THE SLIFKIN AFFAIR – ISSUES AND PERSPECTIVES

By Rabbi Aharon Feldman (in this font)

Critique of article by Rabbi Sander Goldberg (in this font)

Rabbi Sander Goldberg studied for four years in Yeshiva Bais Hatalmud in Jerusalem and has known Rav Aharon Feldman, (a Maggid Shiur and Mashgiah in the Yeshiva) for the past thirty-six years. Rabbi Goldberg has published this critique only after having shared it with Rav Feldman for his response. This critique is written and publicized in accordance with the dictum of Chazal, "Kaul Makom Sh'yesh Chilul Hashem Ain Cholkin Kavod L'Rav."

Probably the public issue most damaging to the honor of Torah and to its leaders in recent memory is what is known as the Slifkin affair. Rabbi Nosson Slifskin, a talented young man still in his twenties, wrote three books in the past several years in which he attempted to justify certain conflicts between the findings of modern science and parts of the Torah and the Talmud. The author is a fully observant *chareidi* Torah Jew whose intent was clearly *leshem shomayim* (for the sake of Heaven), to defend the honor of the Torah. Nevertheless, in September of last year a public letter banning the books was issued by some of the leading Torah authorities in Israel, and then shortly afterwards a similar ban, signed by many prominent American Roshey Yeshiva, was issued in the United States.

The following omission is the most serious flaw of Rav Feldman's thesis on this point and throughout the article: Slifkin has Haskomos from other Gedolei Torah, and those Rabbonim continue to support him even after the public condemnations were released. Only one of eight rabbonim publicly withdrew his Haskoma claiming he hadn't read the entire text. I was in contact with him, a renowned Talmid Chochom, and he told me that he still holds Slifkin and his works in high esteem, only that due to outside pressures he was compelled to publicly withdraw his Haskoma.

The point is, Slifkin fulfilled his duty faithfully to consult with Gedolei Torah before publication to make sure that as controversial as his topic is, his responses fall within the bounds of acceptable interpretation and Torah Hashkafa. At this point, opposition is merely an opposing view; no different than the countless Machkolos L'shem Shomayim, whether in Halacha or Hashkofa, that are part and parcel of the Torah Sh'Baal Peh dialectic that has existed, at least since the early Mishnaic period. Blame for creating a "public issue most damaging to the honor of Torah and to its leaders" is clearly upon the shoulders of those who would turn a difference of opinions into bitter antagonism and Loshon Hora.

The books were banned because they were deemed to contain ideas antithetical to Torah, and therefore forbidden to read because of the Torah commandment, לא תתורו אחרי לבבכם ואחרי עיניכם ("You shall not stray after your hearts and after your eyes") which forbids tempting oneself with matters which might turn one away from the Torah.

The ban was met with resistance by Slifkin who vigorously defended himself on his Internet site on several grounds. First, he argued that there was nothing heretical in his books; his views were based on opinions already offered in the past by the greatest authorities in Jewish history.

No, <u>first</u> he cited the Haskomos and how he was denied the opportunity of dialog in which he could respond to his critics and the Gedolim who accepted the testimony of Slifkin's antagonists, but would not give him or those who were Maskim to his works the same opportunity to testify in his defense.

The ban was based, he claimed, on excerpts of the book taken out of context by extremists who manipulated the signatories, many of whom do not read English, into signing against them.

Rav Feldman wrote in a letter that was publicly released after his conversation with Rav Eliashiv, "Most important, Rav Eliashiv said that by his signature on the public announcement regarding the books he did not mean to rule that the author is a min or kofer. As far as he is concerned, Rav Eliashiv said, 'the author could be one of the lamed vov tzadikim'; the books nevertheless are forbidden to read. He was surprised when he was shown that the announcement described the books as kefira and minus." This certainly indicates that Rav Eliashiv was misinformed. It is one thing to opine that certain works should not be read and a very different matter to characterize them as heresy. For if indeed they are not heresy, such a characterization is clearly Loshon Hora. About a week after Rav Feldman released this letter to the public, Rav Eliashiv released to the public a letter indicating he had been misquoted and that he agrees to the wording of the condemnation characterizing Slifkin's books as heresy. I have no doubt that Rav Feldman heard correctly, quoted correctly and interpreted correctly. I even had a long conversation with him, at the time, wherein he elaborated on the theme as stated in his original letter. I will restrain myself from speculating as to why we seem to be getting mixed signals.

Secondly, the ban was unjustifiably personally cruel to him: it damaged his reputation and caused him to lose his job as a teacher of newcomers to Judaism. Finally, he portrayed the dispute as pro- or anti-science, with himself as a champion of truth and his detractors as uneducated deniers of the discoveries of modern science.

Slifkin's campaign was eminently successful. In short time, most people were convinced that the ban had no basis or reason, and that Slifkin had been unwarrantedly victimized. His campaign made the signatories appear easily swayed and naive. Easily swayed, because they had relied on the "extremists" and had not sufficiently checked the accuracy of their claims.

No, it was not Slifkin's campaign. Slifkin was merely defending himself, a right that even an accused criminal is entitled to. Slifkin would have gladly defended himself out of public view if only his antagonists had given him the courtesy of a meaningful dialog. Furthermore, it was not only Slifkin, but a groundswell of exculpatory (and, unfortunately, cynical) writings and an outcry over his ill treatment came from many sources. Primarily from the majority of the Gedolei Torah who wrote Haskamos on his books, also from numerous other prominent Talmidei Chachomim, prominent Frum scientists, numerous intellectuals, many of whom are Baalei Teshuva who were greatly influenced by Slifkin and his works, and by many, many ordinary Jews, who could not buy into the reasoning behind the ban and the associated vitriol. Furthermore, regardless of how opposing Gedolim would have handled the matter otherwise, unfortunately, I have heard from reliable sources, extremists were at the forefront of the campaign to condemn Slifkin (which is often the cause of an untoward result).

Naïve, because the tumult over the ban catapulted the books into best-sellerdom. The books had been previously virtually unknown but after the ban began selling by the thousands even at inflated prices — which meant that the ban accomplished nothing.

It is totally untrue that his books were "previously virtually unknown". His books were extremely popular among Kiruv workers, Frum Jews and potential Baalei Teshuva with a keen interest in resolving apparent differences between the writings of the Torah Sages (of all generations) and accepted scientific thought. Slifkin is a world-class master in this field.

Blogspots, Internet sites (mostly anonymous) where anyone with access to a computer can express his spontaneous, unchecked and unedited opinion with impunity, became filled with tasteless, derogatory attacks on these authorities, at times to the accompaniment of vulgar caricatures.

As a result, many thoughtful, observant Jews were beset by a crisis of confidence in the judgment of the signatories. This was an extremely vital crisis since these authorities constitute some of the greatest Torah leaders of our generation, authorities upon whom all of the Jewish people rely for their most serious decisions. More important, it threatened to make any of their future signatures on public announcements questionable. The irony of it all is that the books, which had originally been written to defend the honor of Torah, became one of the most potent vehicles in our times for weakening the authority of Torah.

As noted above, Slifkin fulfilled his obligation to consult with and receive written Haskamos from some Gedolei Torah. Therefore, blame for the Chilul Shem Shomayim is clearly on the shoulders of Slifkin's antagonists. Most if not all of the antagonists who publicly weighed in with an opinion condemning Slifkin are truly not knowledgeable in science. A notable example is a well-publicized article, The Relationship of Science to Torah, which demonstrates a profound lack of knowledge in an area that the author should have stayed clear from. His article, unfortunately, made a mockery of the intellect of Gedolei Torah (which the author most certainly is). Chazal say, "Mi Sh'ayno Baki B'tiv Gittin V'Kedushin Lo Yeheh Esek Imahen." The same goes for trying to defend Torah Judaism. Even in the days of Chazal, not every Tana or Amora would debate the Minim or the Chachmei HaUmos, special experts, such as Rebbe Yehoshua ben Chanania (Bechoros 8) were chosen for the task.

Since very few matters could be more serious, it is important to examine the issues of this affair and to render them in their proper perspective.¹

To attain this perspective, the foremost question to be addressed is: do the books contain anything which is antithetical to Torah - in which case the ban was justified, or do they not – in which case the signatories committed a grievous error.

If the books are forbidden and the ban is justified, then the other issues become secondary. The rabbis were asked if the book is permitted to be held in a Jewish home and were obligated to respond, as they are on any other halachic question. Their intention was not to halt the sales of the books, and it was not their concern if, as a result of their ruling, the book would sell more copies. If a rabbi is asked if a certain product is kosher, he is obligated to rule accordingly even if knows that there will be those who will rush out to buy the product for the thrill of eating something forbidden.

I disagree. "Chachom, Einov B'Rosho." Banning books in our day and age has demonstrably caused a swell in sales and reading of those books. I disagree that this is due to "the thrill of eating something forbidden." When prominent rabbonim declare a food item of questionable Kashrus, the company often goes out of business. Here, as in the case of My Uncle The Netziv, The Making Of A Gadol, The Maiden of Ludmir, and other books and articles that were condemned and banned, the public merely wanted to see what the tumult was about and to test if the ban was truly justified. These books were authored by Frum Jews; some of the authors are Talmidei Chachomim, and in almost all cases, although not in all instances agreeing with everything written, a major segment of intellectual Chareidi Jews concluded the bans were not justified. As mentioned in the beginning of this critique, differing legitimate opinions exist; Torah Judaism is not a

¹The opinions expressed here are totally and exclusively the personal views of the author and do not reflect those of any body, institution or organization with which he is associated, or those of any of the signatories - with whom this article was not discussed.

monolithic dogma. Thus, a Chochom of an opposing opinion, who would like to discourage the public at large from reading them (as these books cannot actually be censored) would be better advised to ignore them. I will not mention the case, but I can testify that one major Rav was approached to come out with a public condemnation of a particular book, but refrained from doing so for this very reason.

Also, as unfortunate as is the loss of employment of the author, if his worldview on Torah is incorrect this would indeed disqualify him from teaching newcomers to Judaism.

For about eight years, Slifkin has proven himself one of the powerful intellects in the Kiruv world. He has lectured and his material has been used by numerous prominent Kiruv organizations and Baal Teshuva Yeshivos and women's seminaries. The ban and condemnation came as a devastating blow to AJOP (Association of Jewish Outreach Programs) and many of its constituent organizations consider it a major setback to Kiruv of college-oriented youth. The majority of Gedolim who affiliate with and advise AJOP support Slifkin (albeit, one well-known Gadol, who took a strongly antagonistic position, did not show up this year to the AJOP convention).

There are two problematic theses in Slifkin's books which brought about the ban. These are: a) his approach to cosmology (the creation of the world), and b) his approach to the credibility of the Sages. Each of these need to be examined separately.

THE COSMOLOGY ISSUE

Most scientists believe that the world is 15 billion years old, and that the human species evolved from lower life forms. The Torah says that it is less than 6000 years and that man was created individually at the end of Creation.

It is quite obvious that the world *appears* older than 6000 years. One needs only look up to the sky and see stars billions of light years away for evidence of this.

I don't think it is possible to perceive that stars are "billions of light years away." Furthermore, The visible stars are not that far, visibility is a function of distance and brightness. Eta Carinae is considered the furthest visible star at 7500 light years distance. Is it possible, or even likely, that an astrophysicist reading Rav Feldman's article would opine, as a result of his comment on stars, that Rav Feldman lacks the knowledge to critique a scientific theory? Could this lead the scientist to doubt other contentions the rabbi might make, even those concerning Torah? Chachomim Hizaru B'Divreichem.

On the other hand, for a Torah Jew, because his ancestors experienced a revelation by G-d of Torah at Mount Sinai and the Jewish People bears an

unbroken tradition of that revelation, there is no doubt that the Torah is true. If so, the appearances which make the world seem older must have some explanation.

Very true. The simple meaning of the words in Maaseh Bereshis is only the most abbreviated hint as to the profound physical and spiritual components of the Briah. They are words of Moshe Rabbenu's prophecy and according to the Rambam may only be a Moshol K'dei L' Saber Es HaOzen and to give a starting point to the in-depth study of the mysterious miracle of Creation.

In truth, explanations are elusive. Creation does not follow the laws of nature. According to natural law nothing can come into existence *ex nihilo*; therefore by its very definition creation is an act which defies the laws of nature. The apparent age of the universe is based on observations made after the laws of nature came into being, and applying these observations to nature as it existed during the days of Creation is therefore illogical; for perhaps during Creation time passed at a greater speed, or perhaps natural reactions proceeded at a faster pace.

I think it is more logical to view nature from a different perspective than Ray Feldman has stated, "Creation does not follow the laws of nature. According to natural law nothing can come into existence ex nihilo; therefore by its very definition creation is an act which defies the laws of nature." I contend, Creation cannot be "an act which defies the laws of nature," for was it not G-d Almighty who created nature? The Creation was a merging of the substance of the universe, matter, with the laws of nature, form, by the "utterances" of Hashem. In a sense, this totality was created ex nihilo. The laws of nature can be viewed as a computer program, which give instructions to matter of how to act and react depending on internal and external forces and stimuli. Similarly, DNA contains the mind-boggling instructions of life. In nine months from a simple single undifferentiated cell, a full human being, in all of his complexity, emerges. There are three partners in the creation of every person. G-d, the mother and the father. Is it not reasonable to say that G-d's participation in the Yetziras HaVlad is in the physical material He created ex nihilo from Maaseh Bereshis and the laws of nature merged into the material that causes the single cell to split, differentiate and develop into a human being? Thus, perhaps, the time element plays no role in G-d's contribution to the partnership.

In spite of these considerations, several explanations have been offered by the great commentaries of the previous generations. Basing themselves on Midrashim which say that G-d created many worlds before ours and destroyed them, some say that the earth upon which these worlds were built was not destroyed.² Accordingly, the world is as old as the first

² *Tiferes Yisrael* in *Derush Ohr Hachayim*, the end of Sanhedrin in the standard edition of Mishnayos. Some vigorously dispute his theory, explaining that the Midrashim refer not to previous physical worlds,

world created while the six days of creation of the Torah refer to our present world. Along the same lines, sources in Kabbala state there are seven cycles in creation and that we are in the third cycle or, some say, in the fifth. *Leshem Shevo VeAchlama*, basing himself on Kabbala, states (without addressing the issue of the age of universe) that each of the 24 "hours" of the day during the days of Creation was at least a thousand times the length of present day hours. In fact, he says, longer "hours" continued, albeit at a reduced pace, until the Generation of the *Mabbul* (Flood).

Is Rav Feldman claiming the above explanations have a scientific basis? I would tend to understand these theories in the realm of Drush, which is a legitimate modality of Torah learning. But we must be careful not to take a path that may lead to a dead end. Even claims of scientists from 100 years back have been largely discarded. If the objective is to give plausible explanations to not yet Frum Jewish university students, it behooves the expounder to attempt to resolve these matters with the latest acceptable science (if that is his intention). This leads us to the following explanation, which has been promulgated by Rav Schwab, Dr. Schroeder, Dr. Goldfinger and other scientific savants of our generation.

Still others have explained that though there were 24 of our present day hours in each day, but that time flowed at a different, more compressed speed during the days of creation; in other words more events occurred during the course of a day even though a day lasted from the light of one day to that of the next.⁴ According to all these explanations, the world could appear to be vastly old and yet would still not be older than the age which the Torah gives it. All of these interpretations do not distort in any way the plain meaning of the Torah.

Slifkin has a totally different explanation. Rather than saying that the six days of creation were literal days, i.e. periods of time extending from the beginning of one day to the next, which is the position of the above explanations and of virtually every commentary on Torah, he posits that they refer to actual 15 billion literal years during which the world evolved from the first Big Bang until the creation of man. The six days of creation, explains Slifkin, do not refer to the real world but are concepts of creation

but rather to spiritual worlds – in which case no record of these worlds would be found in the present world. However, the great halachic authority, the *Maharsham*, in his *Techeylas Mordechai* Sec. I, praises the *Tiferes Yisrael's* view.

³ Sefer De'ah, Sec II, Derush 3, Anaf 22, by R. Shlomo Eliashiv, known as the teacher of the Chafetz Chayim in Kabbala and considered to have been the last true master of this body of wisdom. He was the grandfather of R. Yosef Shalom Eliashiv, Shlita, considered by many to be the greatest living authority on Torah law, and one of the signatories to the ban.

⁴R. Shimon Schwab in his *Collected Writiings*. This would explain the saying of the Sages that Kayin and Hevel were born immediately after their conception. That which took nine months after the six days of Creation occurred during these days in a few seconds.

which existed in G-d's mind.⁵ Accordingly, there were no six separate acts of creation, as the Torah teaches, but a seamless evolution put into action at the first moment of Creation, a single act which expressed six Divine concepts.

More accurately Slifkin explains there were six stages of creation that unfolded as a result of the instantaneous original act of creation *ex nihilo* (the Big Bang) consisting of material invested with form (the laws of nature as explained above). Not only is this a plausible theory on a deep intellectual level of Torah thought and not only does it have credence from a scientific perspective, but it seems to fit well with the explanation of the of Ramban (as I note below) and Rabbeinu Bachaya (among other Gedolei Olam).

In support of this he cites the Ramban's statement that all matter was created from an original matter called *hyle* (*hiyuli*). This, however, has no bearing on the issue: the Ramban never said that there were no other acts of creation after the creation of the *hyle*; only that the *hyle* was the material with which the rest of Creation was formed, each on its own day.

Here is what the Ramban says (B'Kitzur) (Bereshis 1:3). Know that the six days of creation were days composed of time elements. This is in accordance to the literal meaning of the scripture. But the deep meaning of "days" are extremely esoteric Sefiros, because each active statement of creation is referred to as a "day." Clearly the Ramban is saying here, that according to the deep meaning, as opposed to the literal meaning, "day" is not referring to a time period.

Another source given for his theory of Creation is a cryptic statement by Rav E. E. Dessler, cited by Slifkin at least twice, that before man was created the idea of time was meaningless and the idea of "days" is simply man's way of perceiving this pre-human "time". Slifkin implies from this his theory that the days did not really occur in the real world. But Rav Dessler is not saying this. All Rav Dessler is saying is that humans perceive the "time" of Creation as "days." He makes no mention of the days as being Divine concepts.

One of the greatest experts alive on the writings of Rav Dessler is Rav Aryeh Carmell, who was a Talmid Muvhak, edited the writings and brought them to publication. Rav Aryeh Carmell is one of the Maskimim to Slifkin's writings and, I am under the impression has advised him in understanding Rav Dessler's "cryptic statement."

⁵ Science and Torah p. 120, 122.

⁶ *Loc.cit* p. 126.

⁷ I have learned that Slifkin has subsequently retracted this source.

⁸ Michtav MeEliyahu Vol IV, p 113 and 114; loc.cit p. 128, 130.

⁹ *Loc. cit* p 130.

Furthermore, says Slifkin, although the Torah relates that vegetation came before the luminaries (on the third and fourth days, respectively) and birds came before animals (on the fifth and sixth days, respectively), the actual order of creation follows the view of current scientific opinion, that the luminaries preceded vegetation and that animals preceded birds. 10 Slifkin explains that the Torah refers to G-d's conceptual plan of creation, not to its actualization. In reality the luminaries and the animals came first; conceptually, in G-d's mind, the order was reversed. 11

To explain G-d's mind, Slifkin suggests that birds and fish are more spiritual than animals since they "fly" through their media of locomotion, and also their habitats are blue (the sky and the sea) which is a more spiritual color.12 He does not explain why vegetation is more spiritual than the luminaries

In support of this theory that the actual order of creation did not follow the order written in the Torah, Slifkin applies the principle, Evn mukdam u-me'uchar batorah – "The Torah does not follow a chronological order." This application borders on the absurd. The Talmud employs this principle only to explain why two separate portions of the Torah do not have to follow a chronological order. 14 In no way can it be employed to uproot the plain meaning of the verses which explicitly give a specific order for creation.

I must agree with Ray Feldman on this point. Slifkin's objective is to resolve issues that pose difficulty for the scientific oriented reader. This issue is a great quandary and perhaps no explanation, or -- Tzorech lyun, would have been a better reply over here. I am sure there is a rational answer and one that would satisfy the Frum scientific mind, however this is truly Slifkin's weakest point. Despite being the weakest point, (http://zootorah.com/controversy/sources.html) on his web site an interesting passage in Michtav Me-Eliyahu vol. 5 p. 348, in which Rav Dessler seems to diminish the importance of the physical chronological order. Nevertheless, since so many other aspects of Slifkin's writings are so well done, I feel he is entitled to Mechila on this one point. But even if balking on the literal order of creation as enumerated in the days of creation is "absurd" as Ray Feldman posited, it's still not heresy. (I myself developed a (quasi-scientific) theory as to why the vegetation preceded the luminaries in Maaseh Bereshis and how to answer the contradiction of science and the Torah's account in the order of creation (and how to reconcile that six days were six days as we define them).

¹⁰ Loc. cit. p 119. ¹¹ Loc.cit. p 119

¹² *Loc.cit.*, p.132-3 and Note 3.

¹³ *Loc. cit.* p. 131-2.

¹⁴ Pesachim 7b; Sanhedrin 49b.

Slifkin goes on to posit that the Theory of Evolution in one form or another is a fact – only mentioning in passing those eminent scientists who have discredited this theory because the discovery of the DNA molecule make it statistically impossible. ¹⁵

The discovery of DNA and many other phenomena in the physical universe that demonstrate profound order, make <u>random</u> evolution statistically impossible. But Slifkin's entire book is dedicated to tear down the heresy of random evolution. I have a feeling that some of his antagonists may have missed his point altogether so I will reiterate it right here.

Yes, the universe evolved, but it was <u>guided</u> evolution. I would characterize it more as programmed evolution. Think of the example I gave above about the single cell "evolving" into a human being. The primordial simple point of matter that was created *ex nihilo* was vested upon creation with the laws of nature (Sefiros or Maamorim) to grow and develop into the vast and complex universe as we see it today. It didn't happen by accident or through random influences. Only, it was programmed by Hashem from the very beginning to grow, unfold and develop to full creation as completed by the first Shabbos.

According to Slifkin, when the Torah says that man was created, it means that the human species evolved until a certain point in time when this species was invested with a Divine spark which made it "human" in our sense of the word. ¹⁶

Slifkin's theory as I explained just above is based directly upon the words of Rabbi Samson Raphael Hirsch. However, Rav Hirsch stated "Even if this notion (evolution) were ever to gain complete acceptance by the scientific world," Slifkin merely recognizes the fact (right or wrong) that the majority of the scientific world in our day and age has accepted the notion. Here are Rav Hirsch's words:

(The Educational Value of Judaism, in *Collected Writings*, vol. VII, p. 264)

Even if this notion (evolution) were ever to gain complete acceptance by the scientific world, Jewish thought, unlike the reasoning of the high priest of that nation (presumably Charles Darwin), would nonetheless never summon us to revere a still extant representative of this primal form (an ape) as the supposed ancestor of us all. Rather, Judaism in that case would call upon its adherents to give even greater reverence than ever before to the one, sole God Who, in His boundless creative wisdom and eternal omnipotence, needed to bring into existence no more than one single, amorphous nucleus, and one single law of "adaptation and heredity"

¹⁶ Science of Torah p. 179.

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¹⁵ *Cf.* Professor Alvin Radkowsky, *Encounter*, 1989, p58, AOJS, citing Nobel-prize winning physicist, E.P. Wigner, that the probability of a simple life-form arising spontaneously from primeval "soup" and reproducing itself (as current evolutionary theories have it) is zero, or impossible.

(Darwinian evolution) in order to bring forth, from what seemed chaos but was in fact a very definite order, the infinite variety of species we know today, each with its unique characteristics that sets it apart from all other creatures.

He does not explain why the first woman, who presumably evolved together with man, had to taken from his side, as the Torah teaches us she was.

Even according to Chazal there are various explanations that conceive "the rib" was not literal, for example the Perush of Du Partzufim, male and female in one body, back to back.

These cosmological explanations have no basis in any commentary or Midrash and clearly violate the plain meaning of the Torah. Like the famous archer who painted the targets after the arrows landed and thereby ensured himself a perfect bulls-eye each time, Slifkin uses questionable sources as proofs for his *a priori* belief that the theories of modern science which he cites are indisputable fact.

It is possible and even likely that Chazal purposely hid the deepest explanations of Maaseh Bereshis. Only as scientific knowledge developed, it became necessary to delve into these matters (in accordance with the Rambam's understanding of Maaseh Bereshis). In our day and age of computers, space and other physical technologies, we can no longer ignore the yearning of many individuals to hear plausible scientific explanations that eliminate contradictions from literal understandings of Tanach. Thus, not too many sources exist from Chazal and we are left to a great extent to rely on creative and innovative interpretation. This method of interpretation was ubiquitously utilized by Malbim (see his explanation of the Flood and the rainbow).

Interpretations which have no basis in the Written or Oral Torah and which contradict the tradition of the Midrashim and the commentaries are perversions of Torah ideas and may be classified as *megaleh panim baTorah shelo ke-halacha* (distorted interpretations of the Torah) which are forbidden to study. Even if the Torah authorities who signed the ban based their ruling on excerpts which were translated before them, it would therefore appear that they were not misled. They were perfectly justified in terming his views inauthentic interpretations of Torah.

As noted above, Slifkin received support from Gedolei Torah and it is a mischaracterization to describe his alternative opinions as "inauthentic interpretations of Torah." Furthermore, is Rav Feldman willing to state that the Rambam, Rav Hirsh, Rav Dessler and other recognized Gedolim of the past promulgated "inauthentic interpretations of Torah"? If we look into Chazal, Rishonim, Acharoim, etc. we always find a plethora of varying and often contradictory explanations on Pesukim and Torah subjects. Thus, once an explanation is

certainly excluded from the status of Apikorsus, how could it be deemed, "inauthentic interpretations of Torah"? Halacha is different, because, generally we can only pasken one way. If the consensus (for a particular community, as noted below) Paskens that a certain halacha deems a piece of meat to be Treifa, the Daas Yochid (within that community, as noted below) who Paskens it is Kosher must not be accepted, however it is perfectly permitted to study the sources and the logic of the Matir. Why don't we say similarly with "Perushim"? No one is compelled to accept the "Perush " of one commentator over the other. And even if there is a prevailing interpretation that is widely accepted, where is the Issur in studying other Perushim on the subject that disagree? Ramban says on Rashi all the time, "Ayno Nachon", the Ralbag, Eben Ezra and Abarbenel cite some very strange opinions on occasion, which we generally do not accept (some much more radical than Slifkin's), yet I have not heard of any ban issued on those writings.

We will now turn to the second problem in Slifkin's books, his view regarding the credibility of the Sages.

THE CREDIBILITY OF THE SAGES

There are many places in the Talmud where statements made by the Sages seem to contradict modern science. The most common are the cures and potions which the Talmud gives for various diseases. Our great halachic authorities have noted the phenomenon that these cures, in the vast majority of cases, do not seem to cure illnesses in our times.

The most widespread explanation offered for this is *nishtanu hatevaim*, "nature has changed" - cures that worked in the times of the Talmud are no longer effective. ¹⁷ There are many examples of illnesses and cures, which because of environmental and nutritional differences and physical changes to the body over the years are no longer effective. Another explanation is that we cannot reproduce these cures, either because the definitions or the amounts of the ingredient of these cures are unspecified in the Talmud. ¹⁸ It has also been suggested that the cures had their effect on the inner, spiritual level of the affected person, and therefore were effective only for the people of the era of the Sages who were on a higher spiritual level than nowadays but not for later generations when increased physicality did not permit the cures to take effect.

Against these explanations, there is another opinion which Slifkin uses explicitly and implicitly in his books. This theory goes as follows. The Sages based their wisdom on the medical knowledge of their times. This would seem perfectly legitimate, for why should they not rely on the experts of their time on issues not directly addressed by the Written or the Oral

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¹⁷ Tosafos s.v.kavra to Moed Katan 11a, and many other places.

¹⁸ Teshuvos Chavos Yair No. 234.

Law? Therefore, when subsequently medicine indicates that these cures are ineffectual, there would be nothing disrespectful in asserting that the scientific knowledge of antiquity available to the Sages was flawed.

This approach is mentioned by many eminent authorities in Jewish history. Rav Sherira Gaon¹⁹ mentions it with respect to cures. R. Avraham, son of the Rambam, mentions it with respect to all science and the Rambam with respect to astronomy.

Pachad Yizchok²⁰ says that statements in the Talmud which seem to uphold spontaneous generation are incorrect, even though we do not change any laws based on their words. Rav Shamshon Refael Hirsch applies this argument to animals mentioned in the Talmud which do not seem to exist nowadays. Finally, a conversation with R. Eliyahu Eliezer Dessler recorded by Rabbi Aryeh Carmel indicates a somewhat similar approach.²¹

This approach (henceforth, that of R. Avraham) is used often by Slifkin to explain many difficulties he has with the Sages' statements.²² With it he explains why we have no record of certain animals mentioned in the Talmud, and why certain rules of the Sages regarding animals seem to have exceptions. Because they based themselves on the information available at their time, they simply made a mistake.

This theory, more than the first, has caused the most misunderstanding. How could Slifkin be faulted for espousing a view stated by giants of previous generations?

The answer to this question is that although these giants did indeed espouse this view, it is a minority opinion which has been rejected by most authorities since then.

In Lev Avraham Dr. Abraham Abraham-Sofer,²³ discusses why the cures mentioned in the Talmud should not be relied upon in actual practice. As above, he explains that either a) the cures worked for the Sages but not for us; or b) following R. Avraham, that the Sages erred when they thought that these cures work. In a note to a later edition of this work, the world famous authority R. Shlomo Zalman Auerbach asked to add the following comment: "The principal explanation is the other views; that which is

²⁰ By Rav Yitzchak Lampronti in *Pachad Yitzchak*, entry "*Tzeydah*."

¹⁹ Of the Geonic era..

²¹ Rabbi Aryeh Carmel, citing an informal conversation with Rav Dessler, in a footnote to *Michtav* MeEliahu IV p. 355 that the Sages never erred in the final halacha, although they may have erred in the reason they gave for it..

²² It is a recurring theme of his book, *Mysterious Creatures*, where he assumes that the Sages relied on various legends of antiquity.

²³ P. 60. This is a work on medicine and Halacha, by Dr. Avraham Avraham-Sofer, a noted *chareidi* Israeli physician who was in constant consultation with R. Shlomo Zalman Auerbach.

written "when the Sages spoke etc." [R.. Avraham's view], should be mentioned in the name of *yesh omrim*."²⁴ This means that the view of R. Avraham is a minority opinion which only "some say."

Ten years later, a scholar, ²⁵ about to publish a book on the topic of Torah and health, asked R. Shlomo Zalman how an opinion held by such giants of Jewish history can be relegated to the position of *yesh omrim*? Rav Auerbach responded in a letter stating that he did not remember his sources (it was ten years later), but he believes one source to be that it is the accepted opinion of *poskim* that we rely on the medical opinion of the Sages to violate Shabbos even though according to modern medical opinion the cures are ineffectual and we are violating Shabbos unnecessarily. Thus, for practical purposes we reject the view of R. Avraham.

There are other sources that this opinion is only one which "some say." In countless places where the commentaries, whether *Rishonim* or *Acharonim* (Early or Later Authorties), are faced with a contradiction between the science of their times and a statement of the Sages, they commonly apply the principle, *nishtanu hateva'im* ("nature has changed"). Had they held R. Avraham's view, they would have simply explained that the Sages erred in following whatever was the medical or scientific opinion of their times.

The Rivash,²⁷ the Rashba ²⁸ and the Maharal²⁹ write, as well, that it is forbidden to say that the Sages erred in matters of science.

Leshem Shevo Ve-achlama³⁰ writes:

The main thing is: everyone who is called a Jew is obligated to believe with complete faith that everything found in the words of the Sages whether in *halachos* or *agados* of the Talmud or in the Midrashim, are all the words of the Living God, for everything which they said is with the spirit of God which spoke within them, and "the secret of God is given to those who fear Him (סוד ה' ליראין)." This is just as we find in Sanhedrin 48b that even regarding something which has no application to Halacha and practical behavior, the Talmud asks regarding [the Sage] Rav Nachman, "How did he know this?" and the

²⁴ Ib. p. 19.

²⁵ Rabbi Yosef Yitzchak Lerner of Jerusalem.

²⁶ Hishtanus Hateva'im, by Rabbi Neria Moshe Gutel, lists these places, Slifkin suggests (p. 207, Note 1) that R. Moshe Feinstein uses the principle of *nishtanu hateva'im* as a euphemism for R. Avraham's opinion. This is too brazen an absurdity to require refutation..

²⁷ Teshuvos Harivash No. 447.

²⁸ Toras Habayis, Mishmeres Habayis, Bayis 4, Shaar 1.

²⁹ Be'er Hagolah "Be'er Hashishi."

³⁰De'ah, Sec. II, Derush 4, Anaf 19, Siman 7 (p. 160). See Note 3.

reply given is [that he knew this because] "The secret from God is given to those who fear him..." ³¹

For argument's sake I will accept Ray Feldman's premise that Slifkin's writings represent a "minority opinion". But here's the point: even in halacha there is a well founded principle. B'shaas H'd'chak or B'makom Hatzorech, one may rely on a Daas Yochid, a minority opinion. Until recently, Slifkin and his material was an integral and highly successful part of the world Chareidi Kiruv movement. As noted above, many of those professionals in the field of Kiruv attending the 2005 AJOP convention were stunned, angered and confused over the unfortunate vitriolic condemnation of Slifkin and his works. When we are talking about saving lost Jewish souls, and we have a modality that has been time proven for years, wouldn't it make sense to consider it constitutes a Makom Tzorech and we can be Maykel and utilize the opinion of a Daas Yochid to accomplish a goal of Hatzalas N'fashos HaRuchnios? And if you ask, "there are others such as Dr. Schroeder, Rav Schwab, etc. who have treated these matters that can be used instead." I have two challenges, 1. Essentially there is no difference between their approaches and that of Slifkin in terms of method, only in content. I would assume that Rav Eliashiv and those who subscribe to the literal text, would hold the exact same disapproving opinion if presented with their theories. 2. As noted by many of the Haskamos on Slifkin's books, his excellent and unique style, and even the conclusions he draws may (actually have proven) appeal to some lost Jews, who wouldn't be as impressed by reading the works on these subjects written by others.

The Chazon Ish, considered by many to be the *posek acharon* (final Torah authority) for our times, writes in his "Letters" that "our tradition" is that the *shechita* of someone who denies the truth of the Sages whether in the Halacha or Aggada (the non-halachic parts) of the Talmud is disqualified just as is someone who is a heretic.

The Ramban in his Debate explicitly argues against this premise. He states that it is not an essential article of faith to accept the literal statement of a Medrash. He states an individual is not a heretic for doubting its veracity or ascribing a deeper non-literal figurative meaning to the passage if he so desires.

He adds that experience has shown that those who begin questioning the truth of the Sages will ultimately lose their future generations to Torah.³³

³¹ This applies where the Sages are stating a fact, not where their intention is allegorical. Ramchal (*Maamar al Hagados*) says the Sages employed scientific pronouncements to convey veiled mystical truths but were not necessarily true in themselves. It does not appear that the *Leshem* or the other opinions would disagree with this.

³² Section I, Letter 15.

None of these opinions apply this approach to the words of the *Rishonim* or *Acharonim*; only to the Sages. They would not apply as well to passages in the Sages which are allegorical.

This is most certainly true in the case of the early Reformers. But, Slifkin does not challenge the greatness of Chazal and the sages of previous generations, nor the plethora of Gedolim who, throughout the generations, have subscribed to R. Avraham's opinion (I am not sure why Rav Feldman refrained from making his general reference throughout the article: The Rambam's opinion). Throughout his books, not only does Slifkin treat Chazal with the utmost reverence, he labors diligently and yet intellectually honestly to demonstrate their expansive and wide-ranging greatness. As to his recognition of R. Avraham's opinion, he merely states that Chazal were learned, and comprehensively so, of the science of their times and they publicly accepted that knowledge as a practical matter.

I would posit that the Halacha may require that the Rabbonim of each generation Pasken according to the science of the times. It is not their job to do research to either prove or disprove contemporary science. They are judges who Pasken the facts as they are presented. In actuality there are extremely few instances where Chazal argued against the accepted science of their times (there are even citations where Chazal admitted they were wrong and the non-Jewish scientists were correct). The vast majority of the strange creatures and phenomena which modern science challenges as cited in Chazal are also found in the non-Jewish scientific literature of the times. You can probably count on one hand the instances where Chazal disagreed with the science of the times or brought proofs from Tanach as to a scientific fact.

My personal theory is that most certainly if Chazal wanted to invest the time into scientific research, after a generation or two, they could have invented an atomic bomb. But it didn't happen. First, they spent their time plying the depths of Dvar Hashem, but second, they saw no net advantage to man. Just the opposite, although we communicate and travel more easily nowadays, and have better medicine and air-conditioned homes and have mechanical slaves to do back-breaking work, the very same technology has been abused and utilized to murder millions of people, caused a segment of mankind to live in misery and has freed up time for mankind to get into all kinds of mischief. Accordingly, perhaps Chazal, privately, were skeptical of some accepted scientific "facts and theories" of their times. However, perhaps they did not want to even hint that those facts and theories would eventually be discarded; they felt it was healthier for the world to remain in the dark and not to develop technology at too rapid a pace (even to the extent of Paskening Halacha based on faulty science).

Why does mainstream opinion reject R.Avraham's opinion? This is not because they considered the Sages greater scientists than their modern counterparts. Rather, they believed that, unlike R. Avraham's view, the source of *all* the knowledge of the Sages is either from Sinaitic tradition (received at the Giving of the Torah) or from Divine inspiration. That they were in contact with such sources in undeniable. How else could we explain numerous examples where the Sages had scientific information which no scientist of their time had? How were they so precise in their calculations of the New Moon?

As stated above, even though all knowledge is encrypted in the Torah, it would have been kept strictly secret to the extent that even if discovered or received as a Mesorah, it may have been purposely suppressed for the benefit of mankind. (By the way, several ancient cultures were privy to the same accurate astronomic calculations.)

How did they know that hemophilia is transmitted by the mother's DNA, a fact discovered relatively recently?³⁴ How did they know that "a drop exudes from the brain and develops into semen" ³⁵ without having known that the pituitary gland, located at the base of the brain, emits a hormone which controls the production of semen. None of this could have been discovered by experimentation Either they had a tradition directly teaching them these facts, or they knew them by applying principles which were part of the Oral Torah regarding the inner workings of the world. Thus they knew the precise cycle of the moon; they knew that there was a relationship between the coagulation of blood and motherhood; and they knew that there was a relationship between the brain and male reproduction.

Has Rav Feldman researched the thousands of medical and scientific works from the early Egyptian, Roman and Greek periods to be so sure that this knowledge was not found in their literature? Chochma BaGoyim Ta'amin.

Furthermore, the Talmud is not a mere compilation of the sayings of wise men; it is the sum total of *Torah -she-be-al-peh*, the Oral Torah which is the interpretation of the Written Torah. It is, then, the word of G-d, for which reason we are required to make a *birchas hatorah* (a blessing) before we study it, which we do not make before studying other wisdoms. As the *Leshem* cited above says, if even regarding matters which are not related to halacha, the Sages say, *sod Hashem liyerav*, "G-d reveals the secrets of nature to those who fear him," then certainly there must have been *siyata dishmaya* (Divine assistance) and even *ruach hakodesh* (a Divine spirit) assisting the Sages in their redaction of the Oral Law. It is therefore inconceivable, to these opinions, that G-d would have permitted falsities to have been transmitted as *Torah She-be-al-peh* and not have revealed His secrets to those who fear Him.

³⁴ It is forbidden to circumcise a child whose brothers have died from bleeding after his circumcision, מתו מילה אחיו מחמת מילה, because of a danger that he too might die. Since the brothers died from what we know now as hemophilia, and we are afraid that this condition is hereditary. Since this prohibition applies only to a maternal brother, the Sages knew that hemophilia is inherited through the mother, a fact discovered relatively recently.

³⁵ Source from Kabbala works cited many places, as in *Kehillas Yaakov* (by the author of *Melo Haro'im*), *Erech Holada*.

Not "falsities transmitted as *Torah She-be-al-peh*," but, perhaps, for the reason mentioned above or as cryptic statements alluding to deep Torah concepts utilizing ideas and beliefs contemporary to Chazal's day. Even Rav Aharon Feldman has written books that decipher cryptic passages in Chazal!

One of the most powerful reasons why R. Avraham's opinion was rejected by most opinions, is the introduction of the wisdom of Kabbalah of the Ari Zal in the sixteenth century. This cast the Sages in another dimension. Before then, many authorities had held that the esoteric wisdom described in the Talmud as *Ma'aseh Breyshis* and *Ma'aseh Hamerkava* was science and philosophy. After the introduction of Kabbalah it became clear that these were the *Sefer HaYetzira*, the *Zohar* and the *Tikkunim*. This was accepted by the overwhelming majority of Torah scholars since then. Kabbala made it clear that when the Sages spoke, they based themselves on their knowledge of the mysteries of creation. This would give them an accurate knowledge of matters of natural science as well.

Certainly for the great sages and savants who truly understand Kabbalah this is true. But for the vast majority of mankind, even intelligent mankind, Kabbalah remains a hidden and sealed wisdom. The majority of those who pay lip service to Kabbalah don't have the slightest understanding but accept it in a purely dogmatic sense. As a scholarly discipline, it is truly a post, postgraduate academic pursuit. On the other hand, much of the accepted Hashkafa found in Musar Seforim, Rav S. R. Hirsch, and many contemporary Gedolim who expound Hashkafa tend more toward the rational explanation of Torah Hashkafa, which necessarily must contend with contemporary issues such as science and technology. Certainly for modern intellectual university students the rational approach will make more of an impression than a nomenclature that is largely incomprehensible for all but the most experienced Kabbalah scholars. Of course there are many who are attracted to mysticism and the occult who fool themselves into thinking they understand the Kabbalah, but we must not dismiss the serious intellectual who would strive to accept Torah Judaism upon understanding and accepting it from a rational perspective.

In any event, R. Avraham's opinion is a minority opinion, one of many which have fallen by the wayside in the course of the centuries and which we do no longer follow. Thus, on the issue of the credibility of the Sages as well, the signatories to the ban were correct in terming Slifkin's books as perversions of the correct approach to the Sages' words.

³⁶ See *Leshem Shevo Veachlama*, *ib.* where he discusses this change wrought by Kabbalah.

³⁷ This is constantly seen in the writings of the Vilna Gaon who, besides being a towering authority on Halacha, consistently shows how the Talmud's statements are based on the secrets of Kabbala.

R. Avraham's opinion has most definitely not fallen by the wayside. It may (or may not) be the minority opinion of Torah sages from the previous generations, but I think it is demonstrably making a strong comeback, especially among contemporary Torah scholars who possess an above average scientific knowledge. I first heard this opinion over thirty years ago from the well-known illuy.

R. Yosef Shalom Eliashiv, a signatory to the ban, was asked: if he considers Slifkin's approach wrong how could so many earlier authorities have held it? He answered: "They were permitted to hold this opinion; we are not." In other words, they were authorities in their own right qualified to decide matters of Jewish law. We are not permitted to do so. We are enjoined to follow the majority opinion and our tradition as to how we are to approach Torah.

Can an individual on his own decide to follow the minority opinion? No more than he is permitted to do so in any matter of Jewish law⁴⁰ and certainly not in matters which determine our basic approach to *Torah she b'al peh* which is the domain of the *poskim* (recognized decisors of halacha) of the Jewish people.

I respectfully disagree. Chazal say, Aseh Lecha Rav. Certainly a Jew who is a member of a (legitimate Torah) community must subscribe to the established customs, Psak and Hashkafos of that community. The majority of what Klal Yisroel does or Paskens for any one given Din or Hashkafa has no pertinence or imperative on a member of a legitimate Torah community who subscribes to a different custom. A noted example is the Chelev D'Bene Rinus. Chasidim have their minority Minhagim, such as eating before Kiddush, and stretching Zmanim of Tefiloh, which the majority of Jews (Ashkenazim, Sefardim, Germans Jews, etc.) don't accept. The majority of Tefilin observant Jews (Chasidim and Sefardim) don Tefilin (Ksav Ari Zal) which the Chazon Ish considers Pasul. German Jews (a small minority of Klal Yisroel) will not read Brich Shemei, a passage from Zohar, before Krias Hatorah. They also subscribe, for them legitimately so, to the Hashkafos of Rav Hirsch (who is one of the main sources of Slifkin's thesis). Only Yemenite Jews won't eat koshered meat (salted) until it is thrown into a boiling pot of water. Satmar Chasidim and some Sefardim won't allow women to wear Sheitels without a hat. Hungarian Rabbonim

³⁸ Conversation with the author. Since we are not permitted to follow Slifkin's views, R. Eliashiv believes that they can be rightfully categorized as heresy (*apikorsus*) as the ban's wording had it. I believe this is because they diminish the honor and the acceptability of the words of the Sages, which has the status of *apikorsus*.

³⁹ It also explains why Rav Eliashiv, in the above conversation with the author, said that one cannot rule that Slifkin is a heretic (*apikores*) even though the views he espoused have the status of heresy, as in the previous note. My understanding of his opinion is that Slifkin did, after all, intend to give a correct interpretation of the Torah and he did follow, at least, a minority opinion. Nevertheless, Rav Eliashiv added, "Even if he is one of the *lamed vov tzadikim*, these books may not be taken into a Jewish home." ⁴⁰ It should be pointed out that the principle, the majority opinion rules, applies equally to ideas as well as to practical halacha. Beliefs, besides falling under certain commandments, affect a Jew's status with respect to various laws and are therefore also part of practical halacha.

are Maykel on Maaros, Litvishe Rabbonim are generally stricter. A Baal Teshuva may choose the community or Ray he wishes to follow, even though he may have a minority opinion on a particular matter. I believe Rav Eliashiv's statement concerning Hashkofa, "They were permitted to hold this opinion; we are not," the "we are not" only refers to Rav Eliashiv's limited sphere of influence and that even he would not argue that members of another community have the right to follow their Gedolim. Perhaps, he was merely stating that an individual without guidance from an established community custom or Rav Muvhak, should not pick and choose obscure opinions from Gedolim of the past. Furthermore, I am sure Rav Eliashiv was concerned that simple Frum Jews who lack all knowledge of science could have their faith shaken by reading plausible theories, which contradict everything they were taught since kindergarten. But it is clear that Slifkin was not writing for that audience and besides, his books are very technical and written in English. Certainly no harm would have accrued to the element that should not be reading the books had the entire affair remained under control, but due to the present notoriety generated by extremists, some may now read it for whom it may not be beneficial. Even now, I doubt that anyone who makes a proper effort to understand the books would be damaged.

What about the conflicts between science and the Talmud which Slifkin raised? Like all difficulties in our Torah studies, we are obliged to seek solutions. However, the solutions have to be within the parameters of the true interpretation of the Torah and of the proper honor to the Sages. The fact that we are faced with a problem does not permit us to compromise our obligation as to how to properly approach Torah. In the meantime we can be sure of one thing: the answers which Slifkin proposed are not the right ones.

"In the meantime we can be sure of one thing: the answers which Slifkin proposed are not the right ones." How can we be sure? It seems presumptuous to propose that there is a monopoly on correct answers to questions that defy any basis to prove the veracity of the answer. Besides, even if we posit that the numerous Gedolim of the past who subscribed to R. Avraham's opinion were in the minority that does not dictate that they were wrong. These questions were never voted upon in the Sanhedrin in Yerushalayim nor in any Bais Din to apply, Achar Harabim L'Hatos. A major tool of Christian missionaries to prove their position has always been, "we are in the majority, the Jews only comprise a small insignificant minority." Even within Judaism, it has always been that only a small minority were truly learned and understanding of the depths of Torah. Another question is: who gets to vote? How do you define a Gadol?

Slifkin's answers may not be the right ones for some Jews, but on the other hand, for the past eight years, his answers have made quite an impression on highly intelligent lost Jews interested in investigating the wisdom of their heritage. If numerous intelligent and

⁴¹ There are cogent answers to the questions which Slifkin raised but these will of necessity, G-d willing, have to be the subject of another article.

searching Jews become Shomer Mitzvos because they feel comfortable with the Hashkafos and deep Torah explanations as proposed by Slifkin (based on numerous Gedolim of the past and with the approbation of several Gedolim of the present), then indeed, how can anybody categorically assert that his answers are not the right ones?

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