

switches its motif from praise to request. The last *berakhah* of the *birkot nissu'in* is the best illustration. First, we bless God who has created joy, groom and bride; but having started out as a hymn it culminates with a petition: "May the sound of joy soon be heard in the cities of Judah and the streets of Jerusalem..." Other texts display a similar move from initial praise to plea. To take an additional example among many: the central *berakhah* in the *tefillah* of *Yom Tov* or *Shabbat*, which begins either with "*atta behartanu* (You chose us)" or "*atta kiddashta* (You sanctified)", as the case may be. At the outset, we chant our gratitude to the Almighty for choosing us and sanctifying the holy day; we go on to express our sense of exaltedness over the historical role which was assigned to us. We then move on to prayer and supplication, in which we beseech the Almighty to fulfill his covenant and realize the particular message of the holy day.

The reason for the centrality that Judaism has given to the element of petition in the service lies in our philosophy of prayer. *Avodah she-ba-lev*, for all its tendency to express the religious experience as a whole, and particularly its emotional aspect, does also tend to single out a particular state of mind. For when we view the noetic content of prayer we must admit that one emotion is central as far as prayer is concerned—namely the feeling of unqualified dependence. David expressed this experience of complete, absolute, unconditional dependence upon God in his beautiful verses: "If I did not quiet myself like a weaned child upon his mother, verily my soul is like one weaned. Let Israel hope in God now and forever" (Ps. 131:2-3).

Therefore, the understanding of Jewish prayer must give a place of prominence to the idea and to the experience of petition. The following chapter and chapter 10 will focus on the commandment (*mitzvah*) to pray and on the centrality of petition to the fulfillment of that commandment.

Prayer, Petition and Crisis

Actional Mitzvot

To attain a better understanding of the commandment to pray, we must first engage in a halakhic analysis pertinent to *mitzvot* in general. The Halakhah distinguishes between two kinds of *mitzvot*—the actional (*hiyyuv be-ma'aseh*) and the experiential (*hiyyuv she-ba-lev*). The former denotes a norm that is outer-directed and whose fulfillment is achieved through a concrete action in the world of things and physical events. The Halakhah singles out a certain activity within the complex routine engagements, which is in itself insensate and devoid of content, and raises it to the level of religious significance. For instance, holding of the *lulav* on the first day of Sukkot, eating of *matzah* on the first night of Passover, donning of *tefillin* on an ordinary weekday—each is a physical deed consisting only of a muscular activity. Yet, the fact that each is a halakhically mandated act, converts a mechanical performance into a meaningful performance endowed with significance, one that results

from its conformity to a transcendental norm. The particular mood of the doer, who may or may not understand its idealizing and purifying power, is not regarded as a component of the religious performance in question. The actional *mitzvot* form a halakhic objective order which is not correlated with a parallel subjective one. The objective action does not point to a corresponding experience, mental attitude, or inner activity. The norm comes into being within the world of events, actions and things, not in the one of feelings, thoughts and volitions. At times God summons not the heart but the hand of man, not his spiritual consciousness but his physical potential.

This doctrine of Halakhah is certainly acceptable to the school of Talmudic scholarship holding the view that *mitzvot einan tzerikhot kavvanah*, that a mitzvah performance is valid even when not accompanied by normative motivation (see *Berakhot* 13a). One who blew the shofar solely for aesthetic reasons—let us say that he enjoyed the sound of the instrument—also is considered to have fulfilled the halakhic norm. According to this view, all the Halakhah is interested in is the mechanical performance, even if it is not indicative or representative of any inner feeling or thought. Yet, even if we accept the opposite view that *mitzvot tzerikhot kavvanah*, that the mitzvah-performance must be intentional and motivated by a sense of duty, we would nevertheless maintain that the Halakhah operates with a single order of objective data and does not resort to one sort of parallelism which would coordinate external action with some subjective elements. *Kavvanah*—the intention to which the *mitzvot* are linked—signifies duty-awareness and normative intentionality, as is tersely formulated in the preparatory prayer *hinneni mukhan*, “I hereby ready myself to fulfill the mitzvah . . .” (a formula often recited before the specific performance of a mitzvah. This duty awareness remains constant and retains its identity even though it accompanies *mitzvot* of a variety of philosophic significance.) The pious Jew pronounces a similar *hinneni mukhan* prior to both eating *matzah* and blowing the *shofar*,

notwithstanding that in terms of symbolic interpretation the two *mitzvot* represent opposite attitudes. The *kavvanah* associated with actional *mitzvot* is a peripheral intention and not a central one.

Thus, the actional *mitzvot* operate with materials drawn from the senses and not from our invisible lives of feeling and striving. They do not represent mental qualities, abstract conceptions and inner movements. Action, in these cases, is the beginning and the end of the man-God relationship.

Experiential Mitzvot

In contradistinction to the actional *mitzvot*, which form a single objective series, the experiential *mitzvot* refer to a spiritual act, a state of mind, an inner attitude or outlook. The norm originates not in the world of action but in the world of thought, feeling and volition. The Halakhah enters a new dimension of human life, that of subjectivity and inwardness. In contrast to actional *mitzvot*, the experiential *mitzvot* postulate a way not only of doing but of experiencing as well. The Halakhah attempts to regulate not only the body but also the soul.

Experiential *mitzvot* must be divided into two subgroups. First, there are inward actions that form a single subjective experience without calling for outward action at all. The inner stirring does not press for portrayal or symbolization in objective form and remains shut in, within the human heart, remote from the world of events, wanting in contour and aloof from all concreteness. Sometimes one receives an unlimited amount of pleasure in contemplation that has no practical significance, in a pensive mood devoid of dynamics, in apprehending something that is at an endless distance from actuality and definiteness. The dominant note in such experiences is either their utter sublimity and tenderness, which would be affected if put into the mold of objectification, or their tremendous sweep and power, which does not tolerate fixity and standardization.

Be that as it may, such *mitzvot* are realized by the heart, not by the hand. The activity of the mind is filled with religious worth, but the body does not participate in that realization. We subsume, under this category, the fundamental precepts of our faith, such as the commandment to believe in God's unity, to love and fear Him, to trust in Him, among others. These precepts, using Rabbi Bahya's phrase in his eleventh century work, *Duties of the Heart*, are concerned with the *hovot ha-levavot* (duties of the heart), not with those of the limbs. Faith in God, commitment, and love of Him, do not require specific symbolic actions for the purpose of objectification and manifestation of the inward experience. Maimonides (in the introduction to his *Sefer ha-Mitzvot*) calls such precepts *mitzvot kelaliyot*, general commandments, ones which have no specific correlate in the objective religious sense. The *mitzvot kelaliyot* lean upon the whole body of the law and are related to a mental attitude rather than an outward deed. In short, the general precepts refer to contemplative experiences that do not cross the gulf separating our inner world from that of action.

The second subgroup of experiential commandments, unlike the general precepts discussed above, are specific in nature. They express themselves through a parallel series of activity and experience: of inner movement and outer action. The contemplative experience develops a dynamic uncontrollable force that breaks through the barrier of inwardness into the world of deeds and movement. The Halakhah is no longer satisfied with the inner image, and it demands externalization and actual representations. The purely experiential search ends in action. The religious norm does not work from a single center, but is resident in two parallel orders: subjective and objective responsiveness.

The Halakhah is distrustful of the genuineness and depth of our inner life, because of its vagueness, transience and volatility. Therefore, it has introduced, in the realm of the experiential norm, concrete media through which a religious feeling mani-

fest itself in the form of a concrete act. For instance, the precept of rejoicing on a festival, *simhat Yom Tov*, is realized through a double activity—experiencing the redeeming, uplifting and inspiring joy, on the one hand, and conforming to the external cultic standard of bringing *shelamim* offerings (sacrifices in which the owners partake) and feasting, on the other. The specific physical performances are prescribed, by the Halakhah, as the external symbol of the exalted mood. The same is true of *avelut*, the norm commanding one to mourn for one's deceased relatives. A mourner who has complied scrupulously with the ritual of *avelut* but remained unresponsive to and unaffected by his encounter with death—if the passing of his next of kin did not fill him with gloom—has failed to fulfill the precept of mourning. At the same time, a mourner who neglects the observance of the externals is derelict to his duty, even though he lived through the horror and dismay of coming face to face with nihility.

The outer action required by the Halakhah in this group of experiential precepts is dramatic in nature. One does not just act; he acts something out. The dominant theme of the performance is a great exciting story. The action is kerygmatic, message-bearing. It tells a tale of the human mind and heart, of something wondrous or tragic that occurred in the deep recesses of the I. It is filled with eagerness on the part of the doer to unburden himself of an emotional load, pressing on his frail personality. The action is vehement and fervent, and in its rush and earnestness we see the consuming passion, a soul frightened and exalted, believing and rebelling, making a heroic effort to express the inexpressible.

Thus, halakhic examination reveals the primary characteristic of that group of *mitzvot* which finds expression in parallel action. It is that in each *mitzvah* we must carefully discriminate between *ma'aseh ha-mitzvah* (the piecemeal process of actual execution) and *kiyyum ha-mitzvah*, compliance with the norm. *Ma'aseh ha-mitzvah* denotes a religious technique, a series of

concrete media through which the execution of the *mitzvah* is made possible, while *kiyyum ha-mitzvah* is related to the total effect, to the achievement itself, to the structural wholeness of the norm realization.

There is technique in painting: the proper selection and use of colors, the expert strokes of the brush, and so on. Yet the painting as a piece of art is something different from all these details. It can never be integrated through a piecemeal, additive process, combining the various phases of the execution of the details of the artistic work. It is the personal element, the talent of the artist, the instantaneous creative spark, that makes the work worthwhile from an artistic viewpoint.

A similar perspective illuminates the *kiyyum ha-mitzvah*. It is something personal, intimate, and indefinable. It describes, not mechanical action, but the accomplishment itself, the leap from submission to a norm to freedom. It is a personality-attribute, fixing the position of the doer in the universe of norms and value. *Ma'aseh ha-mitzvah* is a factual, descriptive term; *kiyyum ha-mitzvah* an axiological category.

In the realm of the normative parallelism, the objective construct—the physical act, the ritual components—exhaust themselves in the *ma'aseh ha-mitzvah*. God demanded action from man, and the latter is eager to discharge his commitment. This he can accomplish only through doing what is required of him by way of physical effort. Hence, the observance of the mourning ritual or the bringing of festival offerings constitutes the *ma'aseh ha-mitzvah*. These actions are antecedent to the fulfillment, the *kiyyum*, of the respective norms, which is attained in the depths of a great experience, in a spiritual act, in the hidden movements of an overjoyed, ecstatic heart, or, in the case of mourning, of a downtrodden spirit overcome by shock and dismay.

Thus, the parallelism of act and fulfillment is not to be equated with duplication or replication. The objective and subjective orders represent two aspects, technique and accomplish-

ment, respectively, the preliminary process and fulfillment itself. In the objective sphere the person moves along the periphery of detail and reclaimed media; in the subjective sphere, he performs a movement of recoil, withdrawing from the peripheral and piecemeal action toward the center of instantaneous realization.

The Character and Essence of Prayer

In light of this halakhic analysis, we may now seek to determine the character and essence of *avodah she-ba-lev*. Does *avodah she-ba-lev* exhaust itself in standardized action, in the recital of a fixed text thrice daily, or in an inner experiential reality, in spiritual activity? Is it an actional norm or an experiential one? If it is indeed experiential, under what specific group of experiential norms should it be classified?

The answer to this inquiry was formulated by Maimonides many centuries ago. When introducing the obligation to pray as a Pentateuchal precept that is an aspect of the concept "*U-le-ovdo be-khol levavkhem*," ("to serve Him with all your heart"), he explained the twofold character of *avodah she-ba-lev*:

Commandment 5 is that He has commanded us that we are to serve Him. This commandment is repeated twice in His words, "And ye shall serve the Lord your God", and "Him shalt thou serve." Now although this commandment also is of the class of general precepts, as we have explained in Root 4, yet there is a specific duty the commandment pertaining to prayer. In the words of the Sifre: "and to serve Him"—this refers to prayer (*Sefer ha-Mitzvot*, Positive Commandment 5).

Maimonides places the precept of *avodah she-ba-lev* within two perspectives: First, there is a purely subjective aspect. The term *avodah she-ba-lev* refers to a spiritual act that is com-

pletely divorced from physical involvement. The literal semantics of the term indicates service by the heart. Maimonides calls this kind of commandment general (*kelali*), since no concrete action is required for the norm's realization. Second, Maimonides speaks of the specific subnorm of *avodah she-ba-lev* that is linked with prayer. This aspect of the norm delivers the experience from its amorphous, ephemeral state and achieves its objectification in concrete action. Thus, the fulfillment of the norm is tied to a performance, a parallel action through which experiential actions stir the soul into bodily motion.

In other words, prayer constitutes a basic method of religious representation. It is a mode of representing a sublime mood through sensuous forms, a kind of physical portraiture of miscible, mingled experiences. Prayer is the tale of an aching and yearning heart.

We must discriminate between two aspects of *tefillah*: the external one, constituting the formal act of prayer, and the inner experience, which expresses the very essence of the *mitzvah*. The physical deed of reciting a fixed text serves only as a medium through which the experience finds its objectification and concretion. It is not to be identified with the genuine act of praying, which is to be found in an entirely different dimension, namely, in the great, wondrous God-experience.

Kavvanah (intention), as we have noted, generally requires only normative heedfulness or motivation on the part of the doer—that is to say, the intention to discharge one's duty in accord with God's will, which constitutes an integral part of the religious gesture. The controversy about *mitzvot tzerikhot kavvanah*, whether *mitzvot* require intention, is confined to the class of objective norms. As far as *tefillah* is concerned, all agree that the physical performance divorced from the inner experience is worthless. Maimonides writes: "Prayer without *kavvanah* is no prayer at all. The man who has prayed without *kavvanah* is duty bound to recite his prayer over again" (*Hilkhot*

Tefillah 4:15). For *kavvanah* with respect to *tefillah* forms the very core of the act; without it prayer would become a meaningless and stereotyped ceremonial. Hence, the *kavvanah* concerning *tefillah* must express itself not in a mere duty-awareness, but in an all embracing and an all-penetrating transcendental experience. One turns toward God with the heart and not merely the lips, with thoughts and not only words. Whatever Maimonides' view is on whether normative intention is required in general, his position on prayer is clear: If *kavvanah* does not represent inward devotion or commitment, it is deprived of significance. No religious performance has occurred.

To review this central point: the very essence of *tefillah* expresses itself in a romance rather than in disciplined action, in a great passionate yearning rather than a limited cold achievement, in a movement of the soul rather than performance of the lips, in an awareness rather than in action, in an inner longing rather than a tangible performance, in silence rather than in loud speech. As we emphasized above, the external elements are indispensable, since the Halakhah always operates with a double series: the subjective and the objective. Certainly one who does not correlate the experience with an objective symbol, in this case the recital of words, is remiss in his duty. However, the external act is clearly but a side, a formal side, of the full state of mind. The latter turns away from the externals and from physical efforts; the individual is captivated by the great vision of the supremely impressive and wondrous. The inner activity, free from reaching out for external accomplishment; the inward look which does not call out for outward deeds; the attention that goes entirely to the unseen and is indifferent to the outer show; in brief—the *avodah she-ba-lev* which ceremonial and decorum seem to hinder—this is the essence of prayer.

Defining the Subjective and Objective in Prayer

Our next task is to analyze the general precept *avodah she-ba-lev* with, on the one hand, its purely subjective elements, and, on the other hand, the specific aspect of *avodah she-ba-lev* that relates to the rituals of prayer. We must pose two questions: First, what does the norm of *avodah she-ba-lev* contain in its universal form; to what kind of state of mind is it related? Second, what does the *kavvanah* associated with the specific experience of prayer mean in philosophical, analytical terms? What are its basic motifs?

As regards our first problem, Maimonides has furnished us with a very detailed description of *avodah she-ba-lev* in its universal form:

We have already spoken of the various degrees of prophets; we will therefore return to the subject of this chapter, and exhort those who have attained a knowledge of God, to concentrate all their thoughts in God. This is the worship (*avodah*) peculiar to those who have acquired a knowledge of the high truths; and the more they reflect on Him, and think of Him, the more are they engaged in His worship . . . When you have arrived by way of intellectual research at a knowledge of God and His works, then commence to devote yourselves to Him, try to approach Him and strengthen the intellect, which is the link that joins you to Him. Thus Scripture says: "Unto thee it was showed that thou mightest know that the Lord He is God" (Deut. 4:35). Thus, the law distinctly states that the highest kind of worship to which we refer in this chapter, is only possible after the acquisition of the knowledge of God. For it is said: "To love the Lord your God and to serve Him with all your heart and all your soul" (Deut. 11:13), and, as we have shown several

times, man's love of God is identical with his knowledge of Him. The Divine service enjoined in these words must, accordingly, be preceded by the love of God. Our sages have pointed out to us that it is an *avodah she-ba-lev*, which explanation I understand to mean this: man concentrates all his thoughts on the First Intellect (God), and is absorbed in these thoughts as much as possible... It has thus been shown that it must be man's aim, after having acquired the knowledge of God, to deliver himself up to Him, and to have his heart constantly filled with longing after Him. He accomplishes this generally by seclusion and retirement . . .

When we have acquired a true knowledge of God, and rejoice in that knowledge in such a manner, that whilst speaking with others, or attending to our bodily wants, our mind is all that time with God; when we with our heart constantly near God, even whilst our body is in the society of men; when we are in that state which the Song on the relation between God and man describes in the following words: "I sleep, but my heart waketh; it is the voice of my beloved that knocketh" (Song 5:2)—then we have attained not only the height of ordinary prophets, but of Moses, our Teacher... (*Guide* III:51).

Let us abstract from this idea of intellectualism to which Maimonides subscribed with zeal and ardor. Whether or not the logos, reason, is the exclusive medium of approaching God is not of prime importance for the present discussion. Likewise, we may ignore the ascetic overtones discernible in the Maimonidean description of *avodah she-ba-lev*. They too are a side issue as far as our subject matter is concerned. What we are concerned with is the eidetic (structural) analysis of *avodah she-ba-lev* itself.

The Maimonidean idea of service of the heart is to be seen at two levels: the psychological and the mystical. From the psy-

chological viewpoint, *avodah she-ba-lev* is identical with the state of mind which is called mono-ideism, the giving of attention to one idea exclusively. Our attention to the *mitzvah* is divorced from all other centers of interest and is focused upon a single subject. In other words, *avodah she-ba-lev* borders on total involvement with God and total separation from finite goods and values. It is a type of fixation, however voluntary, that borders on the anomalous, divine madness (*shiggayon*). It is a love that transcends the bounds of reasonableness and sense, and reaches into the paradoxical and the absurd. It is known with certitude that the love of God does not become clearly knit in a man's heart until he is continuously and thoroughly obsessed by it and gives up everything else in the world for it. One serves God with an insane love. (See *Hilkhot Teshuvah* 10:6.)

At a mystical level, *avodah she-ba-lev* is identical with communion, with closeness to God and the ecstatic act of perception of Him. *Devekut* is the transcendence of finitude; it is the extension of the existential experience into the boundlessness of the beyond in the direction of the supreme Being. The insane, intense stretching forth is fully rewarded by the clarity of vision and apprehension. In a word, *avodah she-ba-lev* describes total involvement with and commitment to God, the exalted awareness of sharing infinity itself.

The element of *tefillah* which expresses this sort of ecstatic mood, a mood of mental entrancement due to the suspension of the trivial and relative and absorption by the great and unconditional, is an aspect of *avodah she-ba-lev* in the universal sense we have discussed. Maimonides defined *kavvanah* for prayer in simple terms, stressing mono-ideism, that is the unification of awareness, and the experience of nearness to the Absolute and Eternal: "Now, what is *kavvanah*? One must free his heart from all other thoughts and regard himself as standing in the presence of God" (*Hilkhot Tefillah* 4:16). Both elements are clearly defined.

Translating this into modern philosophical vocabulary, we would say that *avodah she-ba-lev* covers just one aspect of the total span of an all-embracing religious experience, with its many shafts of light and potential for spiritual energy, seen against the backdrop of a paradoxical existential awareness. In it the leading motifs of the Judaic transcendental relationship of God and man, with all its fluctuations, conflicts and paradox, are closely knotted together. Through *avodah she-ba-lev* the soul longs to recover its resemblance to God, even while it is aware of the dissimilitude that separates the creation from the Creator. Through the medium of *avodah she-ba-lev*, man tries to express his closeness to and endless remoteness from God, his love and his fear, his anguish and his serenity, his unshakable faith and his satanic doubts, his joy and his sorrow, his being and his non-being, his capacity both for achieving greatness and for falling into the abyss of smallness.

Thus, *avodah she-ba-lev* is realized when the awareness of the unseen reality accompanies man through life; when one feels overwhelmed as he stands before the *mysterium tremendum* of Being; when, in each and every movement of one's soul, every stretching of one's muscle, God addresses Himself to man. Thus, *avodah she-ba-lev* tears down the barriers separating the mundane from the Divine, the profane from the sacred, the mechanical from the inspiring; it converts life from a given, a factum, to an exalted and uplifting heroic actus, from a grant to a challenge.

Maimonides emphasized that the commandment *U-le-ovdo be-khol levavkhem* (Deut. 11:13), to serve Him with all your heart, belongs to the class of general precepts (those which apply not to a specific case and act but contain a norm whose innate applications are all-inclusive and refer to the total attitude of man toward God) and that *tefillah* represents only one facet of this basic precept of *avodah she-ba-lev*. The quotation from the midrashic sources, which Maimonides utilizes in order to prove his thesis regarding the Pentateuchal character of

prayer, supports our viewpoint that *avodah she-ba-lev* exceeds the narrow confine of formal prayer and liturgic performance. Studying the Torah is also included, since through the acts of learning and teaching man expresses his inner religious self. Whenever the true God-seeking self appears on the threshold of our objective world, the miracle of *avodah she-ba-lev* is achieved.

Is Prayer for Everyone?

However, our inquiry into the essence of *kavvanah* has not yet come to an end. A serious problem comes to the fore. It can be formulated as follows. Prayer, indeed, is the symbolic portrayal of a range of experiences that form the ecstatic state of mind. Is such an exalted experience something in which every human being may share; or is it confined to the religious genius—a curious and unique type of personality who is capable of attaining this ecstatic state of mind, of rapture and unification, a personality who rejects what seems clearly, logically and tangibly to be the natural order, for the sake of tending a reality which is beyond one's grasp? Is prayer only for the mystic? We, in contrast to the mystic, are all physically and mentally children of this external concrete world and therefore, if this be true, cannot make the leap from the sensuous and real into the transcendent and absolute. Hence, *avodah she-ba-lev*, in the Maimonidean description, is an esoteric adventure, one that is not understandable to the average person. Saints or mystics, whom God has blessed with an oversensitized nature, with the capacity for violent and intelligible emotions, with an exalted sense of perceptions and fantasy—they may follow the mystical way, devoting their existence to the Infinite. But we may not be able to do so.

What, then, does *avodah she-ba-lev* mean for us, with our unmystical bent of mind that tends toward the real and practical? Can we achieve the *kavvanah* of *tefillah* in our ordinary

modest way though we are not able to embark upon the great and strange adventure of the spirit? Of course the answer must be formulated in the affirmative, for otherwise *tefillah* would be the exclusive privilege of the imaginative genius, the mystic, and, as such, would be denied to ordinary man. Such an assertion would contradict the very essence of the Halakhah, which is an exoteric discipline to be practiced by the philosopher and simpleton, the poet and the dull person alike.

Unless *tefillah* as a Halakhic norm can find a place within the frame of reference of the normal mentality, and lend itself to realization by every human being, regardless of his spiritual limitations, its meaning to us could never be more than academic and remote since it would contain a *contradictio in objecto*—a Halakhic norm entrusted to an esoteric group, to the select few. Moses bidding farewell to his people said: "You stand today before God, all of you, your leaders... and all the people of Israel" (Deut. 29:9). The Torah is the common property of the Jews: all classes, the elite, the elders and the leaders, as well as the plebeian. The woodchopper and the water drawer must be assured that they, too, may realize its norms.

However embarrassing the problem is, it should not be considered insoluble. I dare say there is a solution that might save *tefillah* from becoming a Halakhic absurdity. The clue to this solution we may find through a careful analysis of the *Amidah* (the silent prayer, the *Shemoneh Esreh*).

The Structure of Prayer

As we noted, the *Amidah* rests upon three liturgical motifs: the hymn, the petition and the thanksgiving: *shevah*, *bakkashah* and *hoda'ah*. The first three blessings represent hymnal praise; the middle thirteen, the petitional aspect; the last three, thanksgiving service. Although the standardized liturgical text of *Amidah* is a Rabbinic creation, Maimonides maintains that its triple motif is a Pentateuchal institution

(*Hilkhot Tefillah* 1:2). For Moses, in his famous entreaty to enter the land of Israel (Deut. 3:23-25), begins with praise of the Lord, and his prayer has served as a guiding motif in the formulation of the *Amidah*. In the book of Psalms we find a similar textual arrangement. *Hallel* (Ps. 113-118, recited on Festivals and the New Moon), for instance, also begins with hymnal adoration, turns to supplication, and concludes with thanksgiving.

Apparently, the triple pattern reflects the inner experience, the subjective correlate of prayer. In the light of this premise, I would suggest that the main concern of the Halakhah is this threefold motif within the total God-experience which is explicated in the physical act of praying. Obviously, other beams of light within the experiential spectrum possess a high potentiality for the mystic and religious genius, but they are remotely related to the ordinary person. These three motifs—these three rays—offer remedial and inspiring energy for everybody. Therefore, they were singled out and spelled out in our silent prayer.

The petitionary, hymnal and thanksgiving aspects of prayer portray three experiential conceptions and spiritual movements: the conception of *mi-ma'amakkim* (*de profundis*), the crisis cry from the depths; the concept of *kevod Elokim* (*majestas Dei*) the majesty of God; and the concept of *hesed Elokim* (*caritas Dei*), the grace of God. Petition flows from an aching heart which finds itself in existential depths; hymn emerges from an enraptured soul gazing at the *mysterium magnum* of creation; thanksgiving is sung by the person who has attained, by the grace of God, redemption.

Petition and Distress

Mystics, philosophers, aesthetes and naturalists alike consider petitionary prayer an unworthy part of the service, a remnant of magical religion, when the savage bartered with his

gods and tried to reach a *quid pro quo* deal with them. As they see it, the development of religious thought and the purging of all magical cultic elements, on the one hand, and the emergence of natural sciences founded upon the unalterability of the causal nexus, on the other hand, undermined selfish prayer. As a result, petitionary prayer lost its meaning and rationale in the opinion of many. We have already observed how radically Judaism diverged from this viewpoint.

Tefillah, according to Halakhah, is closely knit with the experience of *tzarah*, distress or—to be more loyal to the literal semantics—constriction; it means finding oneself in distressingly narrow straits. Many passages in the Bible confirm this premise. King Solomon defined prayer as the outcry of a person in the dark night of disaster: "Should Your people Israel be routed by an enemy because they have sinned against You, and then turn back to You and acknowledge Your name, and they offer prayer and supplication to You in this House" (I Kings 8:33). Only distress warrants prayer. If the mind is not haunted by anxiety, not plagued by *tzarah*, narrowness and constriction, if neither fear nor forlornness assault the mind, then prayer is a futile gesture. Nahmanides (Ramban) in his annotations to the *Sefer ha-Mitzvot* (Positive Commandment 5), disagreed with Maimonides' (Rambam's) view that there is a Biblical norm mandating the recital of daily prayer. He concurred with him, however, that in *et tzarah*, in troublesome and critical times, there is a Biblical commandment of prayer. Thus, he admits that the Torah posits the significance and meaningfulness of *tefillah* as worship of God.

Maimonides, too, was aware of the interrelatedness of *tefillah* and *tzarah*. At the beginning of *Hilkhot Ta'anit*, he singled out the moment of *tzarah*: "It is a commandment to cry out and blow the trumpets ... whenever trouble befalls the community" (1:1). Even in *Hilkhot Tefillah*, Maimonides implicitly hinted at the *mi-ma'amakkim* or *tzarah* motif when he wrote that petition must express "plea and entreaty, *be-bakkashah u-*

bi-tehinah," that one must spell out his need in prayer (1:3). If, however, one does not lack anything; if all his desires are gratified and he feels contented and happy, prayer becomes an absurd performance.

Surface and Depth Crisis

The controversy between Nahmanides and Maimonides does not revolve about the conjunction of prayer and *tzarah*. They are in agreement that *tzarah* underlies prayer. They differ, however, about the substance of the experience of *tzarah* itself. The word *mi-ma'amakkim* is in the plural, and one may speak of two distinct and incommensurate *tzarah* conceptions, of two ways of falling into the depths: first, the experience of the surface *tzarah*, the external, objective, impersonal fall; and second, the experience of depth *tzarah*, the existential, personal fall.

Many a time a crisis develops independently of man, brought about in the main by environmental forces which are insensate, mechanical, and quite often not sympathetic to man and his aspirations. This crisis, this *tzarah*, strikes man suddenly, uninvited by the people who succumb to its crushing force. Their plight is obvious, exposed to the public eye, its apprehension as natural as the perception of lightning or thunder. Man does not have to meditate, contemplate, or employ detective skill in order to realize that his very existence is menaced, that the outlook for the future is dismal, and that the chances of extricating himself from such a predicament are slim. This is basically a surface feeling which borders almost on the instinctive, mechanical, passive perception of pain. Under the category of surface *tzarah* we may classify all forms of conventional suffering: illness, famine, war, poverty, loss of physical freedom, and, last but not least, death. All these evils strike man with the force of a hurricane and sweep him off his very existential foundation.

The external fall of man usually occurs at a communal level. *Tzarah* is an impersonal experience which strikes man from outside his existence, it affects not one but many. A famine, epidemic, or war hits groups of people. Many share the experience of distress; many die simultaneously; many take sick at the same time; many starve and stand in bread lines. Communities of the suffering and distressed are formed. They can be found in the hospitals, in the funeral parlors, in the jails, in the slums, on the waterfront and on the Bowery. Therefore, when man is involved in surface crises, the Torah recommends communal prayer. The feeling of sympathy forges a sense of fellowship in prayer and *tzarah*. That is why Maimonides speaks in terms of *tzibbur* (community) (*Hilkhhot Ta'anit* 1:1 and *Hilkhhot Tefillah* 8:1), and the Halakhah operates with concepts such as *tefillat ha-tzibbur* (prayer of the community). The *tzarah* assumes a public character and the response to the Divine experience is a collective one.

In contradistinction to these surface crises, the depth crisis addresses metaphysical, unknown, undefined and clandestine personal distress. The crisis is encountered in the strangeness of human destiny, of which man is not aware at all unless he is willing to acquaint himself with it. Such a crisis is not brought about by extraneous factors, or precipitated by coincidental entanglements of man in distressingly complex situations. Nor is the experience imposed upon him willy nilly with the elemental force of the natural storm. This type of crisis is searched out and discovered by man and accepted by him freely. It is not something which man tries to protect himself from, into which man is dragged artificially because he is stupid and ignorant, as may be the case with illness, famine or war. (If mankind progressed more we would perhaps be able to control these plagues.) Rather it is an experience of complete bankruptcy and failure, which stems from the deepest insight of man—as a great spiritual personality, endowed with Divine wisdom and

vision—into his own reality, fate and destiny. Man is not thrown into this kind of crisis but finds it within himself. It is not of natural, social, economic or environmental, but instead of existential-metaphysical origin.

Human existence exhausts itself in the experience of crisis, in the continual discovering of oneself in distress, in the steady awareness of coming closer and closer to the brink of utter despair, the paradoxical concept of being born out of nothingness and running down to nothingness. This is a part of the ontic consciousness of man. The factum expressed in the two words "I am" is an incomplete sentence. We must always qualify it by adding two words: "I am in distress." Judaism wants man to discover the tragic element of his existence, to place himself voluntarily in distressing narrowness, to explicate and bring to the fore the deep-seated crisis in his very existence. Surely man must fight courageously against the extraneous surface crisis. Judaism has charged man with the task of improving creation, of confronting evil and destructive forces, of protecting himself against disease and natural catastrophes, approaching the world with an optimistic philosophy of activism.

The distinction between the attitude of modern existentialism and the Judaic view of the depth crisis is that Judaism advocates distress without anguish. Indeed, one must combat evil and the forces that produce the external crisis. Judaism, handing down to man an optimistic philosophy of activism, charged him with the task of improving the work of God, of eliminating all destructive forces and protecting oneself against disease and other natural catastrophes. With respect to the inner crisis, however, which is rooted in depth-experience, man was told not only that he should not try to disengage himself from his involvement in it but, on the contrary, that he should deepen and accept it. For the very essence of his ontic awareness is thus an exercise in crisis, a process of growth in the experience of crisis.

Out of the depths in which the individual finds himself, one calls upon God in seclusion and loneliness. The existential, passionate experience is not shared by the thou, however close he is to the I, since it is an integral part of the existential awareness, which is singular, and hence inexpressible in the universal terms through which we communicate our standardized experiences. No one but the sufferer himself is involved in this deeply human anguish and conflict. It is the sufferer whose awareness oscillates between bliss and pain, in the great negation of the finite that rises out of its confrontation by the infinite. Neither spouse nor child nor parent may understand and sympathize with the lonely individual when his existential experience is at a low ebb, when trials, doubts and inhibitions abound. The prayer echoing the depth crisis of a questing soul emerges from seclusion, from out of the loneliness of the individual whom everybody save God has abandoned: "For my father and mother have abandoned me and God will take me in" (Ps. 27:10). The psalmist speaks of such suffering—the situation of the afflicted person, overwhelmed by his pain, who pours out his complaint before the Lord.

Universal Depth-Crisis Awareness

Each person can excavate the root of his depth crisis, his extraordinary loneliness, if only he tries to understand one unalterably cruel reality. It is that man never emerges victorious from his combat; total triumph is not his destiny. Even when he seems to win the engagement, he is defeated in the very moment that triumph is within his reach. This paradox of our existence manifests itself in this strange experience: at the very instant we complete the conquest of a point of vantage we are tossed back onto the base from where we began our drive. The Divine curse pronounced at the dawn of human existence hovers over all human endeavor. Whatever man may plant, he

must reap thorns: "Thorns and thistles shall it bring forth to thee and thou shalt eat the herb of the field" (Gen. 3:18).

Man is engaged in combat on many fronts: physical, economic, social, intellectual, religious. Quite often he lives with the illusion that he has succeeded in winning the battle, that he has raised himself above the insensateness of his environment, that he will harvest a rich crop, that he has unburdened himself of the curse of failure and defeat. This illusion perhaps represents the philosophy of materialism, of aggressive man having faith in himself, moving from victory to victory. Nonetheless, every accomplishment, however great and praiseworthy, contains the prickly seed of its negation.

The reason for man's failure lies in the discrepancy between his creative fantasy and the objective means of self-fulfillment that are at his disposal. While his boundless fantasy expresses itself in accents of endless desire and vast activity, the tools with which he tries to accomplish his goals are limited, since they belong to the finite order of things and forces. Man desires infinity itself yet must be satisfied with a restricted, bounded existence. When he reaches out, he anticipates the endless and boundless, enrapturing himself with the vision of unlimited opportunities. At the hour of achievement, however, he finds himself hemmed in by finitude. The anticipation and the realization lie in different dimensions. Man always loses the final battle.

Jacob, on his way to meet Esau (Gen. 32), wrestled with the mysterious antagonist throughout the dark night, lonely and abandoned by everybody. Did he win the battle? Yes and no. The adversary could not prevail against him; he could not destroy Jacob. But Jacob, at the hour of triumph, when he held his antagonist convulsively fast, felt also defeated; his thigh was out of joint and he therefore limped. Jacob understood that only the Divine blessing could assure him success and victory, could disperse the gloom of the haunted night of conflict and anguish. Jacob prayed for this, unwilling to let the adversary go without his blessing.

This strange scene of Jacob wrestling with the angel is restaged in everyone's life. For man is always in need, and prayer is welcomed by God and man wherever there is need. *Avodah she-ba-lev*, the worship of the heart reflected in prayer, finds its full exoteric expression in the spiritual act of lifting up one's eyes—the inner cry of dependence upon God, the experience of complete absolute dependence portrayed by the psalmist: "I lift my eyes towards the mountains; from where will come my aid?" (Ps. 121:1).

When man is in need and prays, God listens. One of God's attributes is *shomea tefillah*: "He who listens to prayer." Let us note that Judaism has never promised that God accepts all prayer. The efficacy of prayer is not the central term of inquiry in our philosophy of *avodah she-ba-lev*. Acceptance of prayer is a hope, a vision, a wish, a petition, but not a principle or a premise. The foundation of prayer is not the conviction of its effectiveness but the belief that through it we approach God intimately and the miraculous community embracing finite man and his Creator is born. The basic function of prayer is not its practical consequences but the metaphysical formation of a fellowship consisting of God and man.

Man is always in need because he is always in crisis and distress. Inner distress expresses itself in man's disapproval of himself. This awareness is of a metaphysical origin, although it may be manifested at an individual-psychological, social-institutional or political level. Man is dissatisfied with himself and he lacks faith in the justifiability and legitimacy of his existence. Somehow, every human being, great or small, however successful and outstanding, loses every day afresh his ontic fulcrum (the equilibrium of his being), which he tries steadily to recover. He feels the paradox involved in an existence which has been imposed upon him in an unexplained way, and which finally betrays and deserts him in the same absurd manner: "Against your will were you born, against your will do you live, and against your will do you die" (*Avot* 4:29). Even the simplest

man may perceive and comprehend this existential tragic aspect of man.

The Human Condition and Prayer

As we have seen, prayer is related to *tzarah*, to the feeling of distress and adversity. Petition presupposes need. In what concrete terms can we present the depth-experience of the metaphysical crisis in man to the average reader, who lacks philosophical training and whose thinking and feelings are not related to a metaphysical frame of reference?

The awareness of distress manifests itself in a variety of experiences. These experiences are characteristic of everyday life; they are not the province of the spiritual virtuoso alone. They are illustrative of the manner in which all human beings are brought to the awareness of depth-crisis.

The following analysis will touch upon some elements of the human condition. These include distressing experiences such as boredom, sin and shame, on the one hand, and orientations to the world, such as the aesthetic, the cognitive and the ethical, on the other. Reflection on these experiences, among others, brings man to an awareness of a need beyond that of the surface-crisis. The aesthetic orientation, when it overcomes the ethical, is at the root of sin, with all of its distressful features.

Accordingly, if the nonexistence of the Creator were supposed, all that exists would likewise be nonexistent; and the essence of its remote causes, of its ultimate effects, would be abolished. In this respect it is said of Him that He is the ultimate form and the form of forms; that is, He is that upon which the existence and stability of every form in the world ultimately reposes and by which they are constituted.... Because of this notion, God is called in our language *Hei ha-Olamim* [the Living of the Worlds], meaning the He is the life of the world (*Guide* 1:69).

Similarly, when Maimonides speaks about the nonphysical action that he calls "overflow," he expresses this idea as follows:

Similarly with regard to the Creator, may His name be sublime; inasmuch as it has been demonstrated that He is not a body and it has been established that the universe is an act of His and that He is its efficient cause – as we have explained and shall explain – it has been said that the world derives from the overflow of God, and that He has caused to overflow to it everything in it that is produced in time. In the same way it is said that He caused His knowledge to overflow to the prophets. The meaning of all this is that these actions are the action of one who is not a body. And it is His action that is called overflow. This term, I mean "overflow," is sometimes also applied in Hebrew to God, may He be exalted, with a view to likening him to an overflowing spring of water, as we have mentioned.... As for our statement that the books of the prophets likewise apply figuratively the notion of overflow to the action of the Deity, a case in point is the dictum "They have forsaken me, the fountain of living waters" (Jer. 2:13), which refers to the overflow of life, that is, of being, which without any doubt is life. The dictum "For with You is the fountain of life" (Ps. 36:10) similarly signifies the overflow of being. In the same way the remaining portion of this verse, "In Your light do we see light" (Ps. 36:10), has the selfsame meaning, namely, that through the overflow of the intellect that has overflowed from You, we intellectually cognize, and consequently we receive correct guidance, we draw inferences, and we apprehend the intellect (*Guide of the Perplexed* 11:12).

The first fundamental principle is to believe in the existence of the Creator...that He is the cause of all existence. Everything has

its existence in Him, and exists through Him (*Commentary to the Mishnah, Sanhedrin*, introduction to *Perek Helek* [chap. 10]).

Maimonides understands the existence of the world not only as caused by God but also as rooted in Him. A world whose existence was separated from God would return to chaos. The world in and of itself does not exist at all; only those who cleave to God enjoy real existence.

19. The Tannaim of the Jerusalem Talmud (*Sukkah* 3:11) were divided on this commandment: Is the verse referring to the obligation of rejoicing when bringing the *shelamim* [peace-offering] or rejoicing when taking the *lulav*? The Babylonian Talmud took it for granted that the verse refers to taking the *lulav*, which is performed in the Temple for seven days – a biblical commandment, as is explained in the Mishnah (*Sukkah* 3:12, *Rosh Hashanah* 4:3). This is how the medieval commentaries interpreted the law as well. According to the opinion in the Jerusalem Talmud that the verse refers to rejoicing when bringing the peace-offering, taking the *lulav* in the Temple all seven days is a commandment established only by the Sages.

Taking the *lulav* in the Temple all seven days actually represented the realization (*kiyyum*) of the commandment of being joyous, achieved through taking the *lulav*, an act which constitutes the performance of the commandment (*ma'aseh ha-mitzvah*). Man is required to rejoice before God by taking the four species, as the verse formulated this commandment using the word "rejoice" ["and you shall rejoice"]. This sort of joy is different from the holiday joy of festivals generally. When the Temple exists, the *kiyyum* of the commandment of rejoicing on the festivals depends on eating of the sacrifices, but on Sukkot there is a special commandment of rejoicing linked with taking the *lulav*, in addition to the general commandment of holiday rejoicing. The Jerusalem Talmud uses the expression "the rejoicing through the use of the *lulav*," and Maimonides too, in his listing of the commandments, wrote, "to take the *lulav* and to rejoice with it before God on the seven days of the festival" (*Book of the Commandments*, positive commandment 169). Actually, the obligation of rejoicing when performing the ceremony of the drawing of water was also based on this verse. This is what Maimonides did in his *Mishneh Torah* (*Laws of the Lulav* 8:12). He did not cite the verse, "And you shall draw water with joy from the springs of salvation," as explained in *Sukkah* 48b, but instead used the verse, "And you shall rejoice

before the Lord your God for seven days" (Lev. 23:40). These are his words: "Even though each of the festivals entails an obligation to rejoice, on the festival of Sukkot there was extra rejoicing in the Temple, as it says, 'And you shall rejoice before the Lord your God for seven days.'" The basic postulate that the obligation of rejoicing is stated in this verse, and that the taking of the *lulav* is only a means that makes it possible to realize the obligation of rejoicing on the festival, is supported by the words of Maimonides. The obligation of rejoicing with the drawing of water also stems from this commandment, which includes a rejoicing that is embodied in two different acts – the taking of the *lulav* and the drawing of water for the sacrificial libation.

The essence of the obligation of rejoicing is rejoicing before God in the Temple. While the general rejoicing of the festivals is fulfilled through bodily enjoyment – eating and drinking – the rejoicing characteristic of Sukkot is expressed by praising and giving thanks to God. The taking of the *lulav* as well, not only in the Temple but also outside it, on the first day of the holiday involves praising God: "Then all the trees of the forest will sing before God" (see the Tosafot commentary on *Sukkah* 37b, s.v. *be-hodu*). The obligatory wavings of the *lulav* during the recitation of the *Hallel* prayer are, in the opinion of many medieval interpreters, an integral part of the commandment of taking the *lulav*. Even those interpreters who claim that it is obligatory to wave the *lulav* at the time of taking it [and not only during the *Hallel*] (see the Tosafot cited above) agree that waving the *lulav* is equivalent to praising God, as is explained in the Babylonian Talmud, *Sukkah* 37b:

One extends and brings back the *lulav* in all four directions for the One who possesses the four winds; one lifts up and brings down the *lulav* for the One who possesses the heavens and the earth.

Similarly, the commandment of rejoicing in the drawing of water is fulfilled through songs of praise to God, as explained in the Mishnah quoted above, and in Maimonides' *Mishneh Torah*, toward the end of Laws of the *Lulav* [8:12–14]. On Sukkot there is a special commandment of rejoicing in the Temple, a commandment whose goal is to stand before God and cleave to Him. We know from the tales of our sages that the enthusiasm of pious men and men of good deeds would reach a supreme degree on Sukkot. Dancing, singing, juggling with flaming torches, and the like are expressions of sublime divine ecstasy.

Even in the general holiday rejoicing, despite its embodiment in the form of bodily pleasure, there is ensconced a *kiyyum* of rejoicing in the heart, a spiritual act. What expresses the essence of the rejoicing of the heart? The feeling of God's presence and of one's cleaving to Him. The Halakhah contains the simple equation: rejoicing = standing before God. Man is joyous when he stands before God, and when he removes himself from Him, his joy is over. In a word, the *kiyyum* of the commandment of rejoicing on the festivals is rooted in the experience of becoming joined with God, not in the physical act of eating and drinking; this is only the technique for fulfilling the commandment, not the fulfillment itself. Evidence for this view may be found in Nahmanides' remarks in his glosses on Maimonides' *Book of the Commandments*, Root 1, that the *Hallel* said on festivals is a biblical requirement that takes effect together with the commandment of rejoicing. Despite the fact that there is no rejoicing without the eating of the peace-offering at the time when the Temple exists in Jerusalem, nor is there eating of nonsacrificial meat and drinking wine outside the Temple, we see that the essence of the fulfillment of the commandment is nevertheless the act of coming closer to God through praise and thanksgiving.

The essence of the assumption that the Halakhah equates rejoicing with standing before God is based on the Babylonian Talmud, *Mo'ed Katan* 10b:

A mourner does not observe mourning on a festival, as it is said, "And you shall rejoice on your festivals" (Deut. 16:14). If mourning began before the start of the festival, then the arrival of the positive commandment for the community [i.e., rejoicing] outweighs the positive commandment for the individual [i.e., mourning]; and if the mourning began during the festival, the arrival of the positive commandment for the individual would not outweigh the positive commandment for the community.

At first glance it would seem that this passage needs an explanation: Why should one not fulfill both commandments, that of mourning and that of rejoicing on the festival, at the same time? After all, a mourner is permitted to eat meat and drink wine, and where does it say that it is forbidden on a festival to refrain from bathing, anointing oneself, greeting people, and the like? However, this question does not require deep examination. The mutual contradiction between mourning and rejoicing

does not involve the behavioral details of mourning and rejoicing. These outward acts do not contradict one another and could easily be accommodated together. The contradiction involves the *kiyyum* of the commandments of rejoicing and mourning in their very essence and in the way they take effect. The essence of rejoicing is an inner act, the heart's joy; likewise, the nature of mourning is the inner attitude, the heart's grief. The Torah commanded that the heart's mourning should put on the outward form of refraining from the acts that are forbidden to a mourner, and that the heart's joy should be symbolized by eating of the peace-offering. These acts, however, are only the means through which man achieves the *kiyyum* of the commandments of inner rejoicing or mourning. Obviously, these two [inner feelings] are mutually contradictory, and opposites cannot be attributed to the same subject simultaneously. Therefore, the arrival of the festival cancels mourning.

The Tosafists (*Mo'ed Katan* 23b, s.v. *man de-amar*), ask: "Why does the Sabbath count as one of the seven days of mourning, whereas the festival does not?" This is a problem for most of the medieval authorities, who hold that mourners must observe the mourning rituals in private even on the festival; yet these days do not count as part of the seven days of mourning. In what way is the festival different from the Sabbath?

The approach presented above allows this problem to be solved without any difficulty. Two different halakhic rules are involved. (1) The festival abrogates the *kiyyum* of mourning, and therefore the festival days are not counted toward the seven days of mourning, because the seven days cannot be completed without the *kiyyum* of mourning. (2) The Sabbath cancels some of the mourning behavior, but does not abrogate the *kiyyum* of mourning entirely, and therefore it may be counted as one of the seven days. The justification for this distinction is that it is the *kiyyum* of the commandment of inner rejoicing which prevents the *kiyyum* of the commandment of inner mourning. But the laws curtailing mourning on the Sabbath stem from the obligation to honor and enjoy the Sabbath, as explained in the *She'iltot* (*Hayyei Sarah*, 15), and this commandment does not refer to one's inner feelings. One honors the Sabbath with clean clothes and enjoys it with food and drink. All of one's Sabbath obligations and fulfillment [of the related commandments] are focused on the acts of honoring and enjoying, which are not rooted in a deep inner experience, as is the rejoicing on the festivals. In short, honor and enjoyment are not dependent on a *kiyyum*. Therefore

[the commandment of] inner mourning can apply and be realized on the Sabbath, because there is no commandment of rejoicing on that day. For this reason we say that the Sabbath counts as one of the seven days of mourning. (See the Tosafot commentary on the passage mentioned above, and the commentary of the student of R. Yehiel of Paris, published by the Fischel Institute; this idea is expressed explicitly in their comments.)

The upshot of this view is that the mutual contradiction between holiday rejoicing and mourning is rooted in the inner experience associated with them, not in the outer behavior. When we question more deeply and penetrate the core of this halakhic ruling, we find that the primary basis for the cancellation of mourning is to be found in the halakhic essence of the experiences of rejoicing and mourning. The former is the awareness of standing before God; the latter, of exile and separation from Him. Evidence for this view is the fact that the Talmud established that "for the High Priest the entire year is like the festivals" (*Mo'ed Katan* 14b), and most of the medieval authorities (except for Maimonides) state that he may not perform the customs of mourning for the death of his close relatives. The explanation is simple: Since the High Priest "is always in the Temple," and the laws of being in the Temple apply to him even when he is not physically there, he does not perform the customs of mourning, which imply a separation from God. See Maimonides, *Laws of the Temple Vessels* 5:7 and *Laws of Entry to the Temple* 1:10, which teach that the High Priest must obey the commandment "he may not tear his clothes" [on the death of a close relative] (*Lev.* 21:10) even when he is not in the Temple, since he always is under the obligation to stand before God and be in the Temple.

From this standpoint we understand the prohibitions that apply in common to excommunicated persons, persons afflicted with leprosy, and persons in mourning (see the above-mentioned discussion in *Mo'ed Katan* 14b-16a). In essence, a person in mourning is also excommunicated; for excommunication means being separated from God. Death, according to the Halakhah, is the removal of the *Shekhinah* and the elimination of the image of God. "A mourner is required to turn over his bed, as Bar Kappara taught: A likeness of My image [i.e., a human life] gave I to you, and for your sins I have turned it over [i.e., destroyed it]" (*Mo'ed Katan* 15a-b).

Likewise, evidence that the commandment of rejoicing always refers to an inner experience and constitutes a *kiyyum* of the commandment

can be found in the fact that many of the Geonim said the *Hasi'enu* prayer [a festive prayer that expresses joy] on the High Holidays, as explained in the commentary of R. Asher at the end of Tractate *Rosh Hashanah*. The reason they did so is that they considered Rosh Hashanah and Yom Kippur to be included among the festivals on which we are commanded to rejoice. At first glance, this view is astonishing: What place does rejoicing have on the High Holidays, on which we do not bring the peace-offerings that express joy? However, according to our explanation that the commandment of rejoicing is realized through an inner experience, there is nothing to wonder at in their view. The consciousness of standing before God also relates to Rosh Hashanah and Yom Kippur. Characteristically, we decide the Halakhah according to Rabban Gamliel's view that the High Holidays put an end to mourning in the same way that the festivals do. This is a proof for the approach of the Geonim.

The reader should not be troubled as to why excommunicated persons and those suffering from leprosy must nevertheless maintain their prohibitions on the festivals. The medieval authorities have already explained that since individuals in these two categories are separated from the community and cannot cause others to rejoice, then even if they were to observe the commandment of rejoicing, their joy would be, with respect to themselves, the *kiyyum* of an individual commandment. Therefore, the festival joy does not outweigh the obligatory practices of the excommunicated and the leprosy.

20. As the [unknown] author of *Iggeret ha-Kodesh* [The Letter on Holiness] wrote:

Intercourse is holy and pure when it takes place in the proper manner, at the proper time, and with the proper attitude. And no one should say that there is anything bad or ugly about intercourse, Heaven forbid, since it is called "knowledge" [in the Scriptures], as it is said, "And Elkanah knew his wife Hannah" (1 Sam. 1:19). And clearly, if there were not great holiness in the matter, intercourse would not be called knowledge. The matter is not as Maimonides thought when he wrote *Guide of the Perplexed*, where he praised Aristotle's statement that the sense of touch is shameful (*Guide* III:8). Heaven forbid, the matter is not as the Greek said (*Iggeret ha-Kodesh*, chap. 2).

In his *Mishneh Torah*, Maimonides wrote:

It turns out that one who acts this way all his life is worshiping God at all times, even when he is engaged in commerce or sexual intercourse, because his intention in all things is to satisfy his needs so that his body will be perfected for worshiping God (Laws of Character Traits 3:3).

Actually, even Maimonides, despite his ascetic tendencies – which were expressed particularly in his *Guide of the Perplexed*, where he described the clash between the bodily instincts and the spirit's longing for God – had a positive attitude to sexual intercourse. He denounced sexual overindulgence and sexual provocation. He demanded that man uplift and sanctify his sexual life by stamping it with a halakhic purpose. This purpose is threefold:

- (1) For one's bodily health, as a physiological function.
- (2) For procreating, as a social and religious act: "He [God] did not create it [the world] to be chaos; He created it for [people] to live" (Isa. 45:18; see *Eduyot* 1:13, *Yevamot* 62a). Maimonides said in his *Mishneh Torah*: "And when he performs intercourse he should do so only to keep his body healthy and to procreate" (Laws of Character Traits 3:2).
- (3) To continue the chain of our historical spiritual tradition and fulfill the heavenly mission that was assigned to us: "Even though a man's wife is always permitted to him, it is appropriate for a Torah scholar to comport himself with *kedushah* [sanctity].... Anyone who behaves this way will not only sanctify his soul and purify himself and correct his traits, but if he has children they will be good-looking and modest, fit for wisdom and piety" (Laws of Character Traits 5:4-5).

The third purpose, to raise wise and moral children, sanctifies intercourse and raises it to the level of participation in the act of Creation.

See R. Sa'adyah Ga'on, *Book of Beliefs and Opinions* VI, on human behavior, and R. Judah Halevi, *Kuzari* III:1-5. His remarks are also in this spirit.

21. The idea that prophecy is the ultimate human goal is the basis of the moral teachings of R. Bahya, R. Judah Halevi, and Maimonides. It is derived from a statement by R. Pinhas ben Ya'ir that is cited in the Babylonian Talmud, *Sotah* 49b (in some versions) and *Avodah Zarah*