

## **Confrontation between Tradition and Modernity: The Religious Vision of R. Haim David Halevi**

Rabbi Hayyim Angel  
National Scholar, Institute for Jewish Ideas and Ideals  
hangel@jewishideas.org  
www.jewishideas.org

### .1 סוכה כט

תנו רבנן: בזמן שהחמה לוקה - סימן רע לכל העולם כולו... תניא, רבי מאיר אומר: כל זמן שמאורות לוקין - סימן רע לשונאיהם של ישראל...

### Sukkah 29a

The Rabbis taught in a Baraita: At the time that the sun is stricken, it is a bad omen for the entire world...It has been taught in a Baraita: Rabbi Meir says, whenever the luminaries are stricken, it is a bad omen for the Jewish people...

### .2 רמב"ם הלכות שבת יא:ב-ג

הלכה ב: רמשים שהן פריץ ורבין מזכר ונקבה או נהוין מן העפר כמו הפרעושין ההורג אותן חייב כהורג בהמה וחיה, אבל רמשים שהויתן מן הגללים ומן הפירות שהבאישו וכיוצא בהן כגון תולעים של בשר ותולעים שבתוך הקטניות ההורגן פטור.

הלכה ג: ...ומותר להרוג את הכנים בשבת מפני שהן מן הזיעה.

### Rambam, Laws of Shabbat 11:2-3

Halakhah 2: One who kills insects and worms that are conceived through male-female relations or fleas that came into being from the dust is liable as if he killed an animal or beast. In contrast, one is not liable for killing insects and worms that came into being from dung, rotten fruit, or the like, e.g., the worms found in meat or legumes.

Halakhah 3: ...It is permitted to kill lice on Shabbat, for they come into being from sweat.

### .3 רמב"ם הלכות תלמוד תורה א:יג

ואע"פ שיש לה שכר צו חכמים שלא ילמד אדם את בתו תורה, מפני שרוב הנשים אין דעתם מכוונת להתלמד אלא הן מוציאות דברי תורה לדברי הבאי לפי עניות דעתן, אמרו חכמים כל המלמד את בתו תורה כאילו למדה תפלות, במה דברים אמורים בתורה שבעל פה אבל תורה שבכתב לא ילמד אותה לכתחלה ואם למדה אינו כמלמדה תפלות.

### Rambam, Laws of Torah Study, 1:13

Even though [a woman studying Torah] will receive reward, the Sages commanded that one should not teach his daughter Torah, because most women cannot concentrate their attention on study, and thus transform the words of Torah into idle matters because of their lack of understanding. The Sages teach that anyone who teaches his daughter Torah teaches her idle things. This statement is in regard to the Oral Law. But [with regard to]

the Written Law: initially, one should not teach one's daughter. However, if one teaches her, it is not considered as if she was taught idle things.

4. Rabbi Haim David Halevi, *Aseh Lekha Rav* 7:54

And he is very mistaken who thinks that the halakhah is frozen and that one should not veer from it to the right nor to the left. On the contrary, there is no flexibility like the flexibility of halakhah. Only due to the merit of the flexibility of the halakhah has the people of Israel been able—through the power of numerous and useful creative interpretations which were innovated by the sages of Israel in each generation—to walk in the way of Torah observance for thousands of years. And if the fortitude of the sages of our generation will serve them to innovate interpretations of halakhah [getting at the] truth of Torah, with total faithfulness to the bodies of written and transmitted halakhah..., then halakhah will continue to be the way of the people of Israel to the end of all generations.

Rabbi Marc D. Angel with Hayyim Angel, *Rabbi Haim David Halevi: Gentle Scholar, Courageous Thinker*, (Jerusalem: Urim, 2006).

Rabbi Marc D. Angel, "A Study of the Halakhic Approaches of Two Modern *Posekim*," in Angel, *Seeking Good, Speaking Peace: Collected Essays of Rabbi Marc D. Angel*, ed. Hayyim Angel (Hoboken, NJ: Ktav, 1994), pp. 97-111.