Personal Initiative and Creativity in 'Avodat Hashem

The theme of this lecture is ambiguous and complex, for reasons that go beyond the specific formulation of the topic. The ambiguity derives in part from terminological confusion. The term "creativity" has multiple meanings and connotations. For example, the disparity between the creativity of יש ממין and the creativity of יש מיש springs immediately to mind as evidence of this. Moreover, in terms of some of the contexts which we will explore here, the terms "rediscovery," "personal initiative," "personal independence," "personal involvement," and even "personal input" relate more precisely to the themes at hand and should be substituted for "creativity."

The designation "'Avodat Hashem" is also problematic, in terms of its encompassing scope. For the authentic ben-Torah, 'Avodat Hashem encompasses all domains of religious experience, without exception. And yet, it is undeniable that 'Avodat Hashem has a much more specific connotation as well, more limited to that of the למקום אדם בין сфере, and conjuring up images of the submissive mode of behavior associated withעבדות.

The complexity of this topic is therefore also due to the need to legitimately apply each of the aforementioned definitions of creativity to the multiple meanings of 'Avodat Hashem, recognizing the definitional adjustments that must be made for each theme to be treated independently with its own unique dynamic of tensions. Inasmuch as this has been advertised as a "Torah u-Madda lecture," I will begin briefly with that aspect of the issue although my primary intent is to pursue the internal Torah context of this theme specifically as it relates to halakhah and Talmud Torah.

The first encounter, the "Torah u-Madda" encounter, between personal creativity and 'Avodat Hashem refers to creativity in its strict sense of self-development - creating for and in this world. At stake in this context is man's purpose as a creative being, his self-image, and his obligation to his Creator in the broadest sense of the term 'Avodat Hashem.

Parshat Bereshit, which chronicles the act of creation, provides us with an immediate model. Man is created אלקים בצלם, with everything that is
implied by that particular term. In explaining the religious obligation of *imitatio dei* or *להדמות יה", the Rambam writes in his *Sefer ha-Mizvot*, and bases this obligation on the pasuk of **Deut. 28:9**. Rav Soloveitchik has suggested that *imitatio dei* is not restricted to specific activities or *midot* which govern interpersonal relations, such as *ורחום חנון* etc. (Shabbat 133b), but rather that it relates to the broader sense of man's obligation to reinforce his own self-image. According to Rav Soloveitchik, this imperative specifically includes imitating God's most striking and dramatic attribute, namely creativity. Indeed, the first mandate man receives from God is **Gen. 1:28** and, with respect to the Garden of Eden, **Ibid. 2:15**-to conquer, control, develop, and be productive. The Rav presents the typological scheme of two crucial aspects of man that are reflected in the two *parshiot* of Creation. He develops the motif of creativity as the crucial personality component of what he refers to as "Adam I." "Adam II" is portrayed as the existentially insecure convenental man of faith whose primary focus is redemptive religious self-awareness and whose characteristic gesture is not majestic creativity but sacrifice. Indeed, although "Adam II" more closely approximates the ideal of a religious personality, it should be noted that "Adam I" is also a religious persona, and his attributes as well form an integral aspect of the religious ideal.2

It is on this basis that the Rav argues in this article and elsewhere that creative involvement in secular, scientific, and even aesthetic pursuits is not only a legitimate enterprise, but one which should be encouraged as religiously meaningful.3 Indeed, this theme of creativity in the form of self-perfection or self-development is, according to some Rishonim including the *Sefer ha-Hinukh*, reflected in the first *mizvah* required of newborn male children, that of *milah*. It seems that the fulfillment of human potential represents an affirmation of **יאלמ אלקים**, and thus constitutes, at least in part, the telos of creation.4 The second phase of the interaction between "creativity" and *'Avodat Hashem* relates to a more focused sense of the latter as the relationship between man and God, although not yet specifically dealing with the content which governs that relationship. At present I will only delineate the issues involved in this phase, but will not explore them in depth. This second phase involves true related yet independently significant issues, both of which are endemic to any religious world view.

The first issue focuses on the relationship between human autonomy and theonomy. While *'Avodat Hashem* implies a measure of servitude and submission to the Divine Will which represents the ultimate form of
commitment in any religious system, there is also a religious value to human freedom and to free choice. This dialectic is reflected in such concepts as יִתְרוֹת חֲלַקְתָּל נְאָר מֶלֶךְ שֶׁמֶה מַכִּיל צִבְאֵל, representing true fulfillment inasmuch as the true culmination of the exodus from Egypt was the giving of the Torah\textsuperscript{5} and in the principle 'אָלֶה, אלֶה מַכִּיל בֵּית הַמֶּלֶךְ.\textsuperscript{6} At the same time, in a religious world view, it is important to establish the extent to which human initiative-as distinct from "creativity" or autonomy-is considered desirable, effective, or even necessary. On the one hand, there are ideals such as "битахон" in its most obvious meaning of reliance, and the centrality of miraculous manifestation, particularly the Ramban's pervasive notion of constant אינם נמה, both of which tend to accentuate human passivity. These, however, are counterbalanced by other legitimate principles such as אין הנס על סומכין which asserts the demand for human responsibility and initiative,\textsuperscript{8} and the Kabbalistic motif of לאיתן סמך, which proclaims that human activism is indispensable to and even influences or manipulates the realm of הכה込む בַּרְוִקָה אֶלֶה. The fine line which separates אינם בַּשָּׁם סומכין from thân בַּשָּׁם, for example, is illustrated very dramatically by the opposing views of the Ramban and the רפושר ר', תחת על התיה regarding the story of אברם ואימלך, and the apparent lie אברם מספר כדי להורות את סומכין.\textsuperscript{9} Another example is the institutions of prayer and prophecy, which represent in a sense, opposite poles of the active/passive motif as it applies to lines of religious communication. To be properly clarified, these issues require more extensive treatment, but they do nevertheless reflect a definite motif in the encounter between "initiative" on the one hand and 'Avodat Hashem on the other.

The third phase of this encounter relates to that level of 'Avodat Hashem which, for the religious Jew, has a much more specific meaning, i.e., to מזנים, halakhah, and Talmud Torah. These are the vehicles of our religious expression, the embodiment of our ideals. It is especially on this level that we find the most complex dimension of this interaction.

Let me first analyze the issue of initiative and individual input in the realm of מזנים, in a certain sense the most limited area to which the term "initiative" is applicable. Here, of course, the notion of creativity in its strictest sense, as "creating," "manufacturing" or "fabricating" is not a factor, but the concept of personal involvement and expression certainly is.

The very notion of a relationship between man and God is philosophically problematic. The distance that stands between the
omnipotence, omniscience, and infinity which characterize *Hakadosh Barukh Hu*, and finite, limited, inferior man, appears at times to be insuperable. Doctrines of negative theology, in which even the use of language with respect to God is seen as being at best ambiguous if not wholly inadequate, clearly reflect this theme. And yet, the belief that man can attain a relationship with his Creator is the first assumption of any religion.

In Judaism, we believe that God Himself supplied the solution by providing man with the mechanism and means to establish a divine and directed relationship with Him, namely halakhah and *mizvot*. The structure of these two is such that it both allows for and objectifies the religious experience by guiding it punctiliously at every step. This strict attention to structure and detail, however, can frustrate individual expression and, further, wholly delegitimizes any attempt to sidestep the structure or to substitute for it, even if one is spiritually and sincerely motivated. This insistence upon halakhah has made Judaism vulnerable to certain criticisms and abuses, such as ritualism. This tendency of performing *mizvot* by rote is decried by the prophet as מזות אמשי מלאמודה (Isa. 29:13), and formed the basis for the ancient Christian critique of Pharisaism as well as the modern critiques of the Reform and Conservative movements. Their stated opposition to halakhah derives from their perception of the limitations of its structure.

In his introduction to *Major Trends in Jewish Mysticism*, Gershom Scholem, the famous historian of Kabbalah, suggested that the mystical impulse in any religion is generally associated with a definite stage in the historical development of that religion. As the abyss between man and God is being institutionalized and structured by the religion in question, there occurs a revival of mystical thought. Moreover, once a religious system has reached the point at which new impulses do not break through the shell of the old religious system but, rather, become confined within its borders, new expression must be found in the old values by means of radical reinterpretation. If the system is sufficiently flexible so as to allow for this, Scholem argued, mystics will stay within the tradition. If the religion is unable to sustain this, however, then the mysticism will always lead to heresy or, at best, antinomian behavior. Thus, revelation for the mystic is an ongoing and unfolding process, not a one-time historical event. For the religious mystic, the impulse for individual or multi-dimensional expression which enables him to flee the stifling effects of total structure without compromising the process of that structure itself, is an essential element of his being.
Of course, for the exoteric adherent of Judaism who has no access to or inclination toward the mystical dimensions of halakhic content, this solution is not acceptable. And yet, it cannot be emphasized too strongly that a commitment to the structure of halakhah is indispensable to our worldview. The Rav, both generally and specifically in his recently published *The Halakhic Mind*, has written persuasively of the dangers and religious illegitimacy of religious subjectivism. Such a notion undercuts the centrality of God and His will by shifting the focus to man's needs and desires. It constitutes, in essence, a form of self-worship and is irrelevant to the authentic spiritual act, inasmuch as it is undirected by God. Religiously inspired conduct which takes place outside the confines of halakhah, as well as attempts to alter halakhic structure, however sincerely motivated, are fundamentally inconsistent with the revelational and divine character of halakhah. However, rejection of creativity in religious performance notwithstanding, halakhah itself provides us, at least in part, with the wherewithal to infuse meaning and even initiative and individual input into its structure. This is provided for through Talmud Torah and through the performance of the acts of the *mizvot* themselves.

Contributing to the establishment of a more personal orientation in *mizvah* observance is the pursuit of *טעמי מצות*, whether on philosophic, kabbalistic, or historical levels. This pursuit is encouraged by a large majority of Rishonim and it is frequently accompanied by the assertion that there are a plethora of conceptual bases for any given *mizvah*, any of which might strike a chord in a particular individual—a kind of multiple-truth theory. In addition, the demands for levels of *כוונה* and *לשמה* in actual observance, some of which are the *מצוה קיומכ*, also serve to enhance personal involvement. In the Kabbalistic system, this enterprise also represents great individuality and personal initiative.

In the case of some *mizvot*, the individualistic component not only enhances the קיומ מצות in its broadest sense, but actually serves to transform the objective status of the act of the *mizvah* itself. For example, the halakhah of *ז ואנוהו קלי ה—במצות לפני התנאה* (Ex. 15:2; Shabbat 133b), or the notion of *מצוה ידיח*, often changes the definition of the *mizvah* itself, as many halakhists have shown. A case in point is the opinion of Rashi at the beginning of *הגזול לולב פרק* that a *היבשלולב* is *פסול* because it constitutes a lack of *הידיח*, basing himself not on the requirement of *הדר עץ פרי* but on the *דין* of *ואנוהו קלי זה*. Similarly, the position of the Rambam, as Rav Soloveitchik explained it, that because it constitutes a lack of *דר עץ פרי לולב פרק* which is based on the principle of *ז ואנוהו קלי—he the halakhah of *הידיח* would apply to anything contained within the structure of that. Here again, *ז ואנוהו קלי* serves not simply as a
nice way to enhance a *mizvah*, but actually changes the definition of the *mizvah* itself; in this case, the perfect of the *mizvah*. And while it is true that all these instances, and the many more like them, refer to halakhically defined levels of בְּּאֶנֶּוּה תְּכֶלֶת, they do reveal the halakhic weight of the personal component of that concept—the more general and undefined theme of התנאה לפניו בצאתה— as well.

It should be noted that the phrase בַּכֶּלֶת הוא התנאה parallels but maybe also contrasts with the second half of the pasuk, *ואלָּך אַבֵּינוֹ אֲרַמְּמֵנִיּו* (Ibid.). In a sense then, one constructs a personal relationship with Hashem—a "כַּכֶּלֶת הוא התנאה" as opposed to an "אלָּך אַבֵּינוֹ אֲרַמְּמֵנִיּו* relationship—precisely by showing initiative and by enhancing the objective structure of the *mizvah* through personal input.

A further reflection of this theme is the Rambam's understanding of the last Mishnah in Masekhet Makot, which lauds the great volume of *mizvot*—הַמִּצְוָה בָּאֹרָה— as being based on the ability of different individuals to select and perfect the particular *mizvot* which are most conducive to them.18 Another example of this with regard to the halakhic process generally is the well known Hassidic interpretation of קָרַבְּנָה מִכְּנַן יֵקְּרֵב כי אדם (Lev. 1:2), that one has to integrate oneself into the process of קָרַבְּנָה והמצות קיומם and not in spite of the objectivity of halakhah but precisely due to its imposing and objective structure. The idea of חידוש תפילה which justifies נדבה תפילה is another instance where, within a specific setting and under strict conditions, this dialectic is again captured.20

We come finally to the most crucial aspect of this topic: for *posekim*, the formulation of halakhah; for most of us, the pursuit of Talmud Torah. What, if anything, is the role of personal creativity and initiative in this particular sphere, both in terms of capacity for and desirability of individual contribution?

The dilemma we confront inheres in the very crux of our system of המִצְוָה הִיא מָדוּת מְסִכֵּי לִשְׁבוּעֵיִים וְלַשְׁבוּעֵיִים מַעֲשֵׂהּ מַעֲשֵׂהּ לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַع הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַع הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַع הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה לְשֹׁבַע הָיָה L.1:2), that one has to integrate oneself into the process of קָרַבְּנָה והמצות קיומם and not in spite of the objectivity of halakhah but precisely due to its imposing and objective structure. The idea of חידוש תפילה which justifies נדבה תפילה is another instance where, within a specific setting and under strict conditions, this dialectic is again captured.20

On the surface, these kinds of statements, and there are others, may preclude any real initiative and certainly exclude a notion of creativity in most of the meanings of that word. Of course, for *posekim* who are...
challenged to apply halakhah to an ever-changing world of reality, creative analysis is always a necessity. But from this perspective, halakhic creativity would constitute a rather limited enterprise.

At the same time, the objective evidence for a measure of individual input and initiative in the realm of Torah is much too overwhelming to ignore. Clearly, doctrines in halakhah have been subject to exhaustive debate and have undergone reevaluation and transformation, as a comprehensive analysis of any sugya would demonstrate. The very fact that individuals are associated with particular positions, and that halakhah demands this attribution even in the face of disagreement and dismissal of those positions, clearly represents an acknowledgment of some sort of individual contribution. Examples of this can be found in the Mishnah in 'Eduyot (1:5-6; although perhaps in a negative sense), and in the obligation to credit the propounder of any particular view: כל האומר דברعكس אומרו מעין גואלحا לולא ('Avot VI:6; Megillah 15a). Furthermore, the sensitive observer can discern whole methodological revolutions in the areas of הלימוד דרכי mahashavah, and pesak. Examples of this would be the dialectical revolution of the Ba'alei ha-Tosafot in the medieval period, the methodological school of pilpul in the 15th and 16th centuries, the "Brisker derekh" in the 19th century, and the healthy diversity which flourishes even in our own day. In the area of mahashavah, different trends of philosophy, Kabbalah, and Hasidut have each dominated in different eras, each led by different individuals.

How can such transformations be conceivable, given the comprehensive Masorah basis for halakhah? Jewish intellectual historians point to the phenomenon, particularly in 16th-century Kabbalah, of the revelation of Eliyahu-which claims an augmented Masorah to justify clear-cut departures from previously maintained doctrines and interpretations. Some have viewed with cynicism the claim of historically revolutionary theorists that their radical doctrines in fact represent the authentic and original intent of ancient texts, be they verses in Humash, sugyot in Gemara, or commentaries by Rishonim. The authors of a recent article suggest that Rav Soloveitchik's enthusiastic characterization of his grandfather, Rav Hayyim, as having revolutionized Talmud study through the "Brisker derekh" represents the significant impact of modernity on his thought, inasmuch, they imply, as the traditional perspective perceives of halakhah only in terms of strict continuity. This suggestion illustrates the pervasiveness of the common misconception that hiddush is, in essence, antithetical to the notion of Masorah.
The fact of the matter is that halakhah admits of, encourages, and admires hiddush. The Gemara (Pesahim 92a) explains that a certain part of Jerusalem was called "החדשה החצר" because it was there that innovations were said. We find a much more explicit source in the Talmud (Hagigah 3a): "אמרו [=משנה] הלל ויתננו [=בגין] הצלים כנホーム פנים, [=למasons] זכותו [= ////////] What new innovation, what initiative took place in the Bet ha-Midrash today? How can we come up with anything? We are your students. We depend upon you. Rabbi Yehoshua rejected this particular notion, as flattering as it was, in favor of the doctrine of hiddush.

The appellation "מחדש" represents the highest form of praise and respect, with deep roots in the tradition of Talmud Torah. This high regard for hiddush represents a central theme in the works of the Neziv and in Rav Soloveitchik's classic depiction of the ideal "ish ha-halakhah" as the creative persona par excellence who builds and fashions concepts within the abstract and yet real world of Torah and halakhah to most approximate its truth.

The question, then, is even more acutely sharpened. How does all this unbridled enthusiasm for hiddush, for creativity and initiative, square with the doctrine of Masorah? I believe that the basis for the answer is built on two central premises of Judaism which, while conceptually independent of each other, are at the same time linked in terms of their ultimate design. They are the almost infinite depth and multi-dimensionality of Torah-행שנה- and the uniqueness and singularity of individuals with regard to their own capacities, talents and predilections.

The first premise, the depth of Torah, is illustrated by the famous Gemara (Eruvin 13b) describing the argument between Bet Shammai and Bet Hillel:

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The Ritva's understanding was that this phrase -皑ר כל לדיני הים ויודו הים לאו יודו הים וفى הים - goes far beyond tolerance and non-responsibility for mistakes to assert a theoretical multiple-truth theory, pesak notwithstanding.

The second premise is the uniqueness and singularity of individuals, which is reflected in the famous statement of Rabbi Yehoshua himself in Eruvin 13b: "whoever is able to discover a new halakha, let him come and teach it. For it is said in the Torah: "למי מיין נוספים מציון לתרנ"ה הילדה, הנה לא על כל דבר ורב ימי"" (Deuteronomy 33:10)."
Indeed, despite the skepticism of the Ba’alei ha-Tosafot, both opinions are correct in a certain respect. The Ritva sustains the equality of these truths. He maintains that while each generation has the ability, indeed the obligation, to determine which position appeals to it as the most authentic, on a purely objective level there is no one truth. The Gemara (Sanhedrin 17a) which declares, ‘הสำรวจית את Lehova אם חיות, and although understood differently by the Ba’alei ha-Tosafot, may possibly also refer to the demand that judges have the capacity to see this complex picture of multiple truths.

The Gemara elsewhere (Hagigah 3b) presents this notion in an even more explicit manner. Commenting on a verse in Kohelet (12:11), the Gemara draws a very interesting picture of Talmud Torah and the role of חכמים.

פַּת הַדוֹר, רֹבֵי חֲכָמִים וְכַּל בְּכָל הַבָּלָה נוֹתְּנִים, vocêי וְלַמָּשָׁל בְּכָל הָלֵּטַת, רֹבֵי חֲכָמִים וְכַּל בְּכָל הַבָּלָה נוֹתְּנִים, יַעֲשֵׂה לְךָ הַדָּבָר כַּל בְּכָל הָלֵּטַת. יַעֲשֵׂה לְךָ הַדָּבָר כַּל בְּכָל הָלֵּטַת. יַעֲשֵׂה לְךָ הַדָּבָר כַּל בְּכָל הָלֵּטַת.

Up until this point, the Gemara simply justified again this notion of multiple truths, but then it goes on to offer some practical advice. What is the individual who is exposed to this cacophony of truths supposed to do with them? Your ears should be able to sift through these multiple truths so that you may ultimately come to the truth which relates to you as an individual.
The Maharal explains this Gemara, echoing the position of the Ritva in Eruvin mentioned earlier but going even a step further: אמר "ר"ל הכメール שנשרש"ו ארדן כל המעשה מהכול נמצאו עולמים המורכב שיש בו רבים המתחילים שיש רוחות השכין תוכן הזעום שנשרש של היה כיוון הילוך חורות אח"י הממסרים מהמר את הילוך חורות של עד שהמעשים כל העמל והתשובות של רבים כתיב שההייחו כל מה שהיה בידם הילוך חורות של עד שנשרש כיוון הילוך חורות של עד של א"ל הממסרים מהמר את הילוך חורות של עד שנשרש כיוון הילוך חורות של עד של א"ל הממסרים מהמר את הילוך חורות של עד שנשרש כיוון הילוך חורות של עד של א"ל הממסרים מהמר את הילוך חורות של עד שנשרש כיוון הילוך חורות של עולם

This would have been impossible for the Hakhamim to agree about such issues. Just as they, by their very natures, are differentiated, so too the issues to which they address themselves are complex and of multiple themes. The Maharal continues:

In essence then, what emerges from the Maharal once again, is the doctrine of multiple truths, significant especially outside the area of pesak, and related to individual intellect and the capacity of each individual to discern the complexity and subtlety which exists in every aspect of life.

Still, how is it possible for there to be multiple truths, but only one pesak? The Maharal argues that while there may be multiple truths, all truths are not equal. Life is complex and everything created does obtain of more than one combination of different components. So, for example, it is possible for an object to possess a sense of tum'ah, but its sense of taharah overwhelms the tum'ah. The case of Bet Hillel and Bet Shammai, he argues, is one of those rare occurrences where absolute equality does apply, where the essences of both opinions appear to be of equal strength. But, in most situations, while pesak halakhah doesn't deny the shitat yahid and considers that it may be possible to rehabilitate it in a different context, there clearly is a decisive determination.

The Ramban, in his introduction to his commentary on the Humash, develops in a slightly different fashion this notion of
infinite levels of Torah. On this basis, some have interpreted the Mishnah in 'Avot (V:22), not in its traditional sense that everything you require can be found in Torah, but in the sense of asserting the infinite depth of Torah itself.29

The second premise, in addition to that affirming the depth and multi-dimensionality of Torah, is that of the uniqueness and singularity of individuals with regard to capacity, talent, and predilections. The Mishnah (Sanhedrin 37a) clearly develops the theme that man is created as a singular being in order to accent the inherent worth of each individual as a member of the species: לפיכך каילו הכתוב עליאו מעלה מישראל אחד נשפכת נפש והامةным כל פנים נ쩨 סכל ללמדך יחידי. The world exists as if the book is written on each one, as if each person is the only person in the world, as if the creator is limited and the world is limited. But the Mishnah pursues this even further, adding a dimension which underscores not only the significance of each individual but also the differentiation of each individual as well. הכהנים וגרלות של הקב"ה שארםistros כל מספר בחומת ביווה אדולר цена מליון הקב"הBEST שאר כל אדם בוחנה של אדם אחר שאר, אióוגר והປיך. Is this merely an impressive device by Hashem to show His skill, or is there content and substance to this decision to underscore individuality? The very next words in the Mishnah seem to provide the response: לפיכך כל אדם זוהי חוזא ל thở ובשביי נבראר כלם. I interpret the "לפיכך" to refer to this section as well. Unless there is inherent value in the singularity of each individual, this statement is meaningless.30

This motif is expressed more explicitly in the Midrash and other sources: הלמה. אם macro התוכננה של רב ברה, אומר ברך אתה ה' אלכפים כל הצלחת חותם עדות; כשיאי פורטפרהית וודמי זה, כל איי ידע שאר שמי זה הלמה. It is surely no coincidence, as the commentators have pointed out, that each addresses itself in the singular, to each individual. I submit that these two themes, the infinite depth of Torah and the infinite distinctiveness and singularity of individuals, are not unrelated. The Maharal, in the same section already quoted, links the two issues as part of his explanation of the sugya in Hagigah cited earlier. He characterizes the talmidei hakhamim as each striving to mobilize his particular talents and inclinations to uncover the multiple dimensions of Torah in his depiction of the ideal role of talmidei hakhamim. In the same context, the Maharal notes that דברי הכהנים and Torah are described as both
A close examination of the text of the Midrash itself would also indicate the truth of this complimentary relationship: Despite the fact that whatever a student suggests has already been revealed in the Masoretic tradition, it is still referred to as "hiddush." Torah, then, even as Masorah, is neither monistic nor simplistic. It has infinite capacity for being studied and analyzed, and that which is legitimately discovered through proper methodology and rigorous analysis is also a "hiddush," perhaps not in the sense of creation, but in the sense of discovery or rediscovery of that which is implicit in the Masorah. Hiddush, in this sense of rediscovery which is extracted from Torah through individual initiative and through personal and unique perspective and inclination, enhances כלל ישראל's familiarity with the depth of the Masorah itself. This, of course, is something to be lauded and encouraged, and attributed to the individual, for indeed it is מבחין את לעלמה.

It is in this context that the Gemara (Hullin 6b-7a) establishes the capacity for hiddush through the principle of מוקם מקום פנים ל-même. The Gemara relates:

The talmid hakham who presents you with an innovation should not meet with the responses of מזיחין, מזניחין, מזיחין, which probably refer to accusations of arrogance, feeding one's ego, stupidity, or falsehood, because he is revealing or suggesting something novel and unique. Rather, the reaction should be on the basis of בו להתרז פנים ל-même.
Once the capacity for initiative in Torah and halakhah has been established, surely it becomes obligatory as well. It would be absurd for *imitatio dei* to apply to every single area but that considered to be the most spiritually significant. Additionally, an unambitious and mediocre posture regarding Talmud Torah is never to be advocated; the passion for the truth and depth of Torah militates precisely against this. Rather, this passion for truth which takes the form of commitment to personal initiative and innovation in Talmud Torah is responsible for and often reflected by the sometimes stormy relationship that exists between combatants in the classical מלחמתה של תורה. It can even be seen as responsible for the strident language which is sometimes employed in those battles and which has often been misconstrued and misunderstood by the uninitiated. This reality is captured by the very term מלחמתה של תורה-war-and finds expression in the Gemara (Kiddushin 3Ob):

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The adversarial tone, motivated by mutual passion for truth, masks and even contributes, in a certain sense, to mutual love and respect. In the pursuit of theoretical truth, the relationship between *rebbe* and *talmid* never requires a *talmid* to yield his opinion to that of his *rebbe*. *Pesak*, of course, is a different matter.

Even in the domain of *pesak*, Hakhmei Provence who were critical of the Rif and other predecessors rationalized their harsh criticism of people whom they greatly respected. They based their behavior on the principle that חביב שמים כבוד. Modesty and reverence are never legitimate justifications for lack of personal initiative and aggressive involvement in the pursuit of truth when the stakes are so high.33

Clearly, the capacity for critical pursuit of truth in Talmud Torah must be seen as an obligation as well. It is told that the Vilna Gaon rejected the offer of a "dream maggid" to reveal to him the entire corpus of Torah with
immediacy and lack of effort. He preferred, instead, to engage himself in the process, using his own personal inclinations and talents as his tools.\textsuperscript{34}

The recognition of the importance of individual involvement in the process of Talmud Torah and halakhah is also demonstrated by the debate which surrounded the formal codification of halakhah in the time of the Geonim, the Rambam, and the \textit{Shulhan Arukh}. Rav Paltoi Gaon, for example, waged a campaign against \textit{pesak} rooted only in \textit{sifrei posekim} removed from their original sources.\textsuperscript{35} While others, such as the Ri Migash, preferred such \textit{pesak} to its alternative, namely the risk of faulty analysis of sources.\textsuperscript{36} clearly the ideal always has been and still is an analytically based notion of \textit{pesak}.

In the sixteenth century, the compilation of the \textit{Shulhan Arukh} intensified this element of the debate. The brother of the Maharal of Prague, R. Hayyim b. Bezalel, leveled a severe critique against the \textit{Shulhan Arukh}, specifically citing the concern that were it to become universally accepted, the halakhic process would lose the unique perspective of each individual as brought to bear on the multi-faceted and multi-dimensional halakhah itself:

\begin{quote}
מזו זו מזונות האדם כל שפני היום עוד עושה היצירה מטבע וכמו, נחלקת שחכמה להאמין ישכך מזו ומשונה זו אדם כל בלב עדיין.
\end{quote}

In any historical era, just as human beings differ physically, so too does their capacity for creativity and perspective differ. R. Hayyim dismisses the notion of excising rejected minority opinions as being counterproductive to halakhic creativity. Thus, what emerges is a remarkable statement advocating a pluralism of halakhic ideas, even in \textit{pesak}-quite an extreme position. Again, one need not reject codification in order to accept the argument of individual creativity. The benefits of codification may warrant the trade-off in any case.

The Maharal of Prague himself also rejected reliance on \textit{sifrei pesak} as being an insufficient substitute for personal analysis. Remarkably, he posits that the integrity of the halakhic process is such that even the risk of a potentially incorrect \textit{pesak} is outweighed by the dangers of uncritical reliance on \textit{sifrei pesak}. In a celebrated passage, the Maharal actually states:

\begin{quote}
אצל הפירוש כמם שאמרים. כי עיקר התורה כאר היה מוהל הלכה לעפש בורב הז ארי שישיה וצא מקרב התורה
אשר התורה היא שכלייברוב הז היא התלמוד שאחר
שם. נמע רארי שישיה וצאג הלכה לעפש והברב הז
שני קים תנועה שמעמו על התורה, לפקד התנאים
שכורים הלכה ממנח המשנה למקל הלכם. צאל בורב
והז, אח כי פסקי הלכה ממחק המשנה, כי הוא די, כי
המשנה איא ראשית לגלמוד ולתלמוד עליון. באולאי
פותק הלכה ממחק המשנה, שמא עשייתו להלמוד. כי
הלמוד הוא פורש המשנה. רק שמא פסקי הלכה ממחק.
\end{quote}
This very radical statement, expressing sentiments similar to those expressed by his brother, is only radical with regard to pesak halakhah; it is clearly acceptable regarding Talmud Torah and its implications for initiative and personal input.

The abuses feared by critics of codification and of summary have alas never been more clearly felt than in our own time. The proliferation of sifrei pesak of a summary nature and English "how-to" books and the almost exclusive reliance on even as important a work as the Mishnah Berurah have almost succeeded in rendering the Shulhan Arukh, the Taz, and the Magen Avraham obsolete. Never has the need for such works been greater than in our own era, and never have the abuses that they generate been as obvious either.

The relationship, then, between individual singularity and distinctiveness on the one hand, and the infinite depth of Torah on the other, is a reciprocal one, allowing for the establishment of the unique relationship of each individual qua individual to Hashem and to His Torah. It is the manifestation of והנהו קלעי ומלכים על עולם קבלת in its strictest sense, the idea of an individual כבלת על מלכות שמי נ-driving ומי בראשית, and at the same time, by virtue of the unique talents possessed by distinctive individuals, it ensures that all aspects and facets of Torah are explored.

What about the more practical questions, such as propriety and presumptuousness? Can we seriously strive to add to, take issue with, or judge critically the efforts of previous generations? After all, ואנוהו קלעי ומלכים על עולם קבלת (Shabbat 112b). And what of whether, in whatever
form one chooses to understand it? Surely there is a hierarchy of authority—Gemara, then Rishonim, then Aharonim, etc. In a sense, these concerns were already dealt with in the מֶמְחָץ, מֶמֶחָץ, מֶמֶחָץ of the Gemara (Hullin 7a) which we discussed earlier. These terms are interpreted as referring to problems of presumptuousness and foolishness in believing that one can advance a theory which hitherto has never been explicated or explored.

In terms of Talmud Torah, and even with regard to pesak, a response can be found within the guidelines of accepted authority if one has abiding faith in the progression of ideas, in the continuous unfolding of an implicit Masorah, and in the ability of new insights to continuously provoke reevaluation of the entire corpus. The theme of ספרים נושא חמור as described by Bahya ibn Pakudah or the notion of ענקים גבי על עונדים ננסים, of dwarfs standing on the shoulders of giants who although shorter are able to see a greater distance because they are raised higher, are common justifications of medieval and modern commentators. The critical factor is the progressive momentum of careful and reasoned analysis, irrespective of the stature and self-image of one generation vis-à-vis another. The evolution of doctrines follows certain patterns. Dramatic bursts of insight and creativity are followed by their moderation, and then their application and assimilation into the broader corpus, with a ripple effect on the entire scheme and system. This then spurs a period of summation and retrenchment, followed by critical evaluation of the new reality that has emerged as a result of the entire process. We work primarily through exposure to insights; we integrate them into a whole system, juxtaposing them to our own experiences and thus insuring a constant, meaningful reappraisal.

There is also another relevant factor. Specific historical eras may enhance the potential sensitivity of individuals to certain concepts, thereby contributing again to the process of an unfolding Masorah. In an era of technological achievement, for example, concepts such as אש and גמא may be more acutely and creatively analyzed than in eras past. This is also true for dilemmas that arise out of historical circumstances, which can often serve to sharpen debate and accent hitherto unexplored aspects of a particular problem.
What about the "personal initiative" of talmidim who are less talented than their peers, or less experienced? Is this not, at best, a superfluous and futile pursuit-at worst, ביהלום והיה? My emphatic answer is, no. Here again, the singularity of the individual is a crucial factor, raw talent and experience aside. Human complexity is such that different forces and exposures stimulate different responses in individuals. The student may have an inclination for pilpul, another for the formal mathematical nature of Brisker hakirot, a third for the practical orientation of peshat. This is also true in the area of mahashavah. The philosophy that appeals to one may not appeal to the other; Kabbalah, which leaves some unmoved, provokes ecstasy in others. A line in a Rishon, or a particular juxtaposition of two positions, may be striking to one person, obvious to another, and totally meaningless to a third. Moreover, a whole complex of different sensitivities and nuances is developed in time through various exposures, some perhaps accidental, and even through the coincidental order of those particular exposures.

In any clash between seemingly antithetical doctrines, the methodological question that must always be asked is, which position represents the rule and which represents the exception. The answer to this question often dictates and shapes even entire schemes. Personal intuition or the order of exposure may subconsciously be decisive in an individual's determination and, consequently, may affect the way in which he perceives an entire problem.

Every individual, then, brings to any serious pursuit his unique nature, his preconceptions, the sum and the order of his exposures and experiences. This sense of inevitable subjectivity, and we must underscore the word "inevitable," which is neither pragmatic nor conscious, is rejected by some as playing any role in halakhah. But, undeniably, when pursued with sincerity and conviction in an effort to seek the truth, it is wholly legitimate and inevitable, perhaps even rooted in design and hashgahah and constitutes a central component in the quest to uncover multidimensional Talmud Torah by means of individual initiative.

The spirit of this enterprise, though, does impose certain restrictions which simultaneously serve to legitimize it. These restrictions include fidelity to the text and to the integrity of the inquiry. As much as possible, one attempts to surrender one's
prejudices to the pursuit of 'Avodat Hashem, and to consciously challenge one's objectivity at all times. Moreover, innovation for innovation's sake is simply self-worship and aggrandizement. It is for the ego and should scrupulously be guarded against and rejected. Also it is vitally important that one perceive of oneself, especially in the area of Talmud Torah, as part of the chain of Masorah and as enhancing that chain rather than breaking with its previous links.

Earlier, I noted the Gemara (Sanhedrin 17a) which stipulates that תורת מותרת stimuli אלימין משונים מchersי והוראות התורה. Tosafot rejects the simple peshat of that Gemara inasmuch as there is no redeeming value to what he terms הבדל של חריפות—meaningless intellectual games.41 The Maharal, despite his ardent advocacy of initiative in Talmud Torah and even in pesak, as mentioned earlier, railed vociferously against what he considered contemporary abuses in the study of Torah in the sixteenth century. He refers to them as פלפולי של הבדל, and believes them to be without substance and meaning.42

This issue, in another form, is a central concern of modern Talmud Torah as well, especially in terms of the question of hinukh at the developmental stage. Lack of experience and of methodology and knowledge dictate that unbridled initiative, the quest for creativity without limits is doomed from the start and contributes only to the notion of הבדל של חרותות והרמונות. Certainly, then, a balance must be achieved which avoids, or at least minimizes, these dangers, while at the same time training for and underscoring the notion of independence and initiative in Talmud Torah as an ideal.

In a broad sense, several considerations should prevail. The first is a minimum level of knowledge. By this, I do not mean the entire corpus of Gemara, or even necessarily the entire tractate which is being studied but, rather, an acquaintance with all the relevant facts of a sugya and the ability to discern fact from interpretation. The second consideration is an acquaintance with basic methodology, both in terms of analysis-know what questions to ask, possible methods of resolution, how to determine test cases, etc.-and in terms of the nature of sources—where to look, how to determine the facts, how to pursue treatments, etc. Thirdly, and perhaps the most elusive, is the development of a minimum intuition of the parameters of
conceptual plausibility as it relates directly to lomdus in the area of halakhah, and its counterpart in mahashavah. This kind of intuition, of course, can only be attained through exposure to rebbeim, either real or textual, and a fidelity to a particular methodology.

At the same time, talmidim should be encouraged and trained to think independently; to initially analyze a text critically without the mediation of interpreters, especially with regard to Rishonim and Aharonim; to learn to challenge an interpretation, or at least to be discerning of its status as only one of many possible approaches until analysis is confirmed or resolved otherwise. Talmidim should be trained to pursue truth with passion and initiative on the one hand, and with a spirit of integrity and an abiding respect for previous treatments, which avoids abuses both of ego and of limited knowledge. In this manner, individual creativity and initiative will surely attain the status the Midrash refers to, i.e., נאמר לחדש את מקשה ותלמיד מהכל מסיני למשה מטני.

NOTES

1. Mizvat 'Aseh #8.
3. In addition to the article cited above, see, for example, idem., The five Addresses (Jerusalem, 1983), 115-16.
4. Sefer ha-Hinukh, Mizvah #2.
5. See, for example, Mekhilta, Yitro, Chapter V; Rashi, Shemot 20:2; Sifra and Rashi, Vayikra 22:33; Sefer ha-Hinukh, Mizvah #273.
6. 'Avot VI:2.
7. See Ramban 'al ha-Torah, Bereshit 17:1, Shemot 6:2.
8. See Pesahim 64b.
11. See, for example, Maimonides, Moreh Nevukhim I:58, II:17, III:20. Gersonides' radical views regarding Divine knowledge of particulars accent this theme in a more extreme way.
14. For a general discussion about the pursuit for תשמיש in rabbinic literature, see Y. Heineman, *Ta'amei ha-Mitzvot bi-Sifrut Yisrael* (Jerusalem, 1956).

15. See, for example, Rambam, Hil. Kri'at Shema II:1; Hil. Tefillah IV:15, X:1; Hil. Shofar II:4; Hil. Megillah II:5.

16. Rashi, Sukkah 29b, s.v. yavesh.

17. See Sukkah 33a; Rambam, Hil. Lulav VII: 7.

18. Makkot 23b; Rambam, *Perush ha-Mishnayot, ad. loc.*

19. See Torat Moshe 'al ha-Torah and Sefat 'Emet 'al ha-Torah on Vayikra 1:2.

20. See Berakhot 2la; *Shulhan Arukh, Orah Hayyim* 107:1.


22. See Yerushalmi Hagigah I:8, Pe'ah II:4. The text there reads: כל המ ששלמים חוטי צדוקי התורה. In the introduction to his commentary on the She'iltot, entitled *Kidmat ha-'Emek*, Rav Naftali zevi Yehudah Berlin cites the Midrash as the source of the more striking formulation See also Megillah 19b: המלמד את הоторה למשה דקדוקי la תורת שהראהו למשה דקדוקיлу ומשה.


26. Ritva, Eruvin 13b, s.v. 'elu ve-'elu.

27. Maharal of Prague, *Be'er ha-Golah* (Jerusalem, 1971), 19-20. See also the formulation of the Maharash, *Yam Shel Shlomoh*, introduction to Baba Kamma He links the issues on the basis that the initial act of מימין היה斯坦 was designed to be received by a multitude of singular minds.

28. The precise relationship between a pluralistic view of halakhic truth and the institution and methodology of pesak is an extremely complex one. I intend to elaborate on this theme elsewhere.
In terms of the concept of hiddush, see also the different perspectives reflected in Derashot ha-Ran, #7 and in Neziv's Kidmat ha-Emek, introduction.

29. See, for example, the explanation of Rabbenu Yonah, ad. loc.

30. Parenthetically, I should note that the Gemara itself (Sanhedrin 38a) somewhat trivializes this whole theme. In explaining the Mishnah, the Gemara states: "אין מה ופניו לזה זה דומין פרצופיהן, שלפני אוגר אשור אביה договорה שנת אמה, אשתו שבלשנה דרור אבד משותה מחבריה; בקול מאוראה וב读后感 ידיה, בנוויה משם עותה בודעה מחפוץ וחלין וחלים פנים פנים."

31. Bamidbar Rabbah XXI:2; Midrash Tanhuma, Parshat Pinhas, #10. See also Berakhot 58a.

32. See R. Moshe Alshikh, Torat Moshe 'al ha-Torah on Devarim 6:4.


36. See She'elot u-Teshuvot Ri Migash, #114.

37. R. Hayyim b. Bezalel, Vikuah Mayyim Hayyim (Amsterdam, 1712), 5b.

38. Maharal of Prague, Netivot 'Olam, Netiv ha-Torah, Chapter XV.

39. R. Bahya, Hovot ha-levavot, Sha'ar 'Avodat 'Elokim, Chapter IV.

Cf. Megillah 28b.


41. Tosafot, Sanhedrin 17a, s.v. she'-yode'a.

42. See Kitvei Maharal mi-Prag (Jerusalem, 1982) II, 323-28.