

EPILOGUE

PARTING WAYS

Just before we part ways, we take an accounting of the path we shared, of our shared time. In the pages that follow, I part ways from the reader.

Deuteronomy 22:1-4 enjoins us to return a lost object to its rightful owner.¹ In an astoundingly attentive reading of those verses, the rabbis codify that we have two options if we chance upon a lost object.² Either that object is now legally mine because circumstances forced the (former) owner to forfeit any chance of claiming it, or it still rightfully belongs to the former owner, in which case I am now obligated to find that owner and return the lost property. The key word in those Biblical verses—“you may not ignore [the object]”—achieves legal instantiation: if the owner still has a claim on the object, I may not carry on my way and pass it by; I must assume responsibility for the object and do my utmost to return that object to its owner, even if doing so requires hardship. On the basis of a sensitive reading of the Biblical injunction “you may not ignore [the object],” the rabbis not only translate into clear, legal terms the moral quandary as to what we must do if happening upon a lost object. They do so while expressing a keen awareness of the deep human inclination to ignore the object, and an uncompromising commitment to the religious demand of the hour—namely, to resist that temptation and to reveal that there lurks a person behind this object, someone who has lost an object and to whom I have an obligation. The rabbis’ reading is masterful because they have combined remarkable attentiveness to the Biblical text with insightful religious

sensibility, uniting those two forces into a pragmatic of practice that gives precise, if demanding, expression to both commitments.

In crafting the halakha as a whole, the rabbis offer a similarly masterful reading of the Torah's most basic injunction and overarching commandment: to testify to the presence of the Divine through our actions by living a commanded life of holiness. Holiness is the path I travel; it is not a destination. From the first commandment to the first Jew, when the Divine enjoins Abraham לך לך [*Lekh lekha*]: Go forth, get going!; to the seminal commandment issued to all of Israel to bind the words of Torah upon ourselves and speak them constantly as we walk upon our way: ובלכתך בדרך [*U-velekh tekha va-derekh*]; up until the final verse of the Torah, which ends with the people beholding the Land of Israel, but not yet having entered: we are a people on the way. In fact, even when we will arrive in the Land of Israel, the Torah obligates us to remain strangers and temporary residents (Leviticus 25:23): we are destined to seek, duty-bound not to arrive. Neither the Torah nor rabbinic literature offers us a home: this fused Written-Oral Torah commands us a way. The rabbis knew with paramount sensitivity and wisdom how to craft the Torah's inchoate command into a complex nexus of religious commitment.

In order to get at my understanding of how the halakha that left the workshop of the rabbinic artisans achieves just that, I needed to start at the beginning, with my beginnings, as I do in Chap. 1. "Beginnings" expresses a dual commitment: on the one hand, what it means to philosophize; on the other, how we engage—and are engaged by—the halakha.

Franz Rosenzweig aptly understands philosophical knowledge to emerge from a glance at something past. But I would add that the "point of view" philosopher³ whom he praises must, for the sake of the experience-based philosophy that he espouses, begin with an accounting of his own experiences—the ones upon the basis of which he has begun his process of reflection. So there I must start. My musings on time, language, community, and the Divine are borne of, and inseparable from, the wealth of my experiences. My understanding and experience of the halakha are largely much functions of the Jewish way I have traveled, even as they are also a reflection of that way.

But this starting point results not only from my philosophical commitments; it is bound together intimately with my understanding of the halakha as the rabbis fashioned it. To live a life of halakha is to listen, to be on the way, to experiment, to place oneself on a precarious perch between the received tradition and the reality into which we are thrust by some

combination of circumstance and choice. The king must write his own *sefer Torah*,⁴ and each of us must write her own book on halakha, a book whose covers are our birth and our death, and the lines we scribble, the moments of lived life. Rava understood that I cannot experience the halakha other than from my own vantage point: The judge has only what his eyes can see, he says.⁵

In this sense, this book is not only an expression of my understanding of halakha; it is an act of testimony. The meditation as a whole constitutes an attempt to do to the halakha what, as I write in Chaps. 3 and 4, the halakha itself endeavors to do: namely, to drag the intimate experience of and with the Divine into the harsh daylight of verification and shared discourse. In it, I testify to (part of) my experience of the Divine, and to my experience of the ways in which the halakha as a way of life consists of translating the private language of the intimate encounter with the Divine into a public praxis of action that, as such, enters into the realm of shared communal discourse. Exposing such an experience is a risk, but keeping it private—while securer—is sacrilege. עת לעשות לה' הפרו תורתך [Eit la'asot la-Shem, *heifeiro toratekha*] (Psalms 119:126). “The time has come to act for the Divine”: violating the perfect silence of truth reflects a commitment to the command to engage in Torah. The sages understood that lived life is both an expression of halakha and a source of Torah.⁶ That is what this meditation aims to be.

Perhaps the single greatest truth that the halakha offers—and that which I tried to articulate in Chap. 2: “Saying, Writing, Doing”—is that we cannot speak *about* the Divine; we respond to the Divine through action. The Torah can and must talk, and this talking orients us and our doing. But the halakha *does*, and when it comes to theology, doing manages to articulate that which refuses to be bound by language. And yet, just as the glance articulates something that is beyond language while nonetheless being predicated on it,⁷ the halakha requires a language beyond which it can stride, and on the basis of which it can express that which is inexpressible. The Torah is that language, and the rabbis fashioned a sense of Torah that allows the voice of the Divine constantly to break forth out of the shackles of the word into the living present. The delicate weave that they establish between the Written and the Oral Torahs is what allows them—and the historical community of Israel—to negotiate between eternity *qua* immutability and eternity *qua* the constancy of a Divine voice that beckons us here, now.

The Divine voice that bursts forth into the wide open from the written verses of Torah demands actualization, and the halakha is its fulfillment. The unremitting insistence of the halakha is that the encounter with the Divine must, for the sake of its veracity, find expression in the world. Like the love of *The Song of Songs* that must be declared in the streets, the intimacy of the aloneness-together with the Divine resists being confined in the inner chambers. The intensity of the encounter contains a double-charge: the centrifugal force turns centripetal, and the outward effect spreads into the world. Holiness must manifest itself in all aspects of life, private and public. The “language” of doing thus becomes constitutive of community: the halakha, in this respect, is none other than the shared doing of the Jewish community.

In Chap. 3: “Shared Spacetime,” I spell out the way in which the halakha, through some of its central operating categories, negotiates this fruitful tension between the intimacy of the aloneness-together of individual experience and the fundamental command that this intimacy receive expression in the shared space of the community. Not only is this tension between the individual and the community never resolved; it in fact expands outwardly and becomes manifest disagreement, *mahloket*—initially between different individuals who understand the dictates of the Divine in conflicting ways. This disagreement, in turn, continues its course, as differing communities live out different understandings of the halakha. The “and” of the halakha becomes a theological tenet, as disparate and cacophonous aspects of reality congeal to form a conglomerate that expresses and testifies to the oneness of the Divine.

And so it was that in the next and final Chap. 4, “The Ineffable,” I needed to go against the grain of that single greatest truth that the halakha offers, and I attempt to articulate that which the halakha knows to be beyond articulation. For there is no halakha without that Nameless One, and any effort to spell out what the halakha is about that fails to confront this insurmountable challenge will surely fail in capturing that wondrous force that generates the pulse of halakhic movement. The halakha rests upon a theology of command, and it is that to which I try to give a moment in Chap. 4. Perhaps Chap. 4 is less a theology of command than it is a phenomenology of command—because, after all, what I can say about the Divine is quite limited.

Once the halakha is properly contextualized as a path to the Divine, the “and” of the halakha becomes a mere premonition to the great “and” of any theological effort. The Divine is more than my, or my community’s,

experience with/of it. Moreover, even within my innermost experience of the Divine, voices resound that do not have overtones of command such as those that I articulate in Chap. 4. But alas, I have not tried to say it all: only to hold on tenuously to one of the undertones of the Divine, just long enough to bring a microphone in its proximity in a futile effort to allow its voice to be amplified beyond the confines of intimate encounter. A fuller theology—for me, but also for the Torah and for Judaism—requires an attentiveness to other theological moments, containing overtones and undertones of striking variety, especially of a feminist tenor.

This work, then, points beyond itself. But before parting ways by pointing to what this work is not, it is important to say what I hope it may still be.

First and foremost, I hope that *The Going* has fashioned a portrait of the halakha and a narrative of what it means to live a life informed by and committed to the halakha, one that is recognizable to those who place themselves within its dictates. And yet, I hope that the portrait that I have sketched offers even to those intimately familiar with the halakha from within the possibility of an experience of discovery in the way that reflective consideration of that which is most familiar can often surprise us with unanticipated revelation. Accompanying a tourist in our homeland can awaken us to elements that are so familiar to us that we fail to see or appreciate them, and I hope that I have offered herein such a journey—one that allows the halakhically-lived life to achieve a moment of clarity, intelligibility, and coherence for its adherent.

I also hope that *The Going* has offered a journey deep into the heartland of halakha for those who live elsewhere, beyond its borders. The halakha, of course, is a lived life, and so no visitor confined to a tourist bus traveling along its roads can truly understand what it is to step out of the bus, travel off the road, or change one's status from tourist to citizen. (Remarkably, the halakha offers just that possibility—that membership in the Jewish collective has a normative gate through which one can pass and attain full-fledged citizenship, but alas—that is for a different conversation, and neither I nor the halakha has any stake in encouraging tourists to change their status and stay.) I am exceedingly happy to have tourists come and visit, for—as we saw in Chap. 3—one of the deepest impulses in the Torah is that it, and the halakhic lifestyle that emerges from its commanding voice, must be intelligible to those who are not devoted to its dictates. *כי היא חכמתכם ובינתכם לעיני העמים [ki bi hokhmatkhem u-vinatkhem be-einei ha-amim]*. For they are your wisdom and your understanding in the eyes of the nations.⁸

I also harbor two final hopes for this work.

If, at some level, my words allow any reader to elevate even one of her actions and release a spark of holiness in this world, then I will have succeeded in augmenting the presence of the Divine in the world. Testimony is not ultimately about stating the truth; it is informed and motivated by the desire to allow that truth to reverberate and fill the world with the beauty of its sound.

As my efforts on this work were drawing to a close, I had the blessing of being asked by one of my teenage daughters questions about belief and a life committed to halakha. I tried to answer the best I could, without referring her to “Chapter This” or “page that,” but I did have a sense of clarity that beyond offering my children my lived life, I might also be obligated to offer them an articulate Torah that elucidates those beliefs and understandings that inform my observance of halakha. Three times daily, we declare that an integral part of our going on the way is teaching Torah to our children, those whom we trust to establish with sensitivity and with fortitude a path, their path, the path of the *halakha*.

NOTES

1. “You shall not see your brother’s ox or sheep straying away and ignore them; rather, you shall take them back to your brother. If your brother does not reside near you or you do not know who he is, you shall bring it to your own house, and it shall remain with you until your brother claims it; then you shall return it. And so shall you do the same with his donkey; and so shall you do with his garment; and so shall you do with anything that your brother loses and you find. You cannot ignore it. You shall not see your brother’s donkey or ox fallen on the road and ignore them; you shall help him lift it up” (Deuteronomy 22:1–4).
2. Mishna Bava Mezia 2:1–2.
3. Franz Rosenzweig, *The Star of Redemption*, 6–9, 105–106.
4. Deuteronomy 17:18.
5. B.T. Bava Batra 131a.
6. Ben-Menahem, “Two Talmudic Understandings.”
7. Martin Buber, *I and Thou*, 56–57.
8. See Chap. 3 note 35.

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