twentieth Century*. Edited by Simon Noveck. Washington: B'nai B'rith, 1963, pp. 281–297.
Liebes, Yehuda. *Ars Poetica in* ***Sefer Yetsira***. Jerusalem: Shocken, 2000.
Lorand, Ruth. "Bergson's Concept of Order." *Journal of the History of Philosophy* 30 (1992), pp. 579–595.
Maddy, Penelope. *Realism in Mathematics*. Oxford: Clarendon Press, 1990.
Mattessich, Richard. *Instrumental Reasoning and Systems Methodology: An Epistemology of the Applied and Social Science*. Dordrecht: Reidel, 1977.
McNeil, Maureen. "The Scientific Muse: The Poetry of Erasmus Darwin." In *Languages of Nature: Critical Essays on Science and Literature*. New Brunswick, N.J.: Rutgers University Press, 1986, pp. 159–203.
Megill, Alan. *Prophets of Extremity: Nietzsche, Heidegger, Foucault, Derrida*. Berkeley: University of California Press, 1985.
Melamed, Yitzhak Y., "On the Exact Science of Nonbeings: Spinoza's View of Mathematics" (in Hebrew). *Iyyun* 49 (2000), pp. 3–22.
Mohanty, J. N. "Husserlian Transcendental Phenomenology: Some Aspects." In *Edmond Husserl and the Phenomenological Tradition*. Edited by Robert Sokolowski. Washington D.C.: Catholic University of America Press, 1988.
Munk, Reinier. *The Rationale of Halakhic Man: Joseph B. Soloveitchik's Conception of Jewish Thought*. Amsterdam: J. C. Gieben, 1996.
——. "Who is the Other? Alterity in Cohen's 'Religion der Vernunft.'" In *"Religion der Vernunft aus den Quellen des Judentums": Tradition und Ursprungsdenken in Hermann Cohens Spätwerk*. Edited by Helmut Holzhey, Gabriel Motzkin and Hartwig Wiedebach. Hildesheim: G. Olms, 2000.
Nadler, Allan L. "Soloveitchik's Halakhic Man: Not A Mithnagged," *Modern Judaism* 13 (1993), pp. 119–147.
Nagel, Ernest. *The Structure of Science: Problems in the Logic of Scientific Explanation*. London: Routledge, 1961.
Nehamas, Alexander. *Nietzsche: Life as Literature*. Cambridge: Harvard University Press, 1985.
Newton, Adam Zachary. *The Fence and the Neighbor: Emmanuel Levinas, Yeshayahu Leibowitz, and Israel among the Nations* Albany: SUNY Press, 2001.
Niebuhr, Reinhold. *The Nature and Destiny of Man: A Christian Interpretation*. Louisville, Ky.: Westminster John Knox Press, 1996.
Peli, Pinhas. "The Uses of Hermeneutics ('Derush') in the Philosophy of J. B. Soloveitchik: Method or Essence?" (in Hebrew). *Daat* 4 (1980), pp. 111–128.
Poincaré, Henri. *Science and Hypothesis*. New York: Dover, 1952.

Poma, Andrea. *The Critical Philosophy of Hermann Cohen*. Translated by John Denton. Albany: SUNY Press, 1997.
Rakeffet-Rothkoff, Aaron. *The Rav: The World of Rabbi Joseph B. Soloveitchik*. Hoboken, N.J.: Ktav, 1999.
Ravitzky, Aviezer. *Messianism, Zionism, and Jewish Religious Radicalism*. Translated by Michael Swirsky and Jonathan Chipman. Chicago. University of Chicago Press, 1996.
——. "Rabbi J. B. Soloveitchik on Human Knowledge: Between Maimonides and neo-Kantian Philosophy." *Jubilee Volume: In Honor of Morenu Hagaon R. Joseph B. Soloveitchik*, Vol. 1. Edited by Shaul Israeli, Norman Lamm and Itzhak Raphael. Jerusalem and New York: Mosad Harav Kook and Yeshiva University, 1984, pp. 30–55.
Reichenbach, Hans. *The Philosophy of Space and Time*. Translated by Maria Reichenbach and John Freund. New York: Dover, 1958.
Rist, John M. "The Stoic Concept of Detachment." In *The Stoics*. Berkeley: University of California Press, 1978.
Roensch, Frederick. *Early Thomistic School*. Dubuque, Iowa: Priory Press, 1964.
Rotenstreich, Nathan. *Experience and Its Systematization: Studies in Kant*. The Hague: Martinus Nijhoff, 1965.
Sacks, Jonathan. "Alienation and Faith." *Tradition* 13, 4; 14, 1 (1973), pp. 137–162.
——. "Rabbi J. B. Soloveitchik's Early Epistemology: A Review of *The Halakhic Mind*. *Tradition* 23, 3 (1988), pp. 75–87.
Sagi, Avi (ed.). *Faith in Changing Times: On the Teachings of Rav J. B. Soloveitchik* (in Hebrew). Jerusalem: WZO, 1997.
——. "Rabbi Soloveitchik and Professor Leibowitz as Theoreticians of the Halakhah" (in Hebrew). *Daat* 29 (1992) pp. 131–148.
Sagi, Avi. "Halakhic Praxis and the Word of God: A Study of Two Models." *Journal of Jewish Thought and Philosophy* 1 (1992), pp. 305–329.
Saler, Benson. *Conceptualizing Religion: Immanent Anthropologists, Transcendent Natives, and Unbounded Categories*. New York: Berghahn Books, 2000.
Samuelson, Norbert M. *An Introduction to Modern Jewish Philosophy*. Albany: SUNY Press, 1989.
Saperstein, Marc. *Decoding the Rabbis: A Thirteenth-Century Commentary on the Aggadah*. Cambridge: Harvard University Press, 1980.
Scheler, Max. *On the Eternal in Man*. Translated by Bernard Noble. Hamden, Conn.: Archon Books, 1972.
——. *Selected Philosophical Essays*. Evanston, Ill.: Northwestern University Press, 1973.
Schilpp, Paul Arthur (ed.). *The Philosophy of Ernst Cassirer*. Evanston, Ill.: The Library of Living Philosophers, 1949.
Scholem, Gershom. *Origins of the Kabbalah*. Translated by Allan Arkush. Philadelphia: Jewish Publication Society, 1987.
Schwartz, Dov. *Studies on Astral Magic in Medieval Jewish Thought*. Translated by David Louvish and Batya Stein. Leiden and Boston: Brill, 2005.
——. *Faith at the Crossroads: A Theological Profile of Religious Zionism*. Translated by Batya Stein. Leiden and Boston: Brill, 2002.
——. *Contradiction and Concealment in Medieval Jewish Thought* (in Hebrew). Ramat-Gan: Bar-Ilan University Press, 2002.
——. *Challenge and Crisis in Rabbi Kook's Circle* (in Hebrew). Tel Aviv: Am Oved, 2001.
——. *Faith and Reason: Debates in Medieval Jewish Philosophy* (in Hebrew). Tel Aviv: Ministry of Defense, 2001.
——. *Religious Zionism Between Logic and Messianism* (in Hebrew) . Tel-Aviv: Am Oved, 1999.
——. *Messianism in Medieval Jewish Thought* (in Hebrew). Ramat Gan: Bar-Ilan University Press, 1997.
——. *The Land of Israel in Religious Zionist Thought* (in Hebrew). Tel-Aviv: Am Oved, 1997.

———. *The Philosophy of a Fourteenth Century Jewish Neoplatonic Circle* (in Hebrew). Jerusalem: Bialik Institute 1996.
———. "Avicenna and Maimonides on Immortality." In *Medieval and Modern Perspectives on Muslim-Jewish Relations*. Edited by Ronald L. Nettler. London: Harwood, 1995, pp. 185–197.
———. "The Debate over the Maimonidean Theory of Providence in Thirteenth-Century Jewish Philosophy." *Jewish Studies Quarterly* 2 (1995), pp. 185–196.
Schweid, Eliezer. *A History of Jewish Thought in the Twentieth Century* (in Hebrew). Tel Aviv: Dvir, 1990.
———. "Religion and Philosophy: The Scholarly-Theological Debate between Julius Guttmann and Leo Strauss." *Maimonidean Studies* 1 (1990), pp. 163–195.
Singer, David, and Moshe Sokol. "Joseph Soloveitchik: Lonely Man of Faith." *Modern Judaism* 2 (1982), pp. 227–272.
Smith, J. E. "Kant's Doctrine of Matter." In *The Concept of Matter in Modern Philosophy*. Edited by Ernan McMullin. Notre Dame: University of Notre Dame Press, 1978, pp. 141–153.
Sokol, Moshe. "'Ger ve-Toshav Anokhi': Modernity and Traditionalism in the Life and Thought of Rabbi Joseph B. Soloveitchik." *Tradition* 29, 1 (1994), pp. 32–47.
Sokolowski, Robert (ed.), *Edmund Husserl and the Phenomenological Tradition*, Washington, D.C.: The Catholic University of America Press, 1988
Solomon, Norman. *The Analytic Movement: Hayyim Soloveitchik and His Circle*. Atlanta, Ga.: Scholars Press, 1993.
Srzednicki, J. T. J. *The Place of Space and Other Themes: Variations on Kant's First Critique*. The Hague: Martinus Nijhoff, 1983.
Stack, George J. "Kierkegaard and the Phenomenology of Repetition." *Journal of Existentialism* 7 (1996–1967), pp. 111–128.
Strauss, Leo. *Persecution and the Art of Writing*. Chicago: University of Chicago Press, 1988.
Strong, Tracy B. *Friedrich Nietzsche and the Politics of Transfiguration*. Berkeley, University of California Press, 1975.
Summers, David. "Why did Kant Call Taste a 'Common Sense'?" In *Eighteenth-Century Aesthetics and the Reconstruction of Art*. Edited by Paul Mattick Jr. Cambridge and New York: Cambridge University Press, 1993, pp. 120–151.
Tillich, Paul. *Systematic Theology*. Chicago: University of Chicago Press, 1951.
Twersky, Isadore. *Introduction to the Code of Maimonides*. New Haven: Yale University Press, 1980.
Underhill, Evelyn. *Mysticism: A Study in the Nature and Development of Man's Spiritual Consciousness*. New York: Noonday Press, 1955.
Van der Linden, Harry. *Kantian Ethics and Socialism*. Indianapolis: Hackett, 1988.
Williams, Bernard. "Morality and Emotions." In *Morality and Moral Reasoning: Five Essays in Ethics*. Edited by John Casey. London: Methuen, 1971, pp. 1–24.
Yovel, Yirmiyahu. *Kant and the Philosophy of History*. Princeton: Princeton University Press, 1980.
Zaehner, Robert Charles. *Mysticism Sacred and Profane: An Inquiry into Some Varieties of Preternatural Experiences*. Oxford: Clarendon Press, 1957.
Zuroff, Ephraim. "Rescue Priority and Fund Raising as Issues during the Holocaust: A Case Study of the Relations between the *Va'ad Ha-Hatsalah* and the Joint, 1939–1941." In *American Jewish History*. Edited by Jeffrey S. Gurock. Vol. 7, *America, American Jews and the Holocaust*. New York: Routledge, 1988, pp. 405–426.

INDEX OF NAMES

Abraham Ibn Ezra, 156, 184
Abu Bakr al-Sa'igh (Ibn Bajja), 261
Achinstein, Peter, 336
Agus, Jacob B., 306
Al-Farabi, Abu Nasser, 261
Allison Henry E., 86, 95
Altmann, Alexander, 185
Amiel, Moshe Avigdor, 119, 352
Aquila, Richard E., 102
Aristotle, 11, 37, 83, 241, 274, 321, 324, 327
Avenarious, Richard, 97
Averroes, 311, 327

Bar-Ilan (Berlin), Meir, 140, 141, 170, 227, 245
Bar-On, Avraham Zvi, 45, 103
Barukh of Shklov, 206
Bechler, Zev, 179
Becker, Carl L., 100
Becq, Annie, 270
Ben-Sasson, Yonah, 121
Ben-Shlomo, Joseph, 45
Benton, Ted, 106
Berger, Peter, 32
Bergman, Samuel Hugo, 88, 105, 331
Bergson, Henri, 21, 22, 107, 303
Berkeley, George, 104, 130
Berkowitz, Eliezer, 353
Berlin, Isaiah, 216
Berlin, Naphtali Zvi (*ha-Netsiv*), 245
Bialik, Hayyim Nahman, 341
Blaser, Issac, 240
Blau, Yitzhak 292
Blidstein, Gerald J., 128, 185, 341
Borowits, Eugene B., 146
Boyer, Carl B., 179
Braiterman, Zachary, 137, 185, 226, 250
Breuer, Mordechai, 206
Brown, Benjamin, 117, 250
Bruckstein, Almut S., 30, 74, 112, 122, 162
Budick, Sanford, 306

Camus, Albert, 298
Cantor, Georg, 179
Caplan, Kimmy, 18
Carmy, Shalom, 117
Caro, Joseph, 34
Carr, David, 49
Cassirer, Ernst, 3, 43, 73, 108, 111, 131, 198–200, 221, 224, 301, 343
Cauchy, Augustin Louis, 179
Cohen, David ("*ha-Rav ha-Nazir*"), 119, 153, 232, 353
Cohen, Hermann, 1–5, 7, 12–13, 14, 29, 31, 32, 47–55, 60, 61, 67–69, 71–81, 87–94, 99–120, 126, 129–131, 143–145, 148, 151, 157, 167, 175–179, 194–202, 207–212, 219–224, 228, 248, 252–258, 268–273, 279, 284, 297–298, 323, 326–331, 335, 336, 342, 344–345, 352–356
Collingwood, Francis J., 107

Dan, Joseph, 292
Davidson, Herbert A., 311, 322
Descartes, Rene, 101
Deussen, Paul, 324
Dienstag, Israel J., 312
Dilthey, Wilhelm, 67, 106
Dishon, Judith, 185
Duhem, Pierre, 106–107
Duns Scouts, 171–173

Eckhart, Meister, 25
Eddington, Arthur, 106, 107, 122, 125
Eiger, Akiva, 346
Einstein, Albert, 98, 106, 122, 125, 303
Elbaum, Jacob, 292
Elblinger-Segal, Orah, 215
Eliade, Mircea, 23
Elijah of Pruzhan, 59, 228, 241
Elior, Rachel, 165
Elman, Israel, 264
Engell, James, 335
Eran, Amira, 331
Etkes, Immanuel, 118, 159, 206, 243, 252

Federbush, Simon, 353
Feingold, Henry, 35
Feist, Gregory J., 249

Fichte, Johann G., 52, 115, 130, 225, 324–330
Fisch, Menahem, 110
Fischer, Kuno, 10, 106
Fleckeles, Elazar, 189
Fleischman, Jacob, 336
Fox, Marvin, 109, 333, 351
Frank, William A., 172
Friedman, Menachem, 340
Frimer, Norman E., 138
Funkenstein, Amos, 256

Gadamer, Georg Hans, 50
Gal, Allon, 35
Galgan, Gerald J., 252
Galilei, Galileo, 100, 206, 342
Gaon of Vilna, 59, 204, 206, 228, 241, 243, 346
Garb, Jonathan, 164
Gartner, Lloyd P., 35
Gellman, Arieh Leib, 189
Gellner, Ernest, 267
Gelman, Leon, 34, 189
Gillespie, Charles Coulston, 98
Goldman Eliezer, 22, 63, 69, 165, 292, 297, 299
Goldsmith, Daniel, 161
Gorman, Michael E., 249
Graupe, Moshe, 31
Green, Kenneth Hart, 33
Greenberg, Gershon, 18
Groll, Meshulam, 84, 329
Gross, Benjamin, 252
Gruenwald, Ithamar, 278
Grünhut, Aharon, 111
Guttmann, Julius, 33, 87

Hallamish, Moshe, 165, 174, 180, 183
Hameiri-Ostrovsky, Moshe, 352
Harnak, Adolph von, 106
Harris, H. S., 330
Hartman, David, 19, 34, 189, 224, 292
Hatam Sofer, *see* under Sofer, Moses
Hayyim of Volozhin, 59, 159, 170, 192, 204, 252, 355
Heelan, Patrick A., 100
Hegel, Georg Wilhelm Friedrich, 71–72, 103
Heidegger, Martin, 21, 23, 25, 87, 121, 178, 331
Heine, Heinrich, 336
Heinemann,Yitzhak, 67
Helinger, Moshe, 218
Hempel, Carl Gustav, 336
Herz, Heinrich, 106, 122, 125
Hilbert, David, 7
Hintikka, Jaakko, 45
Hirschensohn, Hayyim, 352
Hoffman, Pioter, 298
Horowitz, Rivka, 31, 146
Hort, Greta, 142
Husserl, Edmund, 23, 44–47, 87, 107

Idel, Moshe, 157, 164, 276
Ish-Shalom, Benjamin, 136
Isserles, Moshe, 345
Ivry, Alfred L., 322

James, William, 19
Jawitz, Zeev, 324
Jeans, James, 100
Job, 60–62
Judah Halevi, 6, 32, 57, 110, 148, 226
Judah He-Hasid, 218
Judah Loew (*Maharal* of Prague), 244

Kant, Immanuel, 3, 12, 48–53, 59, 60, 73, 76, 77, 81–90, 92–95, 100, 102, 105, 108–109, 115, 119, 123, 154, 167, 176, 197, 207, 208, 210, 211, 215–216, 217, 219, 222, 223, 245, 253, 257, 272–273, 282, 296–300, 329, 331, 335, 344, 355
Kaplan, Lawrence, 11–13, 42, 68, 92, 108–109, 110, 112, 124, 146, 165, 204, 239 250, 353
Katz, Dov, 241
Katz, Jacob, 159
Kaufmann, Fritz, 48, 111
Kierkegaard, Søren, 297, 331
Klages, Ludwig, 21, 23
Kolbrener, William, 48
Kook, Abraham Yitzhak, 119, 308
Körner, Stephen, 179
Krakovsky, Menachem, 292

Lamm, Norman, 252
Landau, Ezekiel, 188–189
Langermann, Y. Tzvi, 278
Lazarus, Moritz, 106, 157, 254
Liebes, Yehuda, 278
Leibnitz, Gottfried Wilhelm, 247
Leibowitz, Yeshayahu, 351
Leonardo da Vinci, 250
Lermontov, Mikhail, 341
Lichtenstein, Aharon, 32, 269, 340, 341
Liebman, Charles S., 18
Lobachevsky, Nikolai Ivanovich, 122

Lorand, Ruth, 22
Lotze, Hermann, 106
Lustiger, Arnold, 226
Luz, Ehud, 21

Mach, Ernst, 87, 106, 107
Maddy, Penelope, 179
Maharal of Prague, *see* under Judah Loew
Maimon, Salomon, 88, 109, 323
Maimonides (Moshe Ben Maimon), 1, 3, 11, 59–81, 82, 85–88, 93–95, 108, 113, 115, 120, 127, 134, 137, 152, 154, 158, 160–161, 171–173, 184–186, 204–205, 216, 241, 259, 261, 272, 277, 293, 294, 298, 304, 310–327, 337–338, 344, 345, 352
Makkreel, Rudolf A., 67
Mattessich, Richard, 107
McNeil, Maureen, 249
Megil, Allan, 51
Meier, Heinrich, 116, 131
Meir, Moshe, 288
Melamed, Yitzhak Y., 101
Merzbach, Uta C., 179
Michelangelo, 250
Minkovsky, Herman, 7, 303
Mohanty, J. N., 45
Morgan, Michael L., 33
Moses 140, 164, 169, 304, 315, 336–338
Munk, Rainier, 30, 42, 45, 48, 52, 63, 73, 79, 89, 102, 176, 202

Nadler, Allen I., 132, 146
Nagel, Ernst, 133
Natorp, Paul, 47–48, 76–77, 81, 104, 111, 130, 131, 293, 345
Nehamas, Alexander, 23
Neumann, Erich, 142
Newton, Adam Zachary, 109
Newton, Isaac, 35, 97, 123, 176, 247, 296, 335, 342, 344
Nietzsche, Friedrich Wilhelm, 21, 23, 87, 289
Nod'ah bi-Yehudah, see under Landau, Ezekiel
Nuriel, Avraham, 172

O'Neill, Onora, 207
Otto, Rudolf, 15, 162

Paton, H. J., 216
Peli, Pinhas, 333
Peretz, Y. L., 286
Philo, 83, 164
Pieckarz, Mendel, 156, 189
Planck, Max, 106, 122, 125
Plato, 83, 110, 210, 268, 352
Plotinus, 164
Poincaré, Henri, 106
Poma, Andrea, 52, 73, 75, 102, 105, 208, 209, 219, 258, 336, 352
Popper, Karl, 336
Pushkin, Alexander, 341

Rabinowitz, H. R., 382
Rakefet-Rotkof, Aaron, 182
Ravitzky, Aviezer, 62, 109, 110, 172, 255, 279, 317, 339
Reichenbach, Hans, 124
Reines, Alvin Jay, 318
Reines, Yitzhak Yaacob, 305
Riemann, Georg Friedrich Bernhard, 122
Rist, John M., 12
Rizberg, Baruch, 182
Rogers, G. A. J., 176
Rosenak, Avinoam, 109, 111, 131
Ross, David W., 274
Rotenstreich, Nathan, 24, 53, 74, 76, 105, 157, 162, 212
Roubach, Michael, 104

Sacks, Jonathan, 42, 53, 241, 244
Sagi, Avi, 24, 70, 123, 243, 297, 298, 351
Saler, Benson, 129
Salmon, Yosef, 340
Sambursky, Shmuel, 123
Samuelson, Norbert M., 179
Saperstein, Mark, 138
Schatz, David, 33, 203, 226
Schechter, Zvi, 18, 182, 189, 262
Scheler, Max, 20, 25, 43–47, 66, 224, 241, 267, 298–301, 305, 331
Schlanger, Jacques, 172
Schleiermacher, Friedrich Daniel Ernst, 25
Scholem, Gershon, 188, 276
Schopenhauer, Arthur, 335
Schwartz, Dov, 32, 63, 67, 72, 119, 134–138, 148, 153, 162, 164, 232, 243, 251, 256, 274, 295, 297, 307, 311, 312, 322, 324, 326, 327, 337, 340, 353
Schwartz, Moshe, 33
Schwarz, Michael, 313
Schweid, Eliezer, 33, 52, 143, 157, 219, 341

Sharlo, Yuval, 15
Shkop, Shimon, 118
Shneur Zalman of Liadi, 168, 180–183, 189
Shneursohn, Shlomo Zalman, 171
Shulwass, Moshe Avigdor, 34
Silman, Yohanan, 215
Simha Zelig, 171
Sinclair, T. A., 210
Singer, David, 32, 62, 109, 244, 252
Sklare, Marshal, 18
Smith, John E., 86
Sofer, Moses (*Hatam Sofer*), 161
Sokol, Moshe, 32, 62, 109, 218, 244, 252, 355
Solomon ibn Gabirol, 171–173, 184
Solomon, Norman, 117
Soloveitchik, Hayyim, 1, 28–30, 56, 62, 70, 112, 140–142,170–174, 178, 195, 199–200, 203–206, 227, 228, 239–241, 245, 262, 266, 293, 294, 333, 340, 342–346, 351, 355
Soloveitchik, Moses, 112, 136, 178, 189, 228, 239, 260, 346
Soloveitchik, Yitzhak Ze'ev, 1, 112, 178, 333, 339–347
Spengler, Ludwig, 21
Sperber, Daniel, 188
Spinoza, Baruch, 75, 101, 226
Spranger, Edward, 17, 59
Srzednicki, J. T., 84
Stack, George J., 297
Stampfer, Shaul, 117, 118, 170, 192, 223, 245, 255
Statman, Daniel, 245
Strauss, Leo, 32–33
Strong, Tracy B., 23
Summers, David, 335
Swabey, William Curtis, 131

Tal, Uriel, 25 106
Tillich, Paul, 148
Tishby, Isaiah, 226, 281
Tolstoy, Lev, 240
Tsemah, Solomon, 335
Turner, Yossi, 64
Twersky, Isadore, 161 258

Underhill, Evelyn, 148
Urbach, Ephraim E., 243

Van der Linden, Harry, 209, 222

Walsh, W. H., 77
Wasserstrom, Steve, 278
Waxman, Meyer, 35
Webb, J., 123
Weber, Max, 7
Weierstrass, Karl, 179
Wilensky, Mordechai, 189
Williams, Bernard, 245
Wolff, R. P., 77

Yovel, Yirmiyahu, 85, 87, 123

Zewin, Shlomo Yosef, 117
Ziwan, Gili, 13, 249
Zuroff, Ephraim, 34

INDEX OF SUBJECTS

Abstraction, 59, 68, 107, 177; legal, 209; mathematical, 97, 177, 185
Active intellect, 311, 320–322. *See also* conjunction; soul; theory of the intellect
Activity. *See* creativity
Adam I. *See* original sin
Aesthetics, 3, 5, 6, 149, 225–226, 270, 273, 288–289, 309, 355. *See also* art; genius; judgment
Agnosticism, 43
Agudat Israel, 34, 35
Americanization, 18, 119, 160, 183
Analogy. *See also* attributes; Halakhah
Angels. *See* prayer
Anticipation of sense, 76, 179
Anti-Semitism, 35
Anxiety, 148. *See also* death
Apocalypse. *See also* redemption
Art, 208, 268. *See also* aesthetics
Astrology, 198
Atonement. *See* Day of Atonement; repentance
Attributes, 186, 252; attributes of action, 63, 66, 85–86, 204–205, 216–217; denounce them, 62–66, 71, 78, 85–86, 185, 217; and noumena, 86. *See also* analogy
Authenticity. *See* existentialism

Botany, 68
Brisk. *See* yeshiva

Categorical imperative, 23, 208
Categories, 12, 75, 83–95, 105, 197, 329. *See also* forms of sensibility; object; origin
Causality, 64, 67, 295–299; essential, 69. *See also* repentance; time
Cemetery, 228. *See also* death
Christianity, 157, 218, 253, 254, 261, 264–265. *See also* ethics
Cities of refuge, 268
Civil law, 211. *See also* Halakhah; law; politics
Cognition, 13, 71, 208, 352, 354; a priori, 252; Aristotelian, 256, 321–323; cognitive pluralism, 41–43, 44, 49, 108, 199, 213, 343; of the concealed, 61–62; and experience, 233; halakhic, 4, 31, 151–152, 177–178, 194–195, 199, 246, 252, 259, 316; mathematical, 101, 103, 112, 258, 347; and norm, 4, 205; as a procedure, 74–75, 115–117; and religion, 53, 86, 143; scientific, 39. *See also* cognitive idealism; ethics; extra-cognitive dimension; God; *homo religiosus*; infinitesimal; miracle; purpose
Cognitive idealism, 3, 7, 24, 31, 49, 53, 54, 55, 79, 81, 88, 93, 96, 98, 105, 108, 109, 112, 117, 119, 123, 126, 129–130, 134, 179, 194, 196, 198–206, 211, 241, 252, 268, 307, 309, 319, 328, 332, 352. *See also* categories; consciousness; extra-cognitive dimension; infinitesimal; judgment; mathematics; object; sense; space; task; time
Cognitive man, 16, 37–38, 61, 82–83, 92–93, 110, 178; his experience, 249; two kinds of cognitive man 98, 124–126, 144; and *homo religiosus*, 92; modern physicist 107–109
Commandments, 48, 62, 86–87, 94, 133, 157, 175, 180, 215, 277, 304. *See also* ethics; mourning; providence; repentance; Sabbath; *shofar*
Community, 125, 127, 259–261. *See also* halakhic man
Concealed writing. *See* esotericism
Concreteness. *See* extra-cognitive dimension
Conjunction, 65, 320–323; after death 251, 322; preservation of the individual 242–243, 251. *See also* mind; soul
Consciousness, 8, 12–13, 20, 26, 29, 155, 171; critical sense, 4–5, 13, 114, 130, 176, 248–251, 268, 285, 307; "objective dimension," 8, 20, 160; in religious phenomenological sense, 8, 13, 53–54, 89–90, 157, 224, 229; self, 329, 248, 254, 329; "subjective

dimension," 10, 27, 22, 45, 48, 51, 63–64, 78, 87, 160. *See also* cognitive idealism; dialectics; esotericism; phenomenology; subjectivity
Conservative Judaism, 15
Contradiction, 1, 27–28, 88, 354; "third harmonizing verse," 28, 230, 233. *See also* dialectics; esotericism; judgment
Conventionalism, 43, 47, 87–98, 106, 114, 124, 125, 177, 186, 203, 204, 343. *See also* mathematics
Copernican revolution, 176, 179
Correlation, 52, 209
Creation, 171–173, 277–286, 291, 301, 316, 334; and magic, 278–279
Creativity, 5, 12, 23, 89, 115–117, 136, 151, 175, 177, 221, 222, 239, 243–245, 258–259, 263, 268–332, 338–339, 345–347; hermeneutical, 291; personal, 293, 295–296. *See also* freedom
Criticism. *See* consciousness

Datum (*das Gegebene*), 50, 72, 77, 116, 131, 320
Day of Atonement, 136–137, 161–162, 186, 230–232
Death, 132–134, 141–144, 223, 238–241, 254, 304; fear of death, 227–228. *See also* anxiety; cemetery; mourning; world to come
Desire. *See* ethics; sense
Dialectics, 6, 14–15, 26–27, 39, 44, 56, 61, 85, 120, 125, 139, 141, 160, 190, 214, 216, 222, 224, 229–241, 245, 249, 295, 350, 351; religious dialectics, 355. *See also* consciousness; esotericism; religion; repentance
Differential and integral, 212, 247, 249 *See also* infinity; infinitesimal
Das ding an sich (thing in itself), 82–95; in ethics 209
Dionysian personality, 23. *See also* halakhic man; self-affirmation
Divine world (*olam 'atsilut*). *See* Kabbalah
Dogma. *See* prophecy; world to come
Duty. *See* ethics

Ecstatic. *See* experience; feeling
Eidetical reduction. *See* phenomenology
Elitism, 30, 119, 156–162, 260–261, 317. *See also* esotericism
Emanation, 337. *See also* neo-Platonism
Emotionality. *See* feeling
Eschatology. *See* redemption
Esotericism, 2, 8, 19, 18, 30–35, 56, 92–94, 99, 110, 120, 124, 155–161, 190–191, 245, 261–265; two kinds of esotericism, 158–159; Maimonidean 158–159. *See also* eidetical reduction; phenomenology
Essentialism, 97, 100
Eternity. *See* time
Ethics, 1–5, 6, 21–25, 52, 86, 90–92, 132, 168, 258, 270, 301, 309, 316, 356; autonomous, 241, 253, 263, 355; as a critical science, 207–212; of duty, 92, 218, 222, 305; and Judaism, 157; and legalism, 209; phenomenological, 23; religious, 43; and science, 205; virtue, 63. *See also* categorical imperative; Christianity; freedom; God; origin; sense; time
Exile, 173
Existentialism (philosophical school), 7, 20–21, 24, 176, 298, 319, 332
Experience (as *Erfahrung*), 45, 48, 73, 81, 123, 136, 165, 177, 194, 195, 207, 283; and Halakhah 151. *See also* "fact of science"; mathematical natural sciences
Experience, 2, 14, 20, 223, 246–251; aesthetic, 140, 223, 250; antinomian, 28; intellectual, 2, 251; religious, 2, 7, 26, 120, 241; subjective, 16, 32. *See also* aesthetics; dialectics; Hasidism; Kabbalah; objectification
Extra-cognitive dimension (sensorial-qualitative or transcendent), 1, 5, 23, 50, 73, 79, 82–95, 87, 98, 114, 117, 121, 128–131, 152, 167, 181–182, 203, 226, 227, 284–285, 320, 331, 343, 345, 354. *See also* ideal models; problem; sense; subjectivity
Extra-cognitive world. *See* extra-cognitive dimension

"Fact of Halakhah," 200, 283–284. *See also* "fact of science"
"Fact of science," 73, 103, 114, 115, 151, 177, 194, 200, 208, 284. *See also* experience; mathematical natural sciences
"Facts of the soul," 52
Fear. *See* death; finitude
Feeling, 224, 227–228, 230. *See also*

ethics; halakhic man; indifference; religion
Finitude 148. *See also* world to come
Form. *See* theory of the intellect
Forms of sensibility, 77, 83–94, 137, 197, 329. *See also* categories; space; time
Free choice. *See* commandments; freedom; good and evil
Freedom, 12, 26, 207, 213–219, 222–223, 253, 305; and creativity 324–325; positive and negative 215; and tradition 306. *See also* creativity; ethics; repentance
French Revolution, 210

Generation and corruption. *See* creation; creativity; objectification
Genius, 332–336, 344–345. *See also* intuition
Geometry, 22, 97, 122, 206; non-Euclidean, 122–124, 152
Gestalt, 22
God, 84, 86, 95, 123, 140, 158, 252–259; his cognition, 255–256; Creator, 111, 234, 243–244, 255; good, 168, 171–172; immanent and transcendent, 302; Infinite Thought, 252, 256; Prime Mover 86; study of Torah, 137–138, 258; his will, 172, 216. *See also* attributes, providence, *tzimtzum*
Golden mean, 12, 241. *See also* ethics
Good and evil, 142, 152, 155, 171–172, 215, 280–282. *See also* creation
Göttingen, 7
Gravitation, 247, 249
Group theory, 179. *See also* infinity; mathematics

Habad, 165, 172, 174, 175, 178–183, 189–190
Halakhah, 1–2, 5, 38, 112–113, 118, 256–257, 258–259, 270, 277, 320, 323, 349–351, 356–357; and analogy, 326; anti-mythical, 282; general, 212; and halakhic rulings, 1, 117–119, 118, 159, 357; and hermeneutics, 376–377; and law, 4, 210–211; mathematization, 4, 105–106, 109–110, 178, 119–120, 206, 212, 221, 242–243; methodology, 352–354, and philosophy, 325; as process, 113; realization, 121–122, 204, 261–262, 268, 269, 295, 323, 328, 346; and redemption, 120–126, 170; speculative Halakhah (*lomdus*) 16, 117–118, 192. *See also* cognition; consciousness; halakhic man; halakhic reasoning; *hiddushim*; law; objectification; world to come
Halakhic man, 108–112; antithesis to *homo religiosus*; asocial, 149–151; his cognition, 49; his connection to cognitive man, 15–16, 96–99; his connection to *homo religiosus*, 5–6, 11–36, 92–93, 126, 144, 145, 147, 155–156, 168, 187–188, 213, 235–237, 289, 298, 349–350; his connection to the sensorial datum, 112; his connection to society, 156–162; his first appearance, 92–94; man of truth, 260–261; his personality, 2, 29, 112, 215–220, 222–245, 337–339; and the prophet, 262–264; psychological structure 4; rejects synthesis, 2, 174; relies on reason, 41–42; and repentance, 299–300; not a social-political leader, 317; his study method, 106; and theology, 310; typological development, 240; toning down his features, 333 341–343; his worship, 259–266. *See also* cognitive idealism; creativity; *homo religiosus*; man of law
Halakhic reasoning, 153–154
Hasidism, 4, 17, 146, 260, 265; Ashkenazi, 218. *See also* Habad; Kabbalah; "*mithnagdut*"; *tsaddik*
Hasloviz. *See* Habad
Heidelberg, 7
Heresy, 134
Hermeneutics. *See* creativity; esotericism; Halakhah; Kabbalah; magic; myth
Hiddush, 5, 192, 220, 253, 269–271, 276, 278–279, 330, 336; three ways, 270; two denotations, 269. *See also* creativity
Hierarchy. *See* extra-cognitive dimension; neo-Platonism; reality
Hillukim, 113, 115, 154, 158, 177, 201, 220, 246, 291–295, 308, 320, 354. *See also* prayer; repentance; *shetar*
Holiness, 162–163, 191, 287
Holocaust, 8, 21, 24, 34–35, 341. *See also* Nazism; World War
Homiletics, 333, 347, 357
Homo religiosus, 2–8, 134, 159, 217,

229–230, 232–233, 332, 349, 350; antithesis of halakhic man, 149–150; characterized by duality, 264; characterizing early stages of halakhic man, 2, 355; his cognition, 37–58, 191, 199, 256, 296; and Habad, 182–183; Jewish 93; models, 3; negative, 14, 18–19, 37, 54, 55, 265; and neo-Kantianism, 78; positive, 37–57, 265; and time, 296–297, 303; types of *homi religiosi*, 55–57, 87–88, 154 300. *See also* Christianity; cognition; religion; repentance; transcendence
Humanism. *See* humanities
Humanities, 46, 106–107, 208, 297, 302, 303
Husks. *See* Kabbalah
Hylic intellect. *See* conjunction; soul; theory of the intellect

Idea (Platonic), 38, 100; regulative, 257.
Ideal models (mathematical-physical), 61, 64, 97, 98, 106–108, 122–124, 135–136, 151, 187, 194, 226, 248, 249, 251, 269, 284, 294; autonomous, 125. *See also* mathematics
Ideal structures. *See* ideal models
Identity, 102, 103
Ideographic sciences. *See also* humanities; science
Idolatry, 69
Image, 50, 202, 208–209
Imitation of God (*imitatio Dei*), 65, 204
Immortality. *See* soul
Imperative. *See* categorical imperative
Indifference, 222, 244, 256–257
Individualism. *See* conjunction; creativity; providence; theory of the intellect
Infinitesimal, 4, 50, 103, 105, 112–114, 116, 175–176, 179, 211, 220, 342, 350, 353. *See also* cognitive idealism
Infinity, 116, 178–181, 197, 208, 243, 252; actual, 178–180; kabbalistic, 168; potential, 179. *See also* infinitesimal; task
Intelligence (*binah*). *See sefirot*
Intentionality, 23, 43, 45. *See also* phenomenology
Intention, 170, 188–191. *See also* Kabbalah
Interpretation, 26, 144, 162, 166, 170, 246, 276, 316
Intuitionism, 179

Judgment, 13, 78, 101–104, 195, 201–202, 212, 269, 270. *See also* norm; objectification

Kabbalah, 4, 7, 17, 146–193, 265, 271, 276, 281–283, 340, 341. *See also* divine world; Hasidism; infinity; intentions; *sefirot; tzimtzum*
Knowledge of God as a commandment. *See* attributes

Land of Israel, 18
Language, 198, 241
Law, legal theory, 38, 196, 205, 208–209, 210, 356. *See also* Halakhah; judgment
Liberal Judaism, 15, 19
Liberalism, 157
Logic (in the sense of cognitive idealism). *See* cognition
Lomdus. *See* Halakhah; yeshiva
Love and fear, 49, 191, 232

Magic, 199, 278–279; magical hermeneutics, 285. *See also* creation; miracle
Man of God, 11, 26, 27, 30, 61, 62, 270, 313, 315–317, 319, 326. *See also* providence
Mathematical natural sciences, 49, 57, 68, 73, 81, 88, 97–98, 100, 101, 103–107, 110, 117, 124, 196, 207, 208, 251, 279, 342–343. *See also* experience; "fact of science"; ideal models; mathematics; physics
Mathematical thought. *See* mathematics
Mathematics, 14, 49, 73, 97, 99–106, 115, 175–180, 194, 199–206, 216, 248; mathematical reasoning, 99–106, 109, 111; as the root of existence, 102–103, mathematical constructions, 47; as a priori science, 112; mathematical creationism, 207. *See also* cognition; cognitive idealism; ideal models; infinitesimal; group theory
Messianism. *See* redemption
Metaphysical idealism, 104–105, 129, 132
Metaphysics, 85; as a metaphor, 162;

negation of, 6, 20, 23, 61, 128–132, 151, 158, 195, 227, 316.
Microcosm, 289
Miracle, 279; miraculous cognition, 40, 43, 56. *See also* cognition
Mithnagdut, 146, 189. *See also* Hasidism
Mizrahi, 34–35, 305
Modernity, modern man. *See* religion
Monism, 157
Morality. *See* ethics
Mourning, 228–229, 239, 301
Movement, 177
Mystery man, 16–17, 147, 190–191, 234–235. *See also* Habad; Hasidism; Kabbalah; mysticism
Mysticism. *See* experience; Hasidism; Kabbalah
Myth, 7, 43, 198, 238, 289, 291, 328; mythical hermeneutics 280; mythical powers 281, 288

Natural law, 210
Natural order (physical). *See* mathematical natural sciences
Nazism, 23, 25, 119, 154. *See also* Holocaust
Ne'ilah. *See* Day of Atonement; prayer
Neo-Kantianism. *See* cognitive idealism
Neo-Platonism 83, 91, 157. *See also* reality
Norm, 23. *See also* ethics
Nothingness. *See* death
Noumena. *See* "*Das ding an sich*"; attributes

Object and subject, 8, 20, 22, 23, 45, 51–52, 294, 315, 329–330; legal subject, 209–210. *See also* cognitive idealism; consciousness; phenomenology; subjectivity
Object, 68, 102, 104–105, 294, 297; as a category, 104. *See also* mathematical natural sciences; time
Objectification, 76, 84, 102–103, 175, 194, 197, 220, 240, 259, 268, 279, 287, 288, 290, 307, 320, 345; does not begin with qualitative judgments, 103, 201; not gradual, 76, 91; halakhic, 114. *See also* creativity
Objective reality (*Wirklichkeit*), 102, 166, 329. *See also* concreteness
Objective. *See also* consciousness
Ontology, 91, 211
Opposites, 12, 13, 14, 39, 141, 214–215. *See also* dialectics; love and fear
Origin (*Ursprung*), 8, 73, 102, 105, 114, 151, 152, 177, 179, 350; in ethics, 208. *See also* movement; space
Original sin, 173, 180, 238
Orphean, 91. *See also* affirmation of material life
"Other," 23
"Other side" (*sitra ahra*), 238, 280. *See also* Kabbalah

Paradox, 297, 338
Penitence, 297, 300. *See also* repentance
Phenomenology, 23, 24, 25, 42–53, 55, 66, 107, 109, 346; and halakhic man 93; and neo-Kantianism 49; regressive 48; of religion 14, 15, 20, 22, 26, 52, 81, 191, 241, 247, 292, 298, 331. *See also* consciousness; eidetical; essence; intentionality; reduction; time
Philosophy of science. *See* conventionalism
Physics. *See* mathematical natural sciences
Piyyut 183–187. *See also* prayer
Pluralism. *See* cognition
Pneuma, 30. *See* phenomenology
Political identity, 35. *See* Agudat Israel, Mizrahi
Politics, politicians. *See* civil law
Positivism, 97, 100, 107
Postulate, 208, 257
Practical reason, 5, 207, 209, 273. *See also* ethics
Pragmatism, 19, 26, 107
Prayer, 43, 158, 163, 188, 191, 192, 230–232, 234, 173, 284, 304; *ma'aseh* and *kiyyum (hilluk)*, 294. *See also* Day of Atonement; intention; *Ne'ilah*; piyyut
Principle, *See* dogma; prophecy
Problem, 75, 114, 130–131, 175–176, 195, 227, 244, 272–273
Prophecy, prophets, 29, 59, 261–264, 291, 309, 317–320, 322, 326, 332, 333, 337–338, 346; as a commandment 377; and Halakhah, 310; and preparation, 317–318; types of prophecies, 337. *See also* creativity; providence
Providence, 29, 291, 309–317, 320, 322, 334, 346; as a commandment, 316; and creativity, 315; general and particular 312–315; and the intellect, 313–314. *See also* prophecy

Psychological facts, 52
Psychology, 48, 49, 64, 77, 80, 87, 208, 219, 222–245, 302, 329, 334, 336, 345, 347. *See also* genius; Gestalt; halakhic man; sense, soul, task; time
Pure reason, 5, 23, 82–95, 104
Purity (*Reinheit*), 268, 344; of thought 52, 88, 103. *See also* "*Das ding an sich*"; pneuma; pure reason
Purpose, 196, 214, 227, 271–294; apprehend ideas as purpose, 259–260; Torah study as purpose 258; two meanings 274

Quality, 75, 103, 106, 119, 179. *See also* anticipation of sense; judgment
Quantification, 68, 167, 174–181, 184–187, 194, 238, 247, 284, 287, 302, 303. *See also* Halakhah; piyyut; time
Quantum mechanics, 98, 108

Racism. *See* Nazism
Reality, 102
Reason, 217; critical, 100, 109, 114, 201–202, 220; naïve, 100, 101, 109, 114, 201–202; unified, 116. *See also* cognition
Reasons for the commandments. *See* commandments
Reconstruction, 24, 47–49, 50, 63–71, 82, 86, 90, 111, 174, 217
Redemption, 59, 121–127, 139, 147, 163, 166, 170, 192, 234, 262, 268, 271–275, 282, 286, 301, 327–328; apocalyptic, 136, 151, 170; cosmic, 274; individual, 135–136, 274–275; naturalistic, 137, 170; self, 225, 275; social 137. *See also* world to come
Relativity. *See* relativity theory
Relativity theory, 98, 107
Religion 25, 91, 159, 356; as a haven, 19–27; independent cognition, 22; and modernity, 22; noetic component, 44; and philosophy, 42, 108, 111; and pluralism, 111; subjective, 42, 19–20, 185; transcendent, 19–20. *See also* cognition; consciousness; experience; Hasidism; *homo religiosus*; Kabbalah; mysticism; phenomenology; subjectivity
Religious philosophy. *See* religion
Repentance man. *See* Orphean, repentance
Repentance, 26, 27, 230, 237, 291–308, 309; changing or interpreting the past, 298–299; and freedom 305–307; as an intentional act, 292, 308. *See also* halakhic man; penitence; time
Revelation, 33, 80, 109, 253–255, 353; dual, 255. *See also* God
Reward and punishment, 315. *See also* providence

Sabbath, 196, 197, 297
Sacrifices, 69, 115, 153, 175, 292. *See also* repentance
Science, ideographic, 67–68; empirical 68; humanistic, *see* under humanism; nomothetic, 77.
Secularization, 152, 155, 303
Sefirot, 150, 188; *binah*, 337; *hokhmah*, 337. *See also* Kabbalah
Self-affirmation, 4, 26, 332, 233, 239–244. *See also* dialectics; halakhic man
Sense, sensorial perception, 49, 67, 77–78, 334; *See also* extra-cognitive dimension
Shofar, 138, 175, 189, 320
Size, 105; intensive, 75, 180, 201, 282
Soul, 94, 214, 326; immortality, 311–312, 326; universal, 210. *See also* "facts of the soul"; psychology
Space, 12, 49, 83, 131, 177, 192, 197–199, 321; halakhic, 197; real, 122. *See also* forms of sensibility
Species man. *See* providence
Spiritual facts, 130
State of Israel, 339–341, 347–348. *See also* Zionism
Stimulus. *See* problem
Stoic. *See* indifference
Style, 80, 334; aesthetic, 137, 219, 226. *See also* esotericism
Subjectivity, 20–21, 24, 31, 45, 48, 51, 63–64, 78, 87, 133, 178, 185–186, 217, 288. *See also* consciousness; extra-cognitive dimension; feeling; psychology; reconstruction
Sublime. *See* aesthetics
Sunrise and sunset. *See* Day of Atonement, *Ne'ilah*

Task (*Aufgabe*), 48, 71, 72, 75, 76–77, 79, 130–131; as a hint to the mission, 77, 79, 118, 167, 195, 345
Teleology. *See* purpose

Temple, 151
Temporary measure (*hora'at sha'ah*). *See* prophecy
Theory of the intellect, 320–328; two dispositions, 327. *See also* conjunction; soul
Thought (*Denken*), 12, 49, 104, 248; unity of thought, 49
Tikkun, 225, 226, 269, 286
Time, 12, 68, 49, 83, 131, 197, 281, 291, 295–300, 315, 321; cyclic, 297; and ethics, 212; halakhic, 197; one-dimensional and multidimensional, 297, 305–306; past and future 296, 315; in physics, psychology and philosophy, 302; present, 120–121; qualified, 301–303; "substance bearing accidents," 297. *See also* eternity; forms of sensibility; redemption; repentance
Tradition. *See* time
Transcendence. *See* Christianity; exile; extra-cognitive dimension; holiness; religion
Tsaddik, 5, 155–162. *See also* Hasidism
"Two laws" (*shnei dinim*), 117
Type, 6, 11, 12, 16–17, 22, 43, 59, 155–156, 314, subjective character, 245. *See also* halakhic man; man of destiny; man of fate; man of law and judgment; man of God; mystery man
Tzimtzum, 163–183, 234–236, 288, in Halakhah, 167; metaphorical, 166, 178; various types, 181. *See also* Kabbalah

Unity of thought. *See* thought

Virtue. *See* ethics
Volozhin. *See* yeshiva

Will, 172, 174, 208–212, 218, 327, 355; teleological 5, 268, 274. *See also* ethics; God; purpose
Wisdom (*hokhmah*). *See sefirot*
World to come, 129, 132, 137–139, 154, 187, 311. *See also* redemption
World War, 21, 24, 33, 35. *See also* Holocaust

Yeshiva (Brisk, Volozhin), 1, 16, 31–32, 34, 36, 70, 117–118, 120, 158, 159, 170, 192, 201, 203, 223, 252, 317, 355

Zionism, 366, 339–341; religious-Zionism, 353. *See also* Mizrahi