

**In Defense of My Opposition
to the Opposition of my Defendants
to my Defense of my Opponents**

(or, “In Defense Of My Opponents: A Postscript”)

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My essay *In Defence Of My Opponents*¹ resulted in some fascinating and dismaying feedback. Several supporters of mine were disappointed, offended and even angry; one person wrote to me that I was slapping him in the face. Many were wondering what my “agenda” was; somebody told me that the essay needs a Rashi and a Tosafos! Was I trying to seek redemption and curry favor with my opponents, or was the entire essay written tongue-in-cheek? Had my spirit finally been broken, or was this some kind of devious maneuver?

The answer is very simple. There are two reasons why I wrote the essay. First is that I like to publish things that I believe to be true and valuable, and I genuinely believe it true and valuable to be known that there is legitimate basis for opposing my works. No, I do not believe my books to be heretical or innately flawed in any way; I am not retracting anything that I wrote. But I do believe that the rationalist approach is potentially very harmful, effectively incompatible with producing a certain kind of society, and I think that people in that society have every reason to be afraid of it and to oppose it. I know that this upsets some of my supporters, who believe that this approach is correct and suitable in every way, but I nevertheless cannot agree with that. I believe that it is correct and by far the best approach for some people, but it is not suited to everyone.

In my desire to show where my opponents are coming from, I perhaps went a little too far in saying that “the ban, properly understood, is eminently justifiable.” What I should have written was that their *opposition* is eminently justifiable. The translation of that opposition into a ban was appalling on several counts:

- The fact that virtually none of them actually read the books in any detail, and many did not read them at all;
- The fact that none of them attempted to contact the respected rabbonim who endorsed the books, to discuss their concerns;
- The fact that virtually none of them knew about the sources in the Rishonim and Acharonim on which I was relying;
- The fact that they would not meet with me;
- The fact that they relied on false testimony concerning the effects of the books;

¹ Freely available at www.zootorah.com/controversy.

- The fact that they signed on to false testimony concerning the approbations having been revoked;
- The fact that they wrote the ban with far broader and stronger language than was justified by their opposition;
- The fact that apparently no consideration was made as to whether the consequences of the ban would be worse than the consequences of ignoring the books, or than the consequences of reaching an agreement to quietly republish the books in a non-charedi format;
- The fact that the signatories gave no guidance as to the parameters of what they consider heretical (should certain pages of the Schottenstein Talmud, which refer to the controversial views of R. Avraham ben HaRambam and Rav Hirsch, be torn out?);
- The fact that the people engineering the campaign upon whom they relied were primarily motivated by a desire to discredit one of the rabbinic authorities who endorsed the books;
- The fact that no attempt was made to help the thousands of people who were thrown into turmoil and crises of faith as a result of the ban.

All these were terrible wrongs for which I cannot see any justification. And the ban caused immense suffering to myself, my family and parents, the extent of which cannot be imagined by someone who has not endured such a thing. However, I do not believe that the terrible wrongs in the execution of the ban mean that the opposition to my work is innately baseless and foolish. In my essay, I sought to explain why I believe that there is legitimate and understandable opposition to the rationalist approach (which is fundamentally what the objections to my books were all about). I believe that one should distinguish between the opposition to my work, which is understandable, and the various improprieties by which that opposition was presented in the form that it took.

The second reason why I wrote my essay was to bring out an important point that some people missed. Over the last few years, I have drawn the conclusion that there is a fundamental divide between the rationalist approach and the charedi approach. (I am currently preparing a book which explores these differences.) This divide is manifest in their diverse approaches not just to topics such as creation and the science of the Talmud, but also to the nature of authority, the universe as a whole, and the very methods of obtaining knowledge and drawing conclusions. It is my belief that it is important for people to be aware of this great divide, for two reasons. First, it helps reduce friction and arguments – clear chasms make good fences, and good fences make good neighbors. Second, it helps people identify their place in the Jewish community, including the circles they mix in, the *hashkafos* that they adopt, and the people that they look to for spiritual guidance and instruction.

The great misunderstanding, so prevalent today, is that there is a single basic correct approach to Torah, true for all times and places, which is represented today by the charedi world and therefore clarified by the charedi Gedolim. Take this example, from one of the more respectable blogs, of someone explaining why the ban on my books was justified:

One can concoct many wonderful versions of Judaism that keep to 613 mitzvos and are a hodge-podge of ideas and *hashkofos* that are built on a *diyuk* in a Rishon here and a *shita* of an Acharon there, etc. but which bear no resemblance to the dogma and practice of Jews in any community in our history. It's not the negation of cardinal belief which is the test of Torah true *hashkafa*. The real test is whether the conclusions confirm with the pattern of belief which our mesorah and people have held dear for generations. So what if there is an odd R' Avraham ben haRambam or a Pachad Yitzchak out there in our literature if there is a strong mesorah that runs contrary to these views? But who is to judge what mesorah consists of? I honestly don't see what the confusion is in this regard. R' Akiva Eiger is an *acharon*; were I to formulate an opinion on an issue, I too would be an "*acharon*" -- does anyone in their right mind think my opinion is worth two cents compared with R' Akiva Eiger's *shikul hada'as*, no matter how many proofs I have to my position? Anyone who has sat in a Beis Medrash knows that even to have such a *hava amina* is ridiculous... R' Akiva Eiger, the Ktzos, R' Chaim Brisker -- these are *ba'alei mesorah* not just because of an insightful particular *tshuvah* or *chiddush*, but because they established what Jewish tradition, in all its flavor, means and represents. That line of *ba'alei mesorah* continues to our own day. Whether it is R' Elyashiv, R' Chaim Kanievsky, etc., there are people who Klal Yisrael look to as the flagbearers of tradition.

One of the principle mistakes being made by this writer is to believe that there is such a thing as *the* pattern of belief, *the* tradition. Another mistake is to believe that people such as R. Elyashiv and R. Kanievsky, when they issue directives, are speaking for *the* pattern of belief. A third, and related, mistake is to think that because R. XYZ is a great Torah scholar, it is ludicrous for someone else to weigh up an issue differently.

Judaism is not monolithic. Far from it. The Maimonidean controversies were not fought over nothing – they occurred because the approach to Torah and Judaism that developed in Moslem Spain was fundamentally different from the approach held by the rabbis in northern France. R. Avraham ben HaRambam's famous/infamous statement about Chazal's imperfect knowledge of science is not an "odd" statement, an aberration, as the writer of the above letter believes; it was completely normative of the Sefardic rationalist school of thought. While this school of thought was originally geographically distinct, over time it became diluted with the rest of Judaism. The result was that while, in recent centuries, it is difficult to point to a particular geographical community which continued the mesorah of the Golden Age of Sephardic Jewry, one can still constantly see this mesorah being transmitted by various people – such as R. Lampronti, R. Hirsch, R. Dovid Tzvi Hoffman, R. Herzog, and so on. In our day and age, the rationalist approach is dominant in the Torah U'Madda community and strongly represented in the Dati Le'umi community. When the aforementioned writer states that "R. Elyashiv and R. Kanievsky are the people to whom *Klal Yisrael* look to as the flagbearers of tradition" this is a gross extrapolation from the charedi community to the entire *Klal Yisrael* – or a negation of the entire non-charedi community.

The oft-expressed sentiment of “Rabbi XYZ is a great Torah scholar, it is ludicrous for someone else to weigh up an issue differently” reflects a lack of comprehension of the fundamentally different approaches to Torah that have existed at different times and in different places. Rabbi Chaim Kanievsky, Rav Elyashiv, etc., are brilliant geniuses and great Torah scholars, but they are all from a particular worldview. This worldview is not the sum total of Judaism. They have a particular perspective on Torah which influences their approach to it in every way, including their approach to the writings of the Rishonim and Acharonim.

Consider the following contrast between the approach of Rambam and, *yibadel lechaim*, that of Rav Moshe Sternbuch, to the topic of nature and miracles. Rambam writes as follows:

...Our efforts, and the efforts of select individuals, are in contrast to the efforts of the masses. For with the masses who are people of the Torah, that which is beloved to them and tasty to their folly is that they should place Torah and rational thinking as two opposite extremes, and will derive everything impossible as distinct from that which is reasonable, and they say that it is a miracle, and they flee from something being in accordance with natural law, whether with something recounted from past events, with something that is in the present, or with something which is said to happen in the future. But we shall endeavor to integrate the Torah with rational thought, leading events according to the natural order wherever possible; only with something that is clarified to be a miracle and cannot be otherwise explained at all will we say that it is a miracle. (Rambam, *Treatise Concerning the Resurrection of the Dead*)

Rav Moshe Sternbuch, on other hand, presents the following viewpoint:

(Some people) are trying to make our holy Torah compatible with the views of scientists that everything that occurs is the result of mechanical natural processes... to minimize the role of miracle and maximize the role of nature. This is entirely to minimize the acknowledgment of God’s power and to move instead in the direction of heresy. (*Open letter at www.zootorah.com/controversy*)

My point is not that Rambam is right and Rav Sternbuch is wrong. While I personally subscribe to Rambam’s approach, I cannot think of any objective method by which one can determine which is correct and authentic. Rather, my point is that Rambam and Rav Sternbuch reflect two fundamentally different schools of thought. The same is true for the dispute between Rambam and Ramban concerning the existence of magic. The average yeshivah student will insist that there is such a thing as magic. Could it be said that “who is he to argue with Rambam?” Of course not; the fact that he does not approach Rambam’s Torah scholarship does not mean that he has no basis for taking a different worldview. But by the same token, for someone to insist that there is no such thing as magic is likewise legitimate, regardless of the fact that he does not approach the scholarship of Ramban, who did believe in it.²

² Note that I do not mean to imply that Ramban was from the non-rationalist school of thought; his approach is too complex to reduce to either category.

Just as there is a rationalist tradition, there is also an anti-rationalist tradition. And each, from the perspective of the other, is a fundamental perversion of what Judaism is all about. So implicit in my defense of my opponents' right to dictate the educational approach for their community is the point that there is no one single community.

To put it another way: If there is only one faith community in Orthodox Judaism, then one must choose between two possible conclusions vis-à-vis the ban on my books:

- 1) My books are heretical; the world is less than 6000 years old and Chazal were correct in describing creatures that spontaneously generate; the approach of Rambam, Rav Herzog etc. is a perversion of Judaism.

Or -

- 2) My books are correct; the three dozen rabbinic leaders who banned them are all totally in error about the nature of what is legitimate Torah discourse in their own community.

The former is (from my perspective) impossible to accept. But the latter appears to me to be no less impossible to accept. How can something be considered legitimate, if so many of the leaders and figureheads of that community say that it is not legitimate, and nobody of stature raises their voice in protest? Somebody could bring every proof under the sun that a certain way of playing cricket is legitimately within the rules, but if every umpire disagrees, then it's just not cricket!

The reasonable and correct alternative to these two options is that there is not only one faith community in Orthodox Judaism. There is the rationalist faith community, following in the legacy of Rambam, R. Hirsch, R. Herzog and so on, within which my books are perfectly legitimate; and there is the charedi faith community, following in the legacy of the Chazon Ish and so on, in which the rationalist approach is unacceptable. The charedi community has the right to reject the rationalist approach, notwithstanding the fact that it was upheld by countless Rishonim and Acharonim. But they only speak for the charedi community, not for Judaism in its entirety.

Let me now cite some letters that I received and respond the specific points that were made:

The issue is not whether someone has the "right" to ban something. Of course they have the "right." The issues are: (1) whether they also have the right to pretend that their ban presents Judaism per se, as this ban did, (2) Whether they have the right to defame a person by calling them a heretic and refusing to refer to them as a Rabbi, (3) Whether someone has a right to issue a ban without an honest statement about the grounds of the ban and to whom it is addressed. (4) Whether the ban was reasonable and worthy of respect. On all of these counts the ban fails. I do not agree with you that the essence of the ban is to be separated from the language of the ban. They are one and the same.

My response to this letter-writer's points is as follows:

1. For the most part, they genuinely believe that their approach presents Judaism. I agree that I cannot defend those who are aware that there are different legitimate approaches – it seems that Rav Elyashiv falls into this category – and yet presented their view as representing Judaism in its entirety.
2. They did not call me a heretic. They did refer to my works as heresy, but since many of them genuinely believe that to be the case, I don't see why they shouldn't say so. I agree that I cannot defend those who do not consider it genuine heresy and yet signed their names to such a proclamation – but this does not negate their grounds for opposing my work.
3. I agree that this is deeply disturbing.
4. The ban itself was not reasonable or worthy of respect. The opposition to my books which fuelled the ban was reasonable and worthy of respect, even if one disagrees with it. I do not see why the two cannot be separated.

Another letter presents some slightly different points:

Your article is defending why there are rabbanim who don't want their talmidim reading your work. A cherem (ban) seems to me more than that - it's a protest against those who want it and their goal is to eliminate the existence of the work and to prevent those who would benefit from using it. It's like the difference between saying that it's forbidden to use an eruv, and to bash it down every erev Shabbos. The *kanaim* (zealots) are the cause of many problems in today's chareidi world, in my discussion with one of the members of the *Moetzes Gedolei haTorah* he agreed with me and said that the Rabbanim are aware of the problem. The banning against the book backfired and caused the Rabbanim humiliation which demonstrated to the Gedolim the danger of relying on the *kanaim* and their need to be more careful in the future. If you defend the ban, the *kanaim* will take it out of context and say that you backed down from your position, and give the *kanaim* a victory that will strengthen their resolve to continue making trouble in Klal Yisroel.

Everyone agrees to the validity of the points you are making, they were horrified by the distortion of truth by misquoting and squelching of sources (such as the Rambam, and the Jewish Observer with Hirsch) as well as defaming you as a heretic as if you were the source of that heresy and not merely quoting others. Your supporters would have been happy if the ban had been presented in the manner you suggested; the evilness was that it was not. Your article gives the impression that the ends justify the means, and one can use dishonest heavy-handed methods for a good goal - and in the end the victim will come to his senses and realize the justice of his victimization.

I hope that they won't use you as precedent what to tell victims of abuse in yeshiva, “the goal is to have respect for rebbeim so we had to cover up the rebbeim's abuse. Your (the victim's) task is to understand that...”

Personally, I find it hard to believe that the backlash against the ban on my books made people realize that such bans are a bad idea, in light of last year's catastrophic banning of the Lipa concert. Still, the letter writer raises some significant concerns; I hope that this essay clarifies my intent in my defending my opponents.

The following letter raises an interesting question:

Breaking the two camps into charedi and "Torah u'Madda" may be unreasonable for both some of us charedim and some of us Torah u'Maddas. Torah u'Madda is the official slogan of Y.U., and in American "ultra" Orthodox jargon that official Hashkafah is the lowest on the rung before you hit Conservative, and in the view of many it is on the same rung. This is not only because of the inherent philosophical approach of Torah u'Madda (which I understood differently from the way you seem to perceive it, although you probably know much better than I), but because of the resultant application of it by many of its adherents who see it in not an idealism but an excuse to follow their own will and not that of Hashem... On the other hand, many who associate themselves with the charedi community do *not* associate themselves with those in Meah Shearim for whom you write that the books are not intended. So what about charedim like your typical American yeshiva guy (like me) who went through the school system which includes in its curriculum biology, chemistry, physics, etc., and who highly value your books and your presentation of the rationalistic approach (regardless of whether or not we agree with it)? Does that mean we are in the Torah u'Madda camp and are not charedim? My suggestion, if the floor is open to suggestions, is to use another term other than Torah u'Madda so as not to alienate those who are yeshivish or charedi but don't follow the Meah Shearim party line.

There are two issues to be discussed here. One is whether it is accurate to say that those who do share my approach cannot be considered part of the charedi community. The second is whether it is correct, and tactically wise, for me to use the term Torah u'Madda to describe those who share my approach.

While my essay reflects my belief that those who share my approach cannot consider themselves charedi, several people that I respect greatly took issue with me on this. They said that bans and similar such proclamations, even those signed by numerous Gedolim, are not reflective of normative thought in the charedi community. It was further pointed out to me that the charedi community is in great flux; just as there are ideas and actions that were totally acceptable twenty years ago but are now forbidden, they may yet become permissible again. Last year, it was deemed an unacceptable breach of Torah values to have Lipa Schmeltzer perform at Madison Square Gardens, even at a loss of hundreds of thousands of dollars to a *tzedakah* organization, with no way of making it kosher; this year, it was suddenly acceptable. With such wild fluctuations occurring, can one really draw inferences about how to define the standards of charedi society?

I am uncertain of how to respond to this. I am well aware that there are thousands of people in the charedi community, including Torah scholars, who share my approach in these issues, or at least do not see it as problematic. However it also the case that virtually nobody dares to publicly say so. Furthermore, the fact that the leaders and figureheads of that community *all* denounce this approach seems to me to be of great significance. It can't just be called "the Meah Shearim party line." It is also the Har Nof party line, the Brooklyn party line and the Baltimore party line. It is true that the Schottenstein Talmud makes references to such an approach, but only implicitly and in footnotes. One will not find *The Jewish Observer* or even *Mishpachah* legitimizing the approach of Rambam and Rav Hirsch to these issues (at least, not anymore).

I think that perhaps it is relevant to consider the recent emergence of new political parties in Israel that are comprised of people in the charedi community but do not affiliate with UTJ. The Gedolim have proclaimed that one is obligated to vote for UTJ. Yet there are many people in the charedi community who reject this call and vote for other parties instead. Are they charedi or not?

To my mind the answer in all these cases is that these people are socially and culturally charedi, but not ideologically or intellectually charedi.³ Whether this boils down to it being legitimate to classify them as charedi or not can be disputed. I think that everyone who falls into this category needs to give this question serious thought.

The second point raised by the writer of this letter is that it may not be wise for me to label those who share my approach with the label Torah u'Madda, since that will unnecessarily alienate those who identify this label with Yeshiva University but who themselves, for whatever reason, do not identify with that institution; or because that label carries connotations that may extend beyond the approach to Torah/science issues in my books. I am uncertain of how to respond to this point; I need to give it more thought and I would welcome people's insights. Contributions that I consider to be of value will be posted online at www.rationalistjudaism.blogspot.com.

³ There are those who define charedi as meaning *chareid l'dvar Hashem*, and claim that it refers to anyone who is serious about Torah and mitzvos – even if they wear a knitted kippah. I find such usage of the word to be pointless, since it is not the definition that 99% of people use.