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במחשבת ישראל

כה

עורכים

בנימין בראון • ריימונד לייכט

עורך משנה

אוריאל ברק

החוג למחשבת ישראל, המכון למדעי היהדות ע"ש ג'ק, ג'וזף ומורטון מנדל
הפקולטה למדעי הרוח, האוניברסיטה העברית בירושלים
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תוכן העניינים

1	ציפי קויפמן ואיתמר ברנר שיח נרטיבי ושיח נורמטיבי בסוגיות פרייה ורבייה
45	יאיר לורברבוים על הסתייגות מטעמים בשיח ההלכתי: הפולמוס על אודות טעם האיסורים להשחית את פאת הראש והזקן
103	אסתי איזנמן בין רמב"י לרה"ק בתורת התארים
129	רפאל שוח"ט מקומם של כתבי היד בחקר הגותו של הגר"א מוילנא
157	אורה ויסקינד־הלפר 'ועוד מעט ואין רשע...'- מדברי רבי יהושע העשיל ממונסטרישצה על היהדות בזמנים משתנים
205	ירון נעים 'בין כך ובין כך תאבד בת יפתח?!' – הרב כלפון משה הכהן מג'רבה ומעמד האישה
237	דוד מ' פויכטונגר על תאולוגיה, פוליטיקה ואי־ציות ב'שלוש עולמים' לש"י עגנון
273	רונית עיר־שי העלייה המחודשת של 'תאולוגיית העקידה' והשלכותיה המוסריות, ההלכתיות והמגדריות
305	רשימת המשתתפים בכרך
v	תקצירים באנגלית

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CONTENTS

- 1 *Tsippi Kauffman and Itamar Brenner*
Narrative and Normative Discourse in the *Sugiyot* of Procreation
- 45 *Yair Lorberboim*
On the Rejection of Reasons in Halakhic Discourse: The Debate on
the Reason for the Prohibitions on Marring the Corners of the Head
and the Beard
- 103 *Esti Eisenmann*
God's Attributes according to Rambam and Crescas
- 129 *Raphael Shuchat*
The Place of Manuscripts in Research of the Vilna Gaon's Writings
- 157 *Ora Wiskind-Elper*
Rebbe Yehoshua Heschel Rabinovitz of Monastyrishche:
Contemplations of a Hasidic Leader on Judaism in Troubled Times
- 205 *Yaron Naim*
Rabbi Kalphon Moshe Hacohen's Struggle with the Issue of
Women's Status.
- 237 *David M. Feuchtwanger*
On Theology, Politics and Disobedience in Agnon's *Shlom Olamim*
- 273 *Ronit Irshai*
The Return of *Aqedah* Theology: The Relationships between
Religion, Gender and Ethics
- 305 Contributors
- v English Abstracts

ENGLISH ABSTRACTS

NARRATIVE AND NORMATIVE DISCOURSE IN THE *SUGIYOT* OF PROCREATION

Tsippi Kauffman and Itamar Brenner

Tractate Yebamot 61b-66a contains a series of discussions relating to the commandment to 'be fruitful and multiply'.

The article addresses these discussions, drawing a distinction between two types of discourse: normative and narrative. Normative discourse refers to general, theoretical discussion, detached from the context of any particular person, time, or place. Narrative discourse is characterized mainly by sketches of human incidents involving individuals in certain circumstances, in a specific context. This distinction neither conforms nor clashes with the familiar distinction between 'halakha' and 'aggada'; instead, it offers a different perspective for study and exegesis of Talmudic discussions. Normative and narrative discourse are interwoven in the Talmudic text in a complex and fascinating relationship.

The aim of the article is two-fold: (1) it proposes a methodology with unique emphasis for study of Talmudic discussions, illustrated by means of a test case; (2) both the methodological proposal and the selected discussions and proposed analysis of parts of them rest on gender sensitivities. In this sense, the article proposes a gender reading of the Talmudic text.

The article demonstrates how the distinction between normative and narrative discourse can enhance our understanding of the text. Our discussion starts with a review of a *tosefta* as a first example. Thereafter it proposes a theoretical survey regarding the need for the distinction between normative and narrative discourse, and the significance and ramifications of this distinction. The rest of the paper offers an analysis of normative or narrative sequences in the text and their meanings.

ON THE REJECTION OF REASONS IN HALAKHIC DISCOURSE:
THE DEBATE ON THE REASON FOR THE PROHIBITIONS ON
MARRING THE CORNERS OF THE HEAD AND THE BEARD

Yair Lorberbaum

The role of reasons for laws is a key question in jurisprudence, which has occupied philosophers and lawyers through the ages. There are essentially two schools of thought: one sticks to the words of the rules, while marginalizing the role of their reasons and justifications ('Jurisprudence of rules'), while the other emphasizes the role of the reasons for laws rather than applying them literally ('Jurisprudence of reasons'). While these approaches are also present in the history of Halakhah, the question of the role of reasons in halakhic discourse has unique aspects that are anchored in the difficulty of halakhists, at least in some periods, to ascribe reasons and justification to the commandments. Unlike lawyers in secular legal systems, for Jewish thinkers and adjudicators, from the late middle ages and on, the very legitimacy of ascribing reasons to commandments and to halakhic rules is highly problematic theologically. Some argued that one cannot possibly know the reasons for the commandments since they are beyond human apprehension. This rejection of reasons I call: Halakhic religiosity of mystery and transcendence. Others think that discussion of reasons and justifications undermines absolute subordination to the 'yoke of the kingdom of heaven', creating doubt as to whether one fulfills a commandment because God decreed it or rather because it's good for ethical, social or spiritual purposes. I call this rejection of reasons: Halakhic religiosity of servitude and obedience. It should be emphasized that these two types of rejection of reasons, though profoundly different, are not mutually exclusive. Indeed, they are often intertwined. In the first part of the article I describe different versions of them.

The main focus of this article is an ongoing debate among central halakhists, from the beginning of the fourteenth century, about the nature and status of the reason Maimonides offered for the prohibitions of the Torah on rounding (marring) the corners of the head and the beard. In this debate took part, among others: Tur (R. Jacob b. Asher), Beit Yosef (R. Yosef Karo), Rama (R. Moshe Iserlish), Bah (R. Yoel Sirkis), Derisha (R. Joshua Falk-Katz), Taz (R. David Ha-Levi Segal) and Panim Me'iroi (R. Meir Eisenstadt). In their comments, these halakhists related not only to Maimonides' reason for these prohibitions but offered principled views and arguments about offering reasons as such. In fact, all major

halakhists are reluctant to ascribe reasons to the commandments and hence to halakhic rules, and more importantly – to accord them halakhic validity. This article shows that they reject reasons because they adhere either to halakhic religiosity of mystery and transcendence, or to halakhic religiosity of servitude and obedience, or to a combination of the two.

GOD'S ATTRIBUTES ACCORDING TO RAMBI AND CRESCAS

Esti Eisenmann

The article deals with similarities in the thought of R. Hasdai Crescas and R. Moshe b. Jehudah (Rambi) concerning God's attributes. Both thinkers make an absolute distinction between 'the essence' of a thing and its 'essential attribute' – a distinction that has no precedent in Arabic-Jewish philosophical tradition. Both thinkers develop an attitude to the attributes 'existence', 'essence' and 'unity' that is a compromise between Avicenna's and Averroes' different opinions on this issue. Rambi claims that God's actions necessarily derive from Him exactly as a flame is connected to an ember, and that only through God's actions one can know Him, whereas Crescas claims that God's essential attributes necessarily derive from Him exactly as a flame is connected to an ember, and that only through God's essential attributes one can know Him. Both identify God's true attributes with the Sefirot of Jewish mysticism. These and other similar elements in the thought of these two philosophers may indicate that Crescas, who developed a unique and innovative theory regarding God's attributes, was inspired by Rambi.

THE PLACE OF MANUSCRIPTS IN RESEARCH OF THE VILNA GAON'S WRITINGS

Raphael Shuchat

Rabbi Elijah Ben Solomon Zalman, (1720-1797) better known as the Gaon of Vilna, never wrote anything in book form. His writings were in the form of notes and summaries on the Bible or on classical Rabbinic texts (*Sifrut Hazal*) with little exception. He wrote these for his own purposes, so that his published works were compiled and edited by his students. In this article we explain how the Gaon's manuscripts came into book

form: which were dictated by him, which were edited by the students, and which were written by the students based on his teachings. Many manuscripts are extant. Of the fifty-four works by the Gaon mentioned by Yehoshua Heschel Levin in *Aliyat Kir*, many were published years after the Gaon's death, while the original remains in manuscript form. These manuscripts were copied repeatedly, and many have been preserved. These manuscripts, mainly written by students or their close associates, indicate the way the original works looked and how they came into book form. Sometimes we can also observe differences between the published works and the manuscripts. This article gives some examples of the way the manuscripts can enhance research into the Gaon's published works and also discusses changes that were made in the works over time.

REBBE YEHOShUA HESCHEL RABINOVITZ OF MONASTYRISHCHE:
CONTEMPLATIONS OF A HASIDIC LEADER ON
JUDAISM IN TROUBLED TIMES

Ora Wiskind-Elper

R. Yehoshua Heschel Rabinovitz of Monastyrishche (1860-1938), a leader of several Hasidic communities dispersed through the Ukraine, was deeply involved both intellectually and emotionally in the challenges confronting the Jewish world. His reflections on contemporary concerns and their larger meta-historical meaning differ markedly from the views commonly voiced in journalism, *belles lettres*, and even scholarly works of the period, with their open antagonism toward traditional Jewish society in general and Hasidism in particular. This paper considers R. Yehoshua Heschel's on-going dialogue with modernity through the prism of his homiletical works, autobiography, and personal letters. The first section focuses on the mandates of religious belief. His views on the hotly debated issue of simple faith versus intellectual theological inquiry are compared to those of contemporary ultra-Orthodox thinkers. Discussion then turns to autobiographical and historiographical aspects of his works, and to his ideological responses to the powerful forces that were rapidly transforming Jewish society – the rise of nationalism, emancipation and equal rights; Zionism and the renaissance of the Hebrew language; secularization and assimilation; pogroms, political revolutions, and mass emigration. His oeuvre offers a rare and important contribution to our understanding of a vital period of transformation in Judaism and Hasidism.

RABBI KALPHON MOSHE HACOHEN STRUGGLE
WITH THE ISSUE OF WOMEN'S STATUS

Yaron Naim

Rabbi Kalphon Moshe Hacoheh struggled hard with the issue of women's status. Officially, he declared that a woman is not equal to a man, and her sole purpose is to assist him in his work. Yet, it seems that this view went against his modern and rationalist approach to many subjects. His frequent discussions of this subject show that it perturbed him, to the point of finally finding a halachic rationale for allowing a group of women to gather and make decisions about their own life, as long as the boundaries of modesty are maintained. Nevertheless he was unwilling – or incapable – of accepting the demand for gender equality. He was faced with a dilemma, unable to decide between his natural inclination toward modernity and his conservative-essentialist faith. Thus, while his sermons justified the essentialist approach to women, he made a point of protecting women's rights in his halachic rulings, even when this meant going against conventional ones – including *Shulchan Aruch*. He even ordered the court to defend women's rights, often justifying this position with explanations that were not purely halachic, but rather social, based on his desire to protect the socially disempowered, and probably his modern thought and approach as well. This issue – in which he tended toward the conservative approach against his mostly-modern views – is a clear expression of the gap between conservatism and modernism in his thought.

ON THEOLOGY, POLITICS AND DISOBEDIENCE
IN AGNON'S *SHLOM OLAMIM*

David M. Feuchtwanger

The present essay 'On Theology, Politics and Disobedience in Agnon's *Shlom Olamim*' focuses on Agnon's complicated approach (as a religious citizen) towards disobedience in civil society in general, and in the Jewish polity in particular. I argue that by using satire in this story, Agnon justified the political-religious institution's demand to obey its laws for the sake of social stability. On the other hand, he recognized the individual's freedom to violate the law if, in his opinion, it harms the public good. In line with this, I show that there are similar motives in Agnon's *Shlom*

Olamim and the tale of Honi HaMe'agel as it appears in Tractate Ta'anit. By emphasizing the vertical tension (spiritual-worldly) and the horizontal tension (individual-society) both Honi and the hero of Agnon's satire challenge political-religious institutions and break the rules for the same reason: to bring rain.

THE RETURN OF *AQEDAH* THEOLOGY:
THE RELATIONSHIPS BETWEEN RELIGION, GENDER AND
ETHICS

Ronit Irshai

This article traces the history of the *Aqedah* theology (the relationships between religion and ethics) as developed by Rabbi Joseph Dov Soloveitchik and Prof. Yeshayahu Leibowitz, and its ethical, halakhic, and gender implications in contemporary Modern Orthodox and National Ultraorthodox thought.

The idea that ethics has an autonomous status and may conflict with religious injunctions is exemplified by two recent books, Rabbi Yuval Cherlow's *Between the Tabernacle and the Golden Calf* and Rabbi Hayyim Navon's *Benot Yaakov Bridge*. The present article proposes that the permanent conflict between autonomous ethical principles and divine precepts – even if, on the surface, the latter (as embodied in Halakhah) is accorded decisive weight a priori, it keeps ethics constantly in mind and leads to an attempt to minimize the divergence between the ethical and the religious.

With regard to National Ultraorthodox thought, the article proposes that there has been a sharp change of direction, moving toward the idea (almost never found in earlier Jewish thought) that ethics does not have an independent status and is defined exclusively by God's commandments. Here the focus is on *The Faith of our Time*, by Rabbi Zvi Tau. I conclude that this approach is liable to dull one's ethical sensitivities, because, whereas the confrontation between religious precepts and ethical principles keeps the latter permanently in mind, when the conflict is repressed, the ethical voice becomes increasingly softer and may no longer be heard.