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To: The Esteemed Rabbi David Feinstein, שליט"א
 [address removed]

כ"א.שבט.תשס"ה

I am writing this letter to Rabbi Feinstein in my capacity as the head of the Education Committee of the Chafetz Chaim-Cincinnati Hebrew Day School, which is a Torah U-Mesorah affiliated institution. I am also writing personally, as a Jew who takes seriously Rabbi Feinstein's positions in הלכה and השקפה. (Rabbi Feinstein may not remember me, but he has spoken to me by phone when I was referred to him by Rabbi Shmuel Kamenetsky for a very complicated שאילה, and with Rabbi Feinstein's פסק we were blessed with another daughter 3 months ago, ב"ה.)

It has come to my attention that Rabbi Feinstein signed a ban on the books of Rabbi Nosson Slifkin which calls upon him to burn his writings and retract publicly the beliefs expressed in his books. The ban characterizes his writings, among other things, as "מלאים דברי כפירה ומינוח". The ban also forbids the book from being brought into any religious home. The books referred to are *The Science of Torah*, *Mysterious Creatures*, and *The Camel, the Hare, and the Hyrax*. The ban states that Rabbi Slifkin should no longer be allowed to teach Torah or engage in קירוב רחוקים. The ban additionally states that the Torah scholars who signed approbations to his books have retracted their endorsements.

I am familiar with the contents of *The Science of Torah*, and *Mysterious Creatures*, but have not yet read the third book mentioned in the ban. Rabbi Slifkin's writings reflect the same teachings and attitudes to which I have been exposed for many years now by my own rabbis regarding statements by חז"ל which appear to be contradicted by contemporary scientific knowledge. In addition, some of the לימודי קודש staff members of our day school (who are all שמים ועוסקים בתורה) share many of these attitudes. I am very concerned that our school faculty and I espouse ideas which Rabbi Feinstein believes are "דברי כפירה ומינוח".

Therefore, I would like to present the following issues to Rabbi Feinstein in light of his participation in the ban on Rabbi Slifkin and his books.

1. How should we reconcile the contradictions between certain statements by חז"ל and the discoveries of modern science?

2. Several of the rabbis who have signed this ban have gone on to make broad, sweeping statements to the effect that חז"ל were infallible, and that wherever science raises questions about how to understand the Torah, science is false and must therefore be ignored.
3. A major segment of the Torah world is bewildered and disappointed by the authorities who have signed this ban, and now wonder if they can continue to rely upon these rabbis.
4. Those who have studied Rabbi Slifkin's writings closely wonder whether the rabbis who signed this ban were thoroughly familiar with his books.
5. The ban makes a false claim about Rabbi Slifkin's supporters having retracted their הסכמות.

Issue 1: How should we reconcile the contradictions between certain statements by חז"ל and the discoveries of modern science?

The central theme of Rabbi Slifkin's books is as follows: חז"ל were experts in Torah scholarship, but for the most part did not personally engage in scientific investigation. The scientific and medical knowledge available to חז"ל came from the scientists, philosophers, and physicians of the ancient world. Therefore the scientific and medical information to which חז"ל were exposed included theories and practices which, in many cases, have since been disproved or otherwise revised. Of course, scientific knowledge is not absolute truth, and continues to be revised in our times. In the meantime, however, the Torah allows or even mandates that we make use of the best scientific and medical information currently available to us, even when it seems to contradict certain ancient or medieval scientific theories which were accepted by חז"ל, the גאונים, the ראשונים, or earlier אחרונים.

My questions for Rabbi Feinstein about this issue are as follows: What is heretical or otherwise objectionable about this approach? This is certainly the view of most rabbis with whom I have discussed these ideas. As Rabbi Feinstein is certainly more aware than I am, this is the view of many ראשונים and אחרונים. For example, this was the view of Rabbi Samson Raphael Hirsch, who wrote as follows:

In my opinion, the first principle that every student of Chazal's statements must keep before his eyes is the following: Chazal were the sages of G-d's law—the receivers, transmitters, and teachers of His *toros*, His *mitzvos*, and His interpersonal laws. They did not especially master the natural sciences, geometry, astronomy, or medicine—except insofar as they needed them for knowing, observing, and fulfilling the Torah. We do not find that this knowledge was transmitted to them from Sinai....

Imagine if a scholar such as Humboldt [the great German naturalist of the early 19th century] had lived in their times and had traveled to the ends of the world for his biological investigations. If upon his return he would report that in some distant land there is a humanoid creature growing from the ground, or that he found mice that had been generated from the soil, and had in fact seen a mouse that was half earth and half flesh, wouldn't we expect Chazal to discuss the Torah aspects that apply to these instances? What laws of defilement and decontamination [טומאה וטהרה] apply to these creatures? Or would we expect them to go on long journeys to find out whether what the world has accepted is really true? And if, as we see things today, these instances are considered fiction, can Chazal be blamed for ideas that were accepted by the naturalists

of their times? And this is what really happened. These statements are to be found in the works of Pliny who lived in Rome at the end of the time the Second Temple was destroyed... [goes on to show that the notion that the human spine turns into a snake after 7 years, which is found on :בבא קמא טז, actually predates the Talmud and was recorded by the ancient, Roman naturalist, Pliny, in his own book, volume 10, p. 188.] (letter by Rav Samson Raphael Hirsch published in the journal, *Hama 'yan*, 1976, Chapter 4, Jerusalem)

Could Rabbi Feinstein please clarify if he feels that this statement by Rav Hirsch reflects a legitimate approach? If Rav Hirsch's statement is not heretical, could he please identify what in Rabbi Slifkin's books constitutes כפירה or מינות? Is there any substantive difference between Rabbi Slifkin's and Rav Hirsch's views on this issue?

Issue 2: Several of the rabbis who have signed this ban have gone on to make broad, sweeping statements to the effect that חז"ל were infallible and that wherever science raises questions about how to understand the Torah, science is false and must therefore be ignored.

There have been numerous statements made by several rabbis who joined Rabbi Feinstein in signing the ban on Rabbi Slifkin and his books, which were reported in various newspapers. (In case Rabbi Feinstein is unaware of these statements, and I have attached some documentation of them.) Included in these statements are the following assertions:

- a. It is heretical for a Jew to believe that חז"ל may have tentatively accepted scientific theories which were subject to the limitations of their era because their רוח הקודש or סיעתא דשמיא made them infallible to errors, and impervious to misinformation.
- b. It would be heretical for a Jew to allow carbon dating, the fossil record, genetics, or any other scientific information to bring a Jew to the conclusion that the *ששת ימי בראשית* described in the Torah can be understood as anything other than six literal days (i.e. six 24-hour periods), or that the world is older than 5,765 years. (See, for example, Rabbi Yitzchak Sheiner's statement at the bottom of the "גלוי דעת" poster, attached.)
- c. A Jew is obligated to totally ignore modern science, his common sense, or even the evidence of his own eyes and ears if there appears to be any contradiction between this evidence and the most literal readings of the Talmud. (See, for example, the *מלווה מלכה* speech by Rabbi Uren Reich, attached.)
- d. It is not only כפירה but also desecration to the honor of חז"ל to suggest that they may have tentatively accepted scientific ideas which were limited or flawed.

My questions about this issue are as follows: Does Rabbi Feinstein endorse any of these attitudes? If not, would he be willing to go on record and state that Rav Hirsch's approach is a legitimate method for understanding many of the apparent contradictions between science and חז"ל דברי חז"ל. What is Rabbi Feinstein's opinion about the whether it is legitimate for a Jew who believes in the Divinity of the Torah to interpret the *ששת ימי בראשית* in a manner which is compatible with the view held universally by all scientists that the earth was formed billions of years ago?

Issue 3: A major segment of the Torah world is bewildered and disappointed by the authorities who have signed this ban, and now wonder if they can continue to rely upon these rabbis.

I would like to highlight the impact that this ban has had already throughout the Torah community. Many Jews I have spoken with now think it may be appropriate to label (along with Rabbi Slifkin) Rav Hirsch, Rav Dovid Tzvi Hoffman, the *Tiferes Yisroel*, Rabbi Yaakov Weinberg, Rav Avraham Yitzchak Kook, Rabbi Eli Munk, Rav Eliyahu Dessler, the Rambam, Rabbi Avraham ben Ha-Rambam, and so many others, as כופרים, ח"ו, because all of these authorities have suggested that the ששת ימי בראשית are not כפשוטו, and several of them have stated explicitly that the world may be millions or billions of years old.

******Most significantly, I am deeply troubled that many Jews now have the impression that the גדולי הדור demand that we abandon our common sense when we consider issues relating to Torah and science. (Let me clarify that I do not suspect that Rabbi Feinstein actually advocates this approach, which is why I am hoping he can clarify his positions on these issues.) It is my impression (and the impression of dozens of rabbis I have spoken with) that many, many Jews are offended and upset by this ban. The ban has led them to lose confidence in the גדולי הדור who signed it. Their reasoning is as follows:***

a. They have concluded that the Torah scholars who signed the ban are ignorant of and uninterested in modern science, and wonder if these authorities are truly qualified to adjudicate matters in השקפה or הלכה where some understanding of science and technology is required. The ban also creates an unfortunate impression that the rabbis who signed it are unwilling to acknowledge or consider questions posed for traditional belief in Torah by the discoveries of modern science in an intellectually honest fashion.

-or-

b. Alternatively, they have concluded that the Torah scholars who signed the ban did so without studying Rabbi Slifkin's writings carefully, and without granting Rabbi Slifkin the benefit of a meeting in person in order to clarify his beliefs despite his attempts to do so. Furthermore, the participants in this ban have condemned, by association, all Jews who aim to reconcile the findings of modern science with their faith in the Torah as כופרים (including the great rabbis mentioned above).

If these conclusions are not correct, it would be most helpful if the Torah authorities who signed this ban could clarify publicly what their positions are on all these issues in order to dispel various misunderstandings which have seriously lowered the stature of our גדולים, ר"ל. I am very concerned about what the consequences will be ח"ו if large numbers of Jews lose confidence in the גדולי הדור and stop turning to them for guidance.

Issue 4: Those who have studied Rabbi Slifkin's writings closely wonder whether the rabbis who signed this ban were thoroughly familiar with his books.

I am told by several individuals in close contact with the גדולי הדור that the signatories of this ban were shown only excerpts from Rabbi Slifkin's writings, and that none of them read his books in their entirety. It is obviously very easy when dealing with such delicate issues (like, for example, the limitations or fallibility of our sages) to take Rabbi Slifkin's statements out of context and create an impression that his remarks were derogatory or disrespectful to הז"ל. However, the noted Rabbis who have given their הסכמות to Rabbi Slifkin's books all have the impression that Rabbi Slifkin shows tremendous reverence for הז"ל and thirst for their teachings. (See, for example, Rabbi Yisroel Belsky's enthusiastic הסכמה to *The Camel, The Hare, and the Hyrax*, which indicates that he studied the entire book carefully.) Would Rabbi Feinstein consider examining Rabbi Slifkin's books more thoroughly, or meeting with him for clarification about what his beliefs are? As one can imagine, the personal consequences of this ban for Rabbi Slifkin (now branded by this ban as a מין and כופר) are quite severe.

Issue 5: The ban makes a false claim about Rabbi Slifkin's supporters having retracted their הסכמות.

It is evident from the language of the ban that the rabbis who signed it were told that the גדולים who initially endorsed his books no longer do so. However, I am aware that, in contrast to the claim of the ban, the following Torah scholars have *not* retracted their הסכמות to his books, despite being approached to do so: Rabbis Shmuel Kamenetsky, Sholom Kamenetsky, Yisroel Belsky, Mordechai Kornfeld, Aryeh Carmell, Chaim Malinowitz, and Yitzchak Adlerstein. This can easily be verified by phone calls to these individuals. Several have indicated that they continue to hold Rabbi Slifkin in high regard as a ירא שמים with great אמונת חכמים. (There may be others who did not retract their הסכמות, but I don't have reliable information about them as of yet.) My question is as follows: Considering that these Torah Scholars have in fact *not* retracted their הסכמות, would Rabbi Feinstein consider investigating his books more thoroughly, or agreeing to a meeting in person with Rabbi Slifkin?

I very much appreciate Rabbi Feinstein's consideration of these issues. I apologize for the length of this letter, but I wanted to be certain that I could present these important issues clearly and in all their details.

Sincerely Yours,

דר' נחום בנימין קלאפטער