Halakhic Man

Rabbi Joseph B. Soloveitchik

40TH ANNIVERSARY EDITION

Translated from the Hebrew

With a New Preface, Introduction, Annotations, and Glossary by
Lawrence J. Kaplan

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Translator's Preface

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Rabbi Joseph B. Soloveitchik's first major work, his long Hebrew essay *Ish ha-Halakhah* (which, much later, would be translated into English as *Halakhic Man*), made its appearance in 1944 in the Hebrew journal *Talpioth: A Quarterly Dedicated to Hebrew Law, Philosophy and Ethics*, published by Yeshiva University and edited by Rabbi Samuel K. Mirsky.[1] Unfortunately, the fact that the work appeared as an essay in a journal and not as an independent book meant that it was not reviewed by any of the scholarly or literary journals of the day that dealt with books of Jewish interest. In the years immediately following the essay's publication, it appears not to have been referred to in writing at all.

Despite this silence, there are indications from later written references that early on the essay did create a stir in rabbinic, philosophic, and scholarly Jewish circles. For one, the well-known Hebrew essayist Rabbi Zvi Kaplan wrote in 1963 that when *Ish ha-Halakhah* reached Israel, it was the subject of much conversation and that he had heard that "a leading Israeli thinker who is not a member of our [religious Zionist] camp" had referred to it as "one of the most important essays written in the 20th century."[2]

Certainly the essay elicited strong reactions, both critical and positive, from some of the leading thinkers of the day. To refer first to critical reactions: the distinguished theologian Rabbi Abraham Joshua Heschel, who in 1945 had just begun teaching at The Jewish Theological Seminary (JTS), devoted one of his first seminars there

to a biting critique of Soloveitchik's essay. Playing off a well-known rabbinic phrase expressing the legendary status of the biblical Job, Heschel began his seminar by exclaiming, "Ish ha-Halakhah? Lo hayah ve-lo nivra!" (Halakhic man? Such a person never was and never existed!) While conceding parenthetically, almost begrudgingly, the brilliance of Soloveitchik's presentation, Heschel argued that the essay privileged Halakhah at the expense of Aggadah (the nonlegal elements in Judaism) and that its praise of halakhic objectivity reduced Judaism to "a cold logical affair" with no room for subjective, inward religious experience. This seminar, delivered toward the beginning of Heschel's brilliant American career, adumbrated many of the themes that he would later develop in his classic works *Man Is Not Alone* and *God in Search of Man* and many of his essays. But Heschel never prepared his seminar remarks for publication. It was only in 1991, almost two decades after Heschel's death, that the prominent Conservative rabbi Samuel Dresner, a student of Heschel who had attended that JTS seminar, published his own notes of the seminar in an essay titled "Heschel and Halakhah: The Vital Center" in *Conservative Judaism*.[3]

In a similarly critical vein, the noted Judaic scholar, historian, and anthologist Nahum Glatzer wrote in *The Memoirs of Nahum Glatzer* that when *Ish ha-Halakhah* appeared, while he was impressed by "its most beautiful Hebrew style,"[4] he was bothered both by Soloveitchik's "exclusion of the emotional side of religion"[5] and his claim that "what matters, and matters exclusively, is the proper execution of ritual."[6] When Glatzer proceeded to relate his concerns about the essay to the great Talmudic scholar Louis Ginzberg, the latter quipped, "I like my whiskey straight," which Glatzer understood to be "a mild complaint against the Rav's [Soloveitchik's] combination of Halakhah and philosophy."[7] Despite Ginzberg's disappointing reply, Glatzer had "planned a polemic reply but was dissuaded by my colleagues."[8]

How one wishes Glatzer had ignored those anonymous colleagues. The world of Jewish learning was deprived of what might have been a major exchange between these two giants of Jewish thought.

Despite dropping his plans, at the conclusion of his brief account Glatzer consoled himself by reflecting that, "in the meantime, the Rav changed his position and realized the wider dimension of faith."[9] Glatzer here is apparently alluding to *The Lonely Man of Faith*—note the shift in emphasis from "Halakhah" in the title of the earlier essay to "Faith" in the title of the later one. Be this as it may, it was not until 1997, with the posthumous publication of Glatzer's memoirs, that Glatzer's initial reaction to *Ish ha-Halakhah*, his discussions with Ginzberg and unnamed colleagues, his aborted plan to reply, and his concluding consolatory reflections came to light.

By contrast, upon his exposure to *Ish ha-Halakhah*, Eliezer Goldman, who would become the leading modern Orthodox Jewish philosopher associated with religious Zionism in general and the religious kibbutz movement in particular, had not only a positive but possibly a life-changing response. As a Yeshiva College undergraduate student in the 1930s, Goldman had taken a course taught by Soloveitchik on the philosophy of religion. The course itself did not influence him, as Goldman explicitly notes, and in 1938 he emigrated to the Land of Israel and became a member of Kibbutz Sdei Eliyahu, leaving the American Jewish reality behind him. But, as Goldman states in a 1995 interview, the appearance of *Ish ha-Halakhah*, with its basic idea that the halakhah is not only a normative system but also a lens for cognizing reality and endowing it with holiness, made a great impact upon him.[10] Yet by then he was working in the kibbutz's agricultural enterprise and teaching multiple subjects at the kibbutz high school, committed as he was to Sdei Eliyahu's ideal of "Torah ve-Avodah" (Torah and physical labor), leaving little time for much else. Only in the late 1950s did Goldman resume his academic studies, complete a PhD in philosophy, teach both Jewish and general philosophy at Bar-Ilan University, and begin

to publish scholarly articles on the philosophy of Halakhah in which he developed and elaborated upon the fundamental ideas of *Ish ha-Halakhah* that had so struck him back in 1944. Indeed, Goldman would emerge as perhaps the leading philosopher in the field.

The first written reference to *Ish ha-Halakhah*, to my knowledge, appeared in 1948 in the Yeshiva College undergraduate yearbook, the *Masmid*. The essay, "Criteria in the Resolution of the Conflict between Science and Halacha," by a Yeshiva College junior named Norman Lamm[11]—who later, of course, became one of the leading Modern Orthodox rabbis in the United States, the founding editor of Modern Orthodoxy's flagship journal, *Tradition*, and, above all, the president of Yeshiva University—did not so much focus on *Ish ha-Halakhah* itself, but on the issue, not addressed in Soloveitchik's essay, of the seemingly intractable contradictions between science and halakhah, such as "the discoveries and conclusions of natural science which . . . contradicted particulars of the Bible [and] . . . the heretical quality of the metaphysics that developed as a result these discoveries."[12] To Lamm, a fruitful approach for dealing with these contradictions is described in the essay's lengthy note 4 wherein the antithetical and contradictory nature of the religious consciousness is addressed.[13] Extending this idea, Lamm points to the "various conflicting legal opinions" of the rabbinic sages through the ages, arguing that these controversies "served to strengthen the Halakhah rather than weaken it. Halakhah thrives on just such conflicts, disputes, and antitheses."[14] Building on this, Lamm maintains:

> Halakhah takes the same approach to the conflicts between religion and science as it does to its internal conflicts. . . . Conflict between halakhic principles and science are thus the forces which through the necessity of their resolution offer the man of Halakhah his life's employment and ambition. These experiences may be painful . . . yet the man of halakhah enjoys these

very pangs of religious problems, since it is his express duty to solve them.[15]

One may question whether one can sustain the analogy between Judaism's internal conflicts, as represented by the antithetical nature of religious consciousness (as described by Soloveitchik) as well as the legal controversies between the Sages that do not require resolution and the external conflicts between religious principles and science, which, as Lamm himself admits, because they are conflicts between apparently contradictory truth claims, require being solved. Moreover, while Lamm's approach may validate the religious value of grappling with these contradictions, it appears to offer little if any guidance as to how to solve them.

In truth Soloveitchik is not concerned with the apparent conflicts between religion and science, for as he makes clear in the body of the essay, he views halakhic man as taking a cognitive approach to reality, beginning with a priori constructions and correlating them with a posteriori phenomena—a cognitive approach that precisely parallels scientific man's cognitive approach to reality. As is implicit in *Ish ha-Halakhah* but emerges more clearly and explicitly in Soloveitchik's slightly later essay, *Halakhic Mind*, these plural parallel cognitive approaches reflect Soloveitchik's epistemological pluralism, which maintains that reality may be interpreted "under a manifold of cognitive aspects"[16] where "the pluralism of [cognitive] viewpoints . . . is . . . based upon . . . the plurality of the objective orders [these viewpoints] encounter."[17] Thus, Soloveitchik maintains, "the physicist, psychologist, philosopher and *homo religiosus*" are each led by reason itself to adopt a unique cognitive approach to reality, with each focusing on a different objective order of that reality.[18] In this light there is no room to speak of contradictions between religion and science.

It is certainly to Lamm's credit that though he was just an undergraduate student, he was the first to take note in writing of "Halakhic

Man's" significance, even if one may take issue with how he read it. In this light it may seem exceptionally unfair, ungenerous even, to subject his undergraduate essay—written for a college yearbook, no less—to such a stringent critique, even if Lamm went on to become one of Modern Orthodoxy's leading thinkers, scholars, and educators in the second half of the twentieth century. This author has raised these critical issues because they serve to highlight the pluralistic underpinnings of Soloveitchik's philosophy of Halakhah and, following from this, because they may help to explain the surprising fact that although Lamm was a leading student of Soloveitchik—indeed, he was the only individual for whom Soloveitchik served as a doctoral advisor—and he often lauded his teacher's Talmudic genius, he nevertheless, throughout the course of his long and very prolific writing career, never wrote an essay devoted to Soloveitchik's thought. In his more mature essays Lamm abandoned the dialectical approach he espoused in his undergraduate essay and expounded on the virtues of a unified and harmonious view of the cosmos, writing extensively about such representatives of that view as Rav Kook and the great Hasidic masters. Even when he discussed such dualities as Torah and *Madda*, faith and doubt, wisdom and piety, law and spirituality, he emphasized their complementary nature and, as Yeshiva University professor and scholar Rabbi Jacob J. Schacter notes, "consistently argues that [these dualities] were both simultaneously significant and reciprocally resonant."[19] I would suggest, then, given Soloveitchik's pluralistic philosophy of halakhah and his sharply dialectical existentialist philosophy, neither the one nor the other fits in with Lamm's stress on harmonism and complementarity.

Only a few years after the publication of Lamm's 1948 undergraduate essay, an article appeared that contains as concise and eloquent a summary of central themes of *Ish ha-Halakhah* as I have seen, though without referring either to Soloveitchik or the essay itself. In the early 1950s the noted and controversial theologian and historian of religion

Jacob Taubes (the subject of a recent major acclaimed biography, *Prophet of the Apocalypse*, authored by the leading intellectual historian Jerry Muller[20]), then a young scholar and recipient of both a doctorate from a Swiss university and rabbinic ordination from the world-renowned rabbinic authority Rabbi Yonasan Steif, was trying to establish himself professionally in New York. To that aim he published wide-ranging articles and reviews in both specialized professional journals and more popular magazines intended for a broad educated readership, a number of which resonated widely in the intellectual circles of the day and still have not lost their value.[21]

A particularly acute and influential article was "The Issue between Judaism and Christianity: Facing Up to the Unresolvable Difference," published in December 1953 in *Commentary* magazine,[22] which, as Muller notes, "had developed into a leading intellectual venue for the discussion not only of Jewish matters but of public affairs more broadly."[23] The article, to cite Muller, was "a striking intellectual intervention . . . a brilliant piece . . . [that] displayed a remarkable knowledge of the history of both Judaism and Christianity, including modern theology."[24] It made a great impact when it appeared, provoking letters and article-length responses for several months in subsequent issues of *Commentary*.[25]

At the heart of "The Issue between Judaism and Christianity" is a stinging attack on the notion of "the Judeo-Christian tradition,"[26] a phrase that had achieved great currency in the early 1950s, partially resulting from Christian guilt over the Holocaust and partially from the usefulness of contrasting the "Judeo-Christian tradition" with "atheistic Communism" during the Cold War.[27] Taubes forcefully claims that this idea of a shared common tradition overlooks the unresolvable difference between the two religions. Going against the stream, as was his usual wont, he argues that this "unresolvable difference" does not revolve around the two religions' different conceptions of God. As he maintains, drawing on Gershom Scholem's

research, "the recent insistence on a rigid monotheism as the defining characteristic of Jewish religious life is contradicted by . . . the centuries-long predominance of Lurianic kabbalah in Judaism . . . [with its] theogonic speculations that can only be compared to the Gnostic and (pagan) mythologies."[28] Rather, the unresolvable difference is the issue of the continued binding authority of the Law.[29] Thus, Taubes contends, "The basis of the Jewish religion since Ezra is the Torah, the law, or better still—halacha, the 'way' of the law in a man's life,"[30] while Christianity since the time of Paul asserts that the law was superseded with the coming of Christ. For this reason, Taubes avers, "the kabbalistic mythologies did not shatter the structure of Jewish life; on the contrary, they strengthened it . . . by enhancing the prestige of halacha . . . as a way to achieve sacramental union with the divine."[31]

Whereas Taubes generally writes as a detached scholarly observer, standing outside the frameworks of Judaism and Christianity, in describing the halakhah as "the 'way' of the law in a man's life" he gives us the following remarkable passage, where he speaks as the believing insider, not the "apikoros," the heretic, a description he usually applied to himself:[32]

> Halacha is based essentially on the principle of representation: the intention of man's heart and soul has to be presented and represented in his daily life. Consequently, halacha must become "external" and "juridical"; it must deal with the minutiae of life, for only in the detail of life is a presentation of the covenant between God and man possible. Halacha is the "path" of man's life on which he can "walk." Against the ecstasy and delirium of man's soul, halacha emphasizes the rational and everyday sobriety of justice. Halacha is the law because justice is the ultimate principle. Ecstatic or pseudo-ecstatic religiosity, however, sees only dead legalism and external ceremonialism in the sobriety

of justice, just as anarchy can conceive of law and order only as tyranny and oppression.[33]

Strikingly, upon close inspection, this powerful passage is a concise and eloquent paraphrase and synthesis of many of the same key ideas found in *Ish ha-Halakhah*.[34] For example:

- Soloveitchik says: "The Halakhah wishes to objectify religiosity . . . through introducing the external act and the psychophysical deed into the world of religion. . . . The intention accompanying the performance of a commandment appears in the Halakhah illumined by the light of objectivity and lawfulness" (59–60). Taubes similarly states: "The intention of man's heart and soul . . . must become 'external' and 'juridical.'"
- Soloveitchik says: "The Halakhah is the objectification of religion in clear and determinate forms, in precise and authoritative laws, and in definite principles" (59). Taubes similarly states: "The Halacha is based essentially on the principle of representation: the intention of man's heart and soul has to be presented and represented in his daily life."[35]
- Soloveitchik says: "An individual . . . becomes holy . . . through his whole biological life, through his animal actions, and through actualizing the Halakhah in the empirical world" (46), and "The actualization of the principle of holiness . . . can take place only through the implementation of the ideal Halakhah in the core of reality" (108–9). Taubes similarly states: "Only in the detail of life is a presentation of the covenant between God and man possible."
- Soloveitchik says: "Halakhic man . . . approaches the world of Halakhah with his mind and intellect" (79); "Halakhic man cognizes God via His Torah, via the truth of Halakhic cognition" (85);[36] and "Halakhic man is characterized by, . . . to use the

term of William James, an attitude of solemnity" (76). Taubes similarly states: "Halacha emphasizes the rational and everyday sobriety of justice."[37]

- Soloveitchik says: "The ideal of justice and righteousness is the pillar of fire which halakhic man follows" (91). Taubes similarly states: "Halacha is the law because justice is the ultimate principle."
- Soloveitchik says: "A subjective religiosity cannot endure. And all those tendencies to transform the religious act into pure subjectivity, negate all corporeality and sensation in religious life, and admit man into a pure and abstract world, where . . . religious individuals . . . enjoy their own inner experiences, their own tempestuous, heaven-storming spirits, their own hidden longing and mysterious yearnings—will in the end prove null and void" (57).[38] Taubes similarly states: "Halakhah rejects the ecstasy and delirium of man's soul . . . [any] ecstatic or pseudo-ecstatic religiosity, . . . [and] any disembodied religion of the heart."[39]

No doubt some readers will object to this author's contention that the aforementioned passage from Taubes's essay draws upon many key ideas of *Ish ha-Halakhah* and will point out that nowhere in his essay does Taubes mention Soloveitchik, much less *Ish ha-Halakhah*. Certainly, some of these comparisons may sound less convincing than others. Consider, however, that it is absolutely certain that Taubes had read and was familiar with Soloveitchik's essay. In August 1981 Taubes and I were having a private conversation after his famous lecture reconsidering Gershom Scholem's theses on messianism at the Congress of the World Union of Jewish Studies in Jerusalem. Upon hearing from me that I was in the middle of translating *Ish ha-Halakhah* into English, Taubes, who had probably not read the essay in decades, maybe not since his first stay in New York in 1947–49,

launched into an acute impromptu critique of it and concluded with this pronouncement: "A brilliant failure."[40] Indeed, Taubes—with his excellent knowledge of Hebrew, which he read, wrote, and spoke fluently, his very strong background in rabbinic literature, and his expertise in a wide variety of modern European philosophical and theological movements—was one of the few people able to read *Ish ha-Halakhah* with full appreciation. Perhaps we may go so far as to say he was the essay's ideal reader. We also know that at the time in his life when he wrote the *Commentary* essay, Taubes was actively interested in Soloveitchik and would often travel to Washington Heights with his Orthodox friend Michael Wyschogrod, the prominent philosopher and theologian, to hear Soloveitchik lecture at Yeshiva University.[41] As for why Taubes would draw upon and paraphrase key themes of *Ish ha-Halakhah* without mentioning the essay, Taubes, with his exceptionally wide reading, great powers of retention, dazzling intellectual dexterity, and somewhat deficient sense of academic scruples was noted for—many said notorious for—to cite Muller, "his tendency to borrow from other writers, sometimes with acknowledgment, sometimes without."[42] That Taubes could call to mind some key themes from *Ish ha-Halakhah*, effectively reworking them when writing his essay but not offering any proper acknowledgment, should come as no surprise. Beyond this, Taubes would have been paraphrasing from his memory of having read the essay several years earlier, so precise verbal correspondences are not to be expected. Aside from the individual parallels, the cluster of parallels in a single paragraph strengthens the case for Taubes's indebtedness to *Ish ha-Halakhah*.

This critical paragraph is clearly not just a description of the Halakhah but, like *Ish ha-Halakhah* itself, is an appreciation of the Halakhah and a defense of its central role in Judaism. This leads Taubes to argue that "the moment the halacha ceases to be the determining force in Jewish life, the door is opened to all the disguised anti-halachic (antinomian) and Christian assumptions current in modern secular-

ized Christian society."[43] Thus, Taubes maintains, the Pauline critique of the Law in the name of Christ—"Christ is the end of the law" (Romans 10:4)—is unwittingly echoed by various modern Jewish rabbis, philosophers, and theologians who either reject the Halacha entirely or dilute or devalue it. In this way the boundary line between Judaism and Christianity becomes blurred.

Among these modern critiques of the Halakhah that Taubes excoriates are: 1) the view of, ironically, an Orthodox rabbi, "the product of a modern Yeshiva" who "explained" in the course of a sermon at an "Orthodox *shul*" that he led that the *mitzvot*, the commandments, are only "ceremonies" and "ritual" and not "so important";[44] 2) the "modern Jewish stress," exemplified by various Reform rabbinic theologians, on "redemption through belief rather than through a way of life conforming to divinely ordained law";[45] 3) the reducing "in a caricature of 'reconstruction'" the Halakhah "to a mere bundle of customs and folkways,"[46] a jibe at Mordecai Kaplan; and finally 4) the "pseudo-Aggadic stress in modern Jewish religious thinking on the 'romance' of Hasidism, or the 'romance' of a mythologized East European Jewry in general,"[47] to which Taubes counterposes, returning back to his Soloveitchik-inspired characterization of the Halakhah, "the principle of halacha [that makes] the sobriety of justice the foundation of man's life."[48] As Muller explains, this was "a jibe respectively, at Martin Buber's tales of the Hasidim and Abraham Joshua Heschel's *The Earth Is the Lord's: The Inner World of the Jew in Eastern Europe* (1949)."[49]

Taubes's jibe directed at Heschel is particularly relevant. While Taubes was, of course, not familiar with Heschel's 1945 critique of *Ish ha-Halakhah* (which, as noted earlier, Heschel never published in his lifetime and was only published after his death by his student, Samuel Dresner), he, as this jibe indicates, clearly appreciated the differences between Soloveitchik, who, we may say, represents halakhic man, and Heschel, who, despite observing the Halakhah, downplayed (in

Taubes's view) its significance in favor of Aggadah. Indeed, the distinguished and prolific historian of religion Alan Brill aptly described Heschel as "aggadic man" in an article by that name.[50] In his *Commentary* article, then, Taubes implicitly takes the side of Soloveitchik against Heschel on this critical difference, though neither Soloveitchik's name nor his essay is mentioned.

Taubes's lucid and powerful apologia for the Halakhah and its indispensable place in Judaism—forcefully dismissing all modernist alternatives—made a great impact on readers of *Commentary* and on broader intellectual circles, particularly since he was a rising intellectual not affiliated with institutional Orthodoxy. Not only was it discussed in subsequent issues of *Commentary*, but in 1970 the noted novelist, theologian, publisher, and editor Arthur A. Cohen included the essay in his important anthology, *Arguments and Doctrines: A Reader of Jewish Thinking in the Aftermath of the Holocaust*. In this way some of the main theses of *Ish ha-Halakhah*, though perhaps in a circuitous, almost sub rosa fashion, influenced an English audience who had never heard of the essay or its author, much less were able to read it in Hebrew.

Only in 1954, a year after Taubes's essay and a full decade after the publication of *Ish ha-Halakhah*, do we find an extended serious examination—for a long time the only extended serious examination—of the essay in the book *Guideposts in Modern Judaism: An Analysis of Current Trends in Jewish Thought* by the noted rabbi and theologian Jacob B. Agus.[51] Raised and educated in an Orthodox milieu, Agus had received rabbinic ordination in 1935 from Soloveitchik's father, R. Moses Soloveitchik. Ten years later Agus formally affiliated with the Conservative movement, soon becoming one of its leading spokespersons.

Possessing an intimate and intellectually sophisticated knowledge of Orthodoxy, Agus devoted a major section of part 1 of the book to an examination of Soloveitchik's essay alongside other contemporary expositions of Orthodoxy: the pietistic Kabbalistic Kelm school of

Mussar, as expounded in the volume *Shi'urei Da'at* by the heads of the Telshe Yeshiva;[52] the "mystical humanism" of R. Abraham Isaac Kook;[53] and the Kantian-inflected Western Orthodox theology of Isaac Breuer, as found in his "impressive volume" *Der Neue Kusari*.[54] In part 2, within a discussion of the meaning of revelation, Agus espouses a "philosophical Judaism [that] seeks to base itself on the two pillars of reason and revelation."[55] From this vantage point he argues: "The Dogma of Torah mi-Sinai cannot possibly be regarded as a self-sufficient axiom: in any modern formulation; it must be presented as a corollary of more basic considerations. It cannot therefore be represented as the sole and sufficient ground of Judaism."[56]

This vantage point determines Agus's evaluation of the four Orthodox theologies he examines. The only one that he evaluates positively is the "mystical humanism" of Rav Kook, who on account of his "integrating spirit . . . learned to correlate his intimate [mystical] experiences with the concepts of general philosophy" and "saw the force of modern nationalism as a noble impulse, akin to religion, implanted by God for the sake of messianic perfection."[57] On the other hand, Agus sharply criticizes the Telshe school of Mussar for its "self-sufficient supernaturalism . . . dry dogmatism, and scornful repudiation of the great wide world extending beyond its narrow tradition."[58] And while appreciating Breuer's worldview for its "powerful universalist trend of thought," he criticizes it for being "founded like an inverted pyramid upon the one fulcrum of literal revelation at Sinai."[59]

This critique of Torah mi-Sinai "as the sole and self-sufficient ground of Judaism" also determines Agus's critical attitude to *Ish ha-Halakhah*. He sets forth the essay's thesis: "The Halachah contains a characteristic structure of ideas and sentiments which derives from a fundamental attitude of the human spirit. It articulates a psychic complex of ideas and values all its own and does not stand in need of validation from any outside source."[60] He then presents an extended and searching summary and examination of the essay's contents,

focusing on Soloveitchik's description of the fundamental character traits of halakhic man. Agus has particular praise for Soloveitchik's contrasting typologies of cognitive man and *homo religiosus*, taking note of the "masterful erudition" with which Soloveitchik depicts "this dichotomy of the human spirit, alternating between wonder and comprehension, the sense of mystery and the self-assurance of the man of science."[61]

Yet, notwithstanding this praise, Agus concludes that "Soloveitchik fails to establish the independence and self-sufficiency of Halachah in spite of the brilliance of his exposition."[62] He notes that "the 'man of Halachah' did not live in an intellectual vacuum, and when he reflected upon the truth or purpose of revelation, he found the ramparts of his faith either in the domain of general philosophy, as did Maimonides, or in the shadowy realm of Kabbalah, as did Elijah Gaon and Rabbi Hayyim of Volozhin."[63] Indeed, Agus argues, when toward the end of *Ish ha-Halakhah* Soloveitchik declares that halakhic man seeks to "advance by degrees to the lofty eminence of prophecy" (this is Agus's formulation, not Soloveitchik's), he basically "abandons the attempt to picture the Halakhah as a self-contained domain."[64] For, Agus insists, both medieval philosophy and prophetic mysticism set up prophecy as the religious ideal, while the halakhah, to the contrary, "as a rationally ordered system of law[,] precluded the disturbing intervention of prophecy."[65]

Neither of these criticisms is convincing. With reference to Agus's argument that "when [the man of Halacha] reflected upon the truth or purpose of revelation, he found the ramparts of his faith either in the domain of general philosophy . . . or in the shadowy realm of Kabbalah," he forgets that in the very first note of *Ish ha-Halakhah*, Soloveitchik emphasizes that "the description of halakhic man given here refers to a pure ideal type. . . . Real halakhic men who are not simple but hybrid types . . . approximate to a greater or lesser degree the ideal halakhic man;"[66] and he alludes to this point in the body of

the essay as well.[67] Thus, the real concrete halakhic man who finds "the ramparts of his faith either in the domain of general philosophy . . . or in the shadowy realm of Kabbalah" does so not as a simple type, not qua the ideal halakhic man, but as a hybrid one.

With reference to Agus's claim that Soloveitchik "abandons the attempt to picture the Halakhah as a self-contained domain," insofar as he allegedly sets up prophecy as halakhic man's religious ideal, he does nothing of the sort. As this author points out in the following introduction, Soloveitchik, basing himself on Maimonides, is careful to differentiate between "1) the personality of the prophet; and 2) the phenomenon of prophecy."[68] The former serves as halakhic man's religious ideal, while the moment of prophecy per se "is dependent upon heavenly grace."[69] As for Agus's point that the halakhah "as a rationally ordered system of law precluded the disturbing intervention of prophecy," he is breaking into an open door. Soloveitchik himself elaborates at some length upon the principle that "the prophet . . . has no right to encroach upon the domain of the sages, who decide the law on the basis of their intellect and knowledge."[70] Here Soloveitchik is not speaking about the prophetic personality, but is making the point that the divine word received by the prophet gives him no authority in matters of law.

While references to *Ish ha-Halakhah* did appear in passing in the popular religious press of the 1950s, for a long time Agus's analysis was not followed by any similar serious discussion. True, by 1960 Eliezer Goldman, who, as mentioned earlier, had begun to publish important essays in Jewish thought, did devote two brief but penetrating paragraphs to *Ish ha-Halakhah* in his Hebrew essay "The Commandment as a Fundamental Given of Religion."[71] In the first paragraph Goldman presents the fundamental themes of the essay that had made such an impact on him when it first appeared:

> In his great essay, *Ish ha-Halakhah*, Rabbi Joseph B. Soloveitchik showed how the Halakhah endows the fixed phenomenon of astronomical, physical, and biological nature with new meaning, how it treats in its own characteristic and unique fashion the categories of space and time, and how it imprints the world with the religious category of holiness. Evening, the sun, the appearance of the stars, sunrise, measurements, partitions—all possess a new symbolic significance, and are interwoven in a halakhic framework. All this typifies the Halakhah's approach to implanting holiness in the world.[72]

While this first paragraph reviews the fundamental themes of *Ish ha-Halakah*, the second paragraph draws, if briefly, important new conclusions from them. Goldman writes:

> From this vantage point, the reasons for each and every commandment taken individually do not interest us at all. . . . If . . . the service of God through the commandments is an autonomous religious act not derivable from any more basic principle, we will search in vain for the reasons of commandments outside the system of commandments.[73]

Building upon Soloveitchik, Goldman's suggestions—that the service of God through the commandments is an autonomous religious act and that the commandments should be viewed as a religious system—serve as starting points for his own philosophy of Halakhah as set forth in many articles throughout a long and prolific career. Most important, Goldman's idea of the commandments blended with Yeshayahu Leibowitz's idea of the service of God for its own sake through the performance of the commandments, and a very lively and fruitful dialogue ensued between them, eventually including David Hartman and his students, all of whom contributed to the flourishing

of the field of philosophy of Halakhah.[74] And yet, two paragraphs in the middle of an article, no matter how resonant they may be, are not the equivalent of a full-fledged essay.

Finally, in 1966 there appeared two articles devoted to an examination of Soloveitchik's writings that treated extensively of *Ish ha-Halakhah*: "The Typological Theology of Rabbi Joseph Soloveitchik," in *Judaism: A Journal of Jewish Life and Thought*, by the noted liberal rabbi and philosopher Eugene Borowitz;[75] and "The World of Thought of Rav Joseph Soloveitchik" (in Hebrew) in *Gesher*, a student publication of Yeshiva University, by Aryeh Strikovsky, then a doctoral student in Yeshiva University's Bernard Revel Graduate School of Jewish Studies and subsequently (after having received both his doctorate and rabbinic ordination from Yeshiva University) a leading Israeli educator until his passing.[76] Both articles appeared shortly after Soloveitchik's second major essay, "The Lonely Man of Faith," appeared in *Tradition* in 1965. Consequently, the two articles analyze both of Soloveitchik's essays; here the focus will be on their analyses of *Ish ha-Halakhah*.

Borowitz characterizes *Ish ha-Halakhah* as "a Mitnagged phenomenology of awesome proportions"[77] by which he has in mind Soloveitchik's examination of the modes of consciousness of the great Lithuanian, non-Hasidic, Talmudic masters (termed "Mitnagdim, Opponents," on account of their opposition to Hasidism), extending from the movement's eighteenth-century founders, the Gaon of Vilna and his leading disciple, R. Hayyim of Volozhin, down to Soloveitchik's own grandparents and father, as figures who most closely approach the ideal type of halakhic man. Borowitz praises the essay as having been written "with an individual breadth of vision, sweep of intellect, and passion of soul that makes his readers reach far beyond themselves."[78] He significantly adds that "its translation would not only enrich Jewish thought, but would be of the greatest interest to the students of the psychology and sociology of religion as well."[79]