Reflections on Rav Aharon Lichtenstein Zatzal and Kabbalat haTorah 5775

Over the period of Sefirat haOmer 5775, as an individual who was not a student of Rav Aharon and had hardly ever seen his teachings, I had the opportunity to be exposed to some of his Torah thought and the depth of his hashkafah. Upon returning home after being away for the Pesach festival I found an entire edition of Tradition devoted to Rav Aharon on his eightieth birthday. Shortly after I began perusing the journal, Rav Aharon passed away and I began reading about his life and teachings in material that flooded the internet. The more I read, the more my appetite was whetted; what I read was singularly inspiring. Throughout the sefirah period as I continued to read about Rav Aharon I realized that his personality served to illuminate some of the questions associated with the holiday of Shevu’ot. I would like to take this opportunity to reflect on how Rav Aharon’s passing and my subsequent exposure to his thought had an impact on my personal kabbalat haTorah this past Shevu’ot.

There are two questions that are frequently raised regarding Shevu’ot. The Gemara, Pesahim 68b, discussing the nature of yom tov notes that according to one opinion a person has the option of devoting the entire holiday to divine service (kulo laShem) or devoting the entire day to physical pleasures (kulo lakhem) and according to another opinion one is obligated to divide the day, setting aside half the day to divine service (hetzyo laShem) and half the day to one’s own enjoyment (hetzyo lakhem). The Gemara then concludes that with regard to Shevu’ot Rav Elazar states that everyone agrees that part of the day must be spent on one’s own pleasure (be’inan name lakhem) since Shevu’ot is the day on which the Torah was given. The obvious question that follows is that surely if Shevu’ot commemorates the giving of the Torah should not all agree that it requires particularly all-embracing spiritual involvement (kulo laShem)? Why is it that Shevu’ot, a day focusing on spiritual experience par excellence, should yet be required to be celebrated in a physical fashion?1

The Gemara, Menahot 29b, is frequently cited in connection with Shevu’ot. The Gemara relates that when Moshe Rabbeinu went up to heaven to receive the Torah he saw that the Almighty was tying crowns and titles to the letters of the Torah. Moshe Rabbeinu is puzzled and asks why

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1 Rashi, ad locum, appears to address this question, but I will attempt to provide a different answer.
the Almighty is adding these crowns and does not give the Torah before they are completed. G-d responds that many generations in the future a person will be born by the name of Akiva ben Yosef and he will expound heaps of halakhot on each crown and title. Moshe Rabbeinu requests to see this Rabbi Akiva. God tells him to step backwards and he is seated at the back of eight rows of students to hear Rabbi Akiva’s lecture. But he is unable to comprehend the discussion and his strength becomes depleted until he hears Rabbi Akiva make a statement and, answering a query of the students as to how he knows this, responds “This is a halakhah leMoshe miSinai, a law given to Moshe at Sinai.” Upon hearing this rejoinder the spirit of Moshe is calmed and revived. In this passage we see that Moshe Rabbeinu is at first concerned because he cannot follow the Torah of Rabbi Akiva but is assuaged when he realizes that Rabbi Akiva needs the teaching of Moshe Rabbeinu. With all Rabbi Akiva’s creativity, the source of his Torah teaching is a halakhah leMoshe miSinai. The Torah relates that Moshe Rabbeinu was the most humble of all men. If Moshe Rabbeinu recognizes that he is responsible for the transmission of all Torah, even for the far-reaching novella of Rabbi Akiva, how does he remain a paragon of modesty? Surely, his significance should generate some feelings of pride.2

II.

To resolve these questions let us first turn to an analysis of the comments of Mishnah Berurah 290:3. Mishnah Berurah cites various authorities who quote a statement of the Zohar that there is a specific mitzvah for an individual to develop Torah novella (be mehadesh hiddushei Torah) on the Sabbath. Mishnah Berurah adds that a person who is not capable of developing Torah novellae should learn a topic of Torah that is new to him, one that he has not previously studied.3 This concept can be understood simply as suggesting that creativity in Torah study is a

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2 A similar question is raised regarding the Gemara, Sotah 49b. The Gemara queries the statement of the Mishnah, Sotah 49a, that when Rabbi died there was no one who had modesty and fear of sin. The Gemara notes that Rav Yosef protested that the Mishnah should not include the statement that after Rabbi’s death there remained no one who could be classified as an anav or humble person because “de-ika ana — for I am here.” The obvious difficulty is that if Rav Yosef proclaimed that he was humble by definition he lacked modesty and humility. In fact, the Gra, in his Divrei Eliyahu, maintains that the word “Ana” does not mean “I” but is a reference to a Sage cited in the Talmud Yerushalmi whose name was Ana. The Gra claims that Rav Yosef was not stating that he himself was modest but that even after the death of Rebbi there were still modest individuals such as the sage Ana. The Gra’s interpretation is contradicted by Rashi, ad locum, s.v. de-ika ana. Rashi notes that the term means I am modest and that Rav Yosef was referring to himself.

3 Cf., Rabbi Yehoshua Heschel Zinkover, Yesod ve-Shoresh ha-Avodah, Gate 8, chap. 12, who maintains that there is no greater Hiddush Torah than innovating a new positive behavior.
form of oneg Shabbat. One who is unable to develop novellae can experience a spiritual oneg Shabbat by delving into new Torah material. However, the concept of two-tiered “new Torah” can be understood on a more profound level.

There is a well-known statement attributed to Hida that there are 600,000 letters in the Torah, one for each Jew. In fact, it is claimed that the word Yisrael is a mnemonic for (Yud) yesh (shin) shishim (reish) ribbo (alef) otiyot (lamed) laTorah—there are 60 times ten thousand letters in the Torah. That is to say one letter corresponds to each Jew, symbolizing that each Jew has his own letter in the Torah. As has been pointed out by many commentators this statement is incorrect. The number of letters in the Torah is closer to the range of 300,000 than of 600,000. Pnei Yehoshu’a, Kiddushin 30a, offers the following insight. He notes that not only the Torah was given at Sinai. The Targum or interpretation/translation was given at Sinai as well. If there are some 300,000 letters of Torah and some 300,000 letters of Targum, then we have a sum of some 600,000 letters.⁴

Apparently, according to the line of reasoning of Pnei Yehoshu’a, each individual has his own letter; for some the letter is in the Torah, for some the letter corresponds to the Targum. The Targum represents interpretation or commentary on the text. Following this approach, we can apply it to the two-tiered obligation concerning scholarly creativity on Shabbat described by Mishnah Berurah. Ideally, an individual has the capacity to be innovative and for such an individual creativity on Shabbat involves development of Torah novellae. An individual with such talent represents one who has the letter in Torah corresponding to Targum or interpretation of the text and one whose obligation is to be creative in this realm. The person who does not have the capability for such innovative learning represents one whose letter corresponds to the actual text of Torah, not to Targum. For such an individual the obligation is to become knowledgeable in new or additional areas of text. The two-tier approach represents people who are creative in Targum and those who are creative in becoming more knowledgeable in the text. The mitzvah on the Sabbath is for each individual to be creative in that individual’s sphere of Torah.

⁴ For an excellent summary of the topic of 600,000 letters in the Torah, see Rabbi Eliyahu Schlesinger, Eleh Heim Mo’adai, Sukkot (Keter Wellner publications: Jerusalem, 2002) pp. 463-470. See also Rabbi Yitzchak Mirsky, Hegyonai Halakhah (A. Ratner 2010) III, 82.
By Rabbi Moshe Bleich

However, according to this analysis, half the Jewish people are innovators, having a letter that corresponds to Targum. Yet, we would be most hard pressed to say — even of the world of Torah students and scholars — that fifty percent of the Jewish people are creative innovators. If so, what is transpiring on an empirical level with the letters that correspond to Targum?

III.

The view of Hatam Sofer that physicians’ opinions are to be accepted as a matter of doubt, not certainty, is well known. Hatam Sofer avers that the reason that physicians’ opinions are not automatically accepted is not because of suspicion of a lack of trustworthiness. Rather, he opines, their knowledge of medical facts is based upon study of non-Jewish bodies. Such data, even if accurate, may not be applicable to Jews. Since non-Jews eat non-kosher foodstuffs their biological makeup may differ from that of Jews and findings derived from non-Jewish autopsies may not be applicable to Jewish bodies.5

What Hatam Sofer describes from a biological perspective is asserted by Rav Kook from a spiritual perspective. In a fascinating discussion, Da’at Kohen, responsum no. 199, Rav Kook presents an eloquent argument in explaining why Halakhah prohibits autopsies for Jews but not for non-Jews. Encompassed in the charge to Jews to be a goy kadosh or holy nation are a series of specific commandments addressed to Jews in order that their physical bodies be sanctified. Because the body of a Jew is sanctified in this manner there is a prohibition to violate that body even after death. The non-Jewish body that was not surrounded with such restrictions in life does not require such restrictions after death and entails no prohibition of nivul hamet.6

At times, presented as an interpretation of Hatam Sofer’s view — although not expressed by Hatam Sofer himself in his written works — is the claim that this reasoning is based upon the philosophical approach of the Kuzari. The Kuzari posits a metaphysical distinction between Jews and non-Jews. Following that line of thought some have argued — not cogently — that this

5 For further comments on this view of Hatam Sofer see Shi’urei Shevet haLevi, Hilkhot Niddah, Yoreh De’ah, 187, no. 3, p. 80.
6 According to the thesis of Hatam Sofer a Jew who partakes of non-kosher food on a regular basis would have the same biological characteristics as a non-Jew. For Rav Kook, even the body of a Jew who neglects to observe the dietary laws must nonetheless be treated with reverence and may not be the subject of an autopsy. The mere fact that the body was the subject of commandments demonstrates that intrinsically it was endowed with sanctity — a sanctity that inheres in the body despite the fact that its owner did not live up to those high demands. Cf., Redak, Psalms 107:11.
distinction may manifest itself in a physical manner as well, rendering general medical studies based on non-Jewish bodies not necessarily applicable to Jewish bodies.

Of course, there are many who maintain the normative view that there is no inherent distinction between the bodies of Jews and non-Jews. Apparently, the controversy is rooted in the manner in which one explicated the Mishnah in Avot 3:14 “Beloved is man who is created in the image of G-d.” Many commentaries understand the term “man” to refer to all human beings who are created in the image of G-d and are beloved. Some commentaries explicitly limit the term “man” as used in the Mishnah to a Jewish man. Tosafot Yom Tov categorically states that there is no indication in the Mishnah that the term “man” is limited to Jews. Be that as it may, the entire question of innate Jewish distinctiveness is rooted in controversy. Rabbi Lichtenstein was a strong and forceful proponent of the approach that emphasized the universal spiritual capacities of all people, beloved and created in the image of G-d.7

IV.

Numerous writers have commented that Rabbi Lichtenstein stated that the value of obtaining his Harvard Ph.D. was to be able to “understand the complexity of the human experience.” One blogger cynically commented “For that does one need to go to Harvard?” I would add that if one wishes to have an insight into the complexity of the human experience it is sufficient to spend a few days on an inpatient psychiatric unit which this writer has had the opportunity to experience professionally. Clearly, Rabbi Lichtenstein was not referring simply to the experience of spending time on the Harvard campus but rather the rigorous scholarship involved in obtaining a doctorate in English literature. In his in-depth studies grappling with the intricacies of varied literary approaches, different traditions and intellectual trends be developed a unique style of synthesis, conceptualizing the wide range of human experience and the multitudinous similarities and differences that exist among people. This depth of perception, a perspective of multilayered intellectual dimension, can best be explored and uncovered through literature and prompted Rabbi Lichtenstein to note that his Harvard experience provided him with a unique view of “the complexity of human experience.”

Rabbi Lichtenstein would at times refer to his thesis advisor, Professor Bush with the title “mori ve-Rebbi.”

Apparently, Professor Bush provided his students guidance in synthesizing various theories to tease out differences and enhance similarities in order to develop a harmonious and comprehensive perspective. From even a cursory reading of Rabbi Lichtenstein’s Torah writings it is apparent that his style is singular in presenting an analysis that attempts to synthesize the different opinions of Rishonim, develop common themes despite their differences and portray the sugya as an harmonious whole. In this emphasis on synthesis his style diverges from that of his father-in-law who, following the traditional Brisker approach, analyzed each source on its own without attempting to harmonize all the opinions. If this is indeed the case, then Rabbi Lichtenstein adapted the skills that he had honed at Harvard and utilized them in his unique approach in analyzing Torah and it is not surprising that he accorded Professor Bush the ultimate honor of deeming him “Mori ve-Rebbi.”

Similarly, Rabbi Lichtenstein’s approach in presenting teachings based upon the lives of the Avot and Imahot are characterized by an emphasis upon an understanding of the breadth of human experience. The patriarchs and matriarchs are envisioned as three-dimensional people. Appreciating the complexity of human experience one can comprehend the challenges faced even by individuals of lofty stature. Such an approach fosters an attitude in which one can relate to these great figures in a realistic manner, striving to aspire to the words of Hazal “Matai yagi’u ma’asai lema’asei avotai.” Only if our forefathers are viewed as great but human can we aspire to attain a semblance of their levels — and fall short — but if their personalities are totally removed from the human realm and are not part of human experience their challenges lose their relevance for us.

Prior to Shevu’ot a talk on parenting delivered by Rabbi Lichtenstein several years ago appeared online. In this discussion there are concrete examples of the manner in which Rabbi Lichtenstein incorporated lessons from Hazal in his own life. He relates that personally he had been actively involved in mentoring the Yavneh student organization of the 60s. When his oldest son Moshe was born, his father-in-law urged him to curtail his activities with Yavneh citing the verse “ki beYitzhak yekare lekha zera.” Rabbi Soloveitchik well understood that there is a need to

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8 See, for example, Alan Brill, Eidah, 5:1 (2005), p. 9.
prioritize one’s obligations and to husband one’s resources of time and energy. With a growing family, investment of effort must focus on one’s personal legacy. In the same discussion Rabbi Lichtenstein notes that Hazal emphasize in the Gemara that Gershom, the son of Moshe had descendants who served as priests of idol worship. Rabbi Lichtenstein observes, with all due respect, and not Heaven forfend to critique Moshe Rabbeinu, one should be aware of the lesson the Sages are teaching us. Communal leadership is indeed a lofty ideal. But leadership and communal involvement should come with a surgeon general’s warning: Do not neglect your own family. This is a message Rabbi Lichtenstein took to heart and despite his myriad communal, teaching obligations and personal rigorous immersion in learning he did not ever neglect his family members or relegate them to a secondary role. It is no wonder that in an address on the occasion of his eightieth birthday he expressed the sentiment that he believed his greatest achievement to be his success with his own children.10

V.

Rabbi Lichtenstein’s approach of integrating subjective human experience as well as secular wisdom within a Torah perspective provides an environment which is conducive for all to achieve the goal of creativity and hiddush. Each person’s subjective life experience and understanding based on that experience is unique. It is in this manner that every person may fulfill Bechor Shor’s understanding of Rosh haShanah 16b that each letter of the Torah represents each Jew’s individual portion in Torah and reflects each individual’s unique spirit and neshamah.11 The prayer, “Veten helkeinu beToratekha,” that each of us be granted our portion in Your Torah, does not necessarily denote solely our intellectual portion in Torah but also our portion in Torah based on our emotional and subjective experience which may provide each individual a singular personal understanding of Torah.

Much has been written regarding the revolution in dissemination of Torah study that we are privileged to witness in our generation. The success of Daf Yomi programs is one indicator highlighting the learning of laypeople on a level that is unprecedented. However, the success comes at a cost. With the emphasis on covering a large amount of material there often is a concomitant diminution in depth of analysis and, at times, a complacency with amassing basic

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10 The lecture “On Raising Children” was reprinted in a special supplement to Chavrusa (Elul 2015), pp. 21-26.
11 See also Hegyonai Halakah III, 82.
knowledge. With the growth of beki’ut, emphasis on depth and richness of Talmud Torah wanes. This is a trend that Rav Lichtenstein was known to decry.

The question is: Why does stress on acquisition of knowledge comes at the price of iyun or in-depth learning? One challenge to ongoing learning beiyun is that novel approaches in halakhah or mahashavah are usually not accepted because of lack of precedent. Thus, learning more beiyun, while more intellectually challenging, yet does not afford a person the feeling of rendering a unique contribution but merely of acquiring more knowledge. If the goal then becomes acquisition of knowledge, the person feels more satisfaction with achieving a broad knowledge base, even if superficial, than a deeper but narrower knowledge base. However, if one can appreciate that hiddush does not necessarily imply the need to create a new paradigm, rather that every subtle nuance and subjective understanding generates a new perspective that can serve as a building block for others to build on, one can derive satisfaction even without generating material that is groundbreaking. Yet clearly to evolve a comprehensive subjective perspective and to perceive new nuances of meaning require study beiyun. Ongoing emphasis on beki’ut does not enhance this power of hiddush and detracts from iyun. The trend to beki’ut and de-emphasis on iyun minimizes the individual human experience — a tendency that Rabbi Lichtenstein was known to have bemoaned.

VI.

Rabbi Soloveitchik frequently focused on the dialectical nature of a subject. For example, the Days of Awe combine aspects of fear since they are days of judgment yet at the same time they are festivals and days of joy. In these and many other instances Rabbi Soloveitchik teased out opposing sentiments and themes that halakhic man needs to master and learn how to allow these conflicting emotions to coexist despite their seeming incongruence. The challenge for Rabbi Soloveitchik is to discern how to become comfortable in integrating opposing perspectives into an organic whole.

In his essays Rabbi Lichtenstein analyzes halakhic issues from multiple points of view but his approach differs significantly. He assesses an issue from a halakhic perspective and then teases out the manner in which one should react emotionally to the halakhic assessment. He emphasizes that, at times, the halakhic decision and what one’s feelings should be are at odds with one another.
By Rabbi Moshe Bleich

When that is the case it is the religious individual’s responsibility to develop a sensitivity to the fact that although a halakhic ruling may point in one direction it does not imply that one should become comfortable or complacent about the situation.

Following the recent shemittah year it is enlightening to take note of Rabbi Lichteinstein’s nuanced approach to the manner in which one should react to the halakhic issues of shemittah. Writing about shemittah over forty years ago he observed that while the option of using the hatter mekhirah, of serving the land, may be an acceptable option it is one that is halakhically problematic. Accordingly, the options of buying fruit and vegetables abroad or from land in Israel owned by a non-Jew might be a more acceptable halakhic option. However, the latter option is one which in a sense goes against the spirit of the commandment. In his concluding comments he writes eloquently:

Among those who are punctilious about observing the prohibition on uncultivated produce, how many of them accept and live the shemittah year in simple joy, as opposed to the many who are waiting with bated breath, for it to end? . . .

The reality is that there is no practical solution that can quiet our consciences. . . . We take medicine — but without a berakhah. We must not be seduced into believing that the bone stuck in our throats is actually candy. Perhaps there is no alternative — but that is precisely the problem! That is the root of the halachic tragedy.\(^1\)

One may or may not agree with Rabbi Lichtenstein’s feeling that the current shmitah dilemma is a “halakhic tragedy.” From the tenor of the remarks of Netziv, Dvar haShemittah, appended to Meishiv Davar, II, no. 56, as well as the much earlier comments of Mabit, I, no. 21, it is apparent that these authorities both maintained that utilizing non-shemittah produce is an ideal manner in which to circumvent the halakhic problems of shemittah and not a situation to bemoan. Be that as it may, in his remarks regarding the observance of shemittah Rabbi Lichtenstein underscores his feeling that the correct halakhic solution may not be the optimum one from an emotional standpoint; accordingly, to him although the halakhah is immutable being unable to synchronize our emotions with the halakhic obligation is tragic. For him it is not significant to say the law is the law or in halakhic terminology, yikov hadin et hahar. Rather the sensitive religious

\(^1\) Leaves of Faith (New Jersey: Ketav, 2003), II, 181-183.
individual should be pained that his emotions do not coincide with the law. It is not sufficient for the religious individual merely to fulfill halakhic obligations. The appropriate emotional framework is requisite as well. When this cannot be achieved for Rabbi Lichtenstein “That is the root of the halachic tragedy.”

To the best of this writer’s knowledge, Rabbi Lichtenstein was unique among many contemporary Torah scholars in articulating halakhic issues with full fidelity to the halakhic rulings while simultaneously examining their psychological and emotional ramifications and emphasizing the need to experience both intellectual and emotional reactions even if they are in conflict.

An awareness of multiple perspectives may serve to resolve an intriguing question of Tosafot, Sanhedrin 17a, s.v. she-yodea he-taher et ha-sheretz. The Gemara notes that although a dead creeping creature or sherez is impure (tamei) an individual is only suitable to serve as a judge in the Sanhedrin if he is able to adduce reason biblically to purify the dead creature. Citing Rabbeinu Tam, Tosafot raise the obvious question: If the Torah has ruled that the creature is impure of what value is futile sharp analysis (harifut shel hevel) to purify an object that the Torah has explicitly specified as impure? Why should a judge be able to engage in mental gymnastics to be capable of ruling in a manner that is contradictory to the Torah’s ruling?13

Rabbi Lichtenstein’s approach to Jewish law may serve, I believe, as an answer to Tosafot’s query. All aspects of Jewish law must be subject to analysis from multiple perspectives. Even if the law is crystal clear that the creature is impure, there may yet be contrary arguments. Even if those reasons and arguments ultimately do not prevail, their perspective must be voiced and become part of the religious experience. A different outlook, even if ultimately incorrect, has its role to play both intellectually and emotionally and is not harifut shel hevel.

VII.

Let us return to our original questions: Looking at the totality of human experience throughout the generations any individual leader, great as he may be, is only one link in the chain of the Mesorah. Both Moshe Rabbeinu and Rabbi Akiva had unique contributions and styles. What

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13 Rabbi Baruch haLevi Epstein, another of Torah Temnimah, in his Tosefet Berakhah, Leviticus 11:19, notes that the purpose of this intellectual exercise is to demonstrate the limitations of the human intellect and to emphasize that man’s intellect is not fallible. Even if one can find reason to purify the creature, the law follows the divine mandate. Every judge must be fully cognizant of the limits of his intellectual powers.
Moshe Rabbeinu was capable of understanding Rabbi Akiva was not and vice versa. Only through a combination of both efforts were they able to arrive at a full understanding of certain halakhic issues. Recognizing one’s role in the great scheme of things, great as a person may be, a person is humbled. Rav Lichtenstein was a paradigm for this type of modesty even while recognizing his capabilities. On the one hand when asked to teach an additional haburah to advanced students and alumni of Gush he unabashedly stated that, as far as he was concerned, he could deliver a haburah on any subject, “Hakol patuah lefanai — Everything is open before me.” He was fully aware of his knowledge and capabilities. Yet all who knew him personally, and those who write of him in article after article and eulogy after eulogy, describe his innate modesty. Appreciating the totality of the chain of the Mesorah he was always cognizant of his role as but another link in the chain of tradition and remained a paragon of humility.

Returning to the theme of the Yamim Tovim we note that an individual has the option of celebrating the holiday in a manner that makes the individual happier — a state of mind that is subjective and differs from person to person. For some, rejoicing spiritually is what affords them most enjoyment and, accordingly, they have the option of spending the Yom Tov pursuing only spiritual matters (kulo laShem). For others, true enjoyment is experienced only through enjoyment of material pleasures and, accordingly, they have the option of celebrating the holiday in that fashion (kulo lakhem). However, the holiday of Shevu’ot is unique since it commemorates the day on which the Torah was given. Torah and Halakhah (walking the halakah in the path of Torah) incorporate the totality of human experience. On the day of the giving of the Torah, Yom shenitnah Torah, if one celebrates only the spiritual aspect of life — even if that constitutes one’s greatest enjoyment — the implication is that one fails to recognize and celebrate the all-encompassing role of Torah. Precisely on the day the Torah was given it is essential to demonstrate that one celebrates the physical and spiritual elements of life that are incorporated in the Torah. In the language of the Gemara, “beinan name lakhem.”

14 For a fuller discussion of this point see Maharal, Hiddushei Aggadot, Menahot 29b.
15 The comment of Rav Yosef, Sotah 49b, declaring he is modest may be understood as a statement that in recognizing his limitations he remains modest.
By Rabbi Moshe Bleich

Rabbi Lichtenstein was an *Ish Shevu’ot*, a scholar who personified the integration of Torah with human experience. For him, Torah study was always paramount, but other experiences of human life were harmoniously incorporated in his personality — *bein an name lakhem*.

The period of *Sefirat haOmer* is a time of preparation for the holiday of *Shevu’ot*. Rabbi Lichtenstein passed away during the period of *Sefirah*. In a sense this fact is symbolic of his life’s work, of never resting on his laurels, his constant profound scholarship and striving, *sheifut*, to integrate human experience in a Torah personality, personifying an *Ish Shevu’ot*.

VIII.

The Gemara, *Ketubot* 103b, relates that when Rebbi died a heavenly voice or *bat kol* called out that whoever was living when Rebbi died was destined to enter the World-to-Come. An obvious question arises. Why is that of all the many scholars, the Tanna’im and Amora’im, it is only with regard to Rebbi that the Gemara remarks that those who were alive (present) at the time of his passing will merit to enter the World-to-Come? What was singular about Rebbi? Rabbi Yitzchak Elchanan Spektor of Kozno, in the introduction to his *Nahal Yitzhak, Petah ha-Sha’ar*, no. 6, observes that there is a dispute between Rebbi and the Sages with regard to the atonement of *Yom Kippur*. The Sages maintain that the atonement of *Yom Kippur* can occur only if one repents. Rebbi, however, argues that the very day of *Yom Kippur* grants forgiveness and atonement even if one does not repent. Rabbi Spektor suggests that since the Midrash teaches that the passing of the righteous also serves as a form of atonement (*mitat tzaddikim mekhapperet*), it is logical that the same dispute should apply. Thus, according to the Sages, the passing of a righteous individual will only serve as a form of atonement if the individual repents. However, according to Rebbi, the passing of a righteous individual provides atonement even without repentance. R. Yitzchak Elchanan innovatively argues that when a great scholar passes away, at that moment, the halakhah follows his position, *halakhah kemoto*. Although normative halakhah follows the position of the Sages and the passing of a righteous individual provides atonement to a person only if he repents, when Rebbi passed away, halakhah followed his position that the passing of a righteous individual provides atonement even without repentance. Accordingly, only when Rebbi passed away did a heavenly voice call out that whoever was living then would enter

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16 See, for example, *Sefer ha-Hinnukh*, no. 306, and *Ran*, end of *Pesahim* 28a (Rif pagination).

Ludwig 12-22-15
the World-to-Come. Only when Rebbi passed away was there a guarantee of forgiveness even without repentance — a position with which the halakhah was in accord solely at the time of his passing.

Unfortunately, although Rav Aharon Lichtenstein was appropriately memorialized in the Centrist and Modern Orthodox communities, his contributions were not fittingly memorialized in the Hareidi community and it is ha\v al shelo nispad kehalakhah. This writer hopes that this short tribute is a first step in rectifying that omission. Perhaps although Rav Aharon’s style differed from that of hareidi yeshivot, at the time of his passing, it is halakhah kemoto. As Shevu’ot 5775 is the first Shevu’ot without Rav Aharon it is a time for us to think of the power of hiddush, of how to be innovative by including our subjective experiences and insights in our scholarship and of striving to incorporate the ethical and emotional dimensions of Halakhah in our learning as part of our kabbalat ha Torah. Haval al de-avdin ve-lo nishtakhkhin. Yehi zikhro barukh.