Identification and Dislocation: the Breakdown of Worshipful Expression

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Michael Haruni devised and translated the full Shabbat siddur, Nehalel beShabbat (Nevarech Press, www.nehalel.com) in which photos juxtaposed with prayers direct the user's thoughts to their meanings. Born in London, he lives in Jerusalem with his wife and children. This article appears in issue 19 of Conversations, the journal of the Institute for Jewish Ideas and Ideals.

Identification and Dislocation:
the Breakdown of Worshipful Expression

by Michael Haruni

One of the dilemmas we faced during the preparation of the Nehalel siddur was over the instructions, or “rubric”. For on the one hand there is, undoubtably, tremendous value in the detailed instructions appearing in the major contemporary English-language siddurim on how and where to bow in Amidah, where to kiss tzitziyot during and after Keriyat Shema, how to wave the lulav, and so forth. Baaley teshuvah especially have, since the advent of the ArtScroll siddur, found themselves able as never before to participate competently and confidently in shul procedures. The frum-from-birth users have benefited too, it must be said, filling in finer details previously eluding them.

On the other hand, however, we also sensed that detailed performance instructions induce not a heartfelt act of worship but a sort of robotics, leaving out the real mental and spiritual requisites of prayer. The motions we perform when we pray should ideally function, surely, as expressions of the stirrings of our hearts, as elements in our acts of telling God of our love and awe of Him, of our thanks for the good in our lives, and of our needs. Indeed, the performance of mitzvot generally should be driven to the outside from within; whereas I suspect

that by synthesizing such motions from detailed choreographic instructions, we create an act that goes no deeper than its outward features. (I confess that, with Nehalel beShabbat, we too rather often fell in with the contemporary standard of providing mind-control instructions.)

This focus on the formal synthesis of practice is symptomatic of the larger malaise compellingly observed by Rabbi Nathan Lopes Cardozo: that in mainstream Orthodoxy, shul-going, tefilah, and Halachah generally have, for many of us, ceased to act as instruments of genuine worship—as the language by which we express our love of God in response to His overarching, quite straightforward demand, le'ahava et Adoshem Elokecha.

We have replaced God with prayers, no longer realizing to Whom we are praying. We even use Halachah as an escape from experiencing Him. We are so busy with creating halachic problems, and so completely absorbed by trying to solve them, that we are unaware of our hiding behind this practice so as not to deal with His existence… We must realize that the purpose of Halachah is to have an encounter with Him, not just with the Halachah. Halachah is the channel through which we can reach Him, not just laws to live by. (Present volume, p.….)

The remarks that follow are my attempt to understand this communicative role of Halachah—as well as the apparent breakdown of this role. What really can we expect of Halachah in this respect? Is there really substance to this idea of communicating with God through Halachah? In particular, when we say that Halachah can work as a means of communication, or of expression, are we merely invoking a metaphor—albeit a highly potent one—or can we attribute to this idea some philosophical and even psychological reality?

I'll begin by mentioning the observations made by Rabbi Haym Soloveitchik concerning the role of mimicry in the acquisition of halachic practice. For I want to suggest that Halachah does have a real expressive force, which is strongly connected to this role of mimicry—much in the way that the expressive force of language is connected to the role of mimicry in the acquisition of language. (Indeed I suspect that the idea of the transmission of meaning from each generation to the next, loaded tacitly in R. Soloveitchik's concept of a mimetic tradition of Halachah but not made explicit in his discussion, is part of what makes that concept so alluring.) Our lesser regard now for Halachah as an instrument of communication is tied, I shall then suggest, to the shift away from mimicry as the source of halachic practice.

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In his seminal article, “Rupture and reconstruction: the transformation of contemporary Orthodoxy” (Tradition, Vol. 28, no. 4, 1994; my page references are from its reprint in R. Rosenberg & C. I. Waxman, eds., Jews in America: A Contemporary Reader, 1999), R. H. Soloveitchik describes the move that began in the 1950s in Orthodox circles, especially in the US, UK and Israel, towards a religious practice constructed from halachic texts, and away from what had previously functioned to transmit halachic practice through generations, namely, the mimicry of observed practice. Halachic practice had always gained its currency in each generation of orthodox Jews by their seeing and hearing the practice of their parents, teachers and rabbis as well of others in their communities, and emulating this.

Halakhah is a sweepingly comprehensive regula of daily life…it constitutes a way of life. And a way of life is not learned but rather absorbed. Its transmission is mimetic, imbibed from parents and friends, and patterned on conduct regularly observed in home and street, synagogue and school. (p. 321)

But various factors, R. H. Soloveitchik explains, particularly the ruptures created by mass emigration from the Old World and most especially by the Holocaust, led us to seek out the bases for our practices, less in the visible conduct of our model figures, more in halachic texts. The compulsion to faithfully reproduce that halachic life no longer visible to us—the form of life we attribute in our imagination to those vanished worlds—has pressed us to explore incessantly deeper into the texts for minutiae of Halachah lost, we fear, from erstwhile practice. “A tireless quest for absolute accuracy, for ‘perfect fit’—faultless congruence between conception and performance—is the hallmark of contemporary religiosity.” (p. 328) Powered by this clamor for ever greater accuracy, an explosion of Halachic literature and readership has mushroomed, and obscure practices that may never have actually had any significant role in religious life, now newly sourced in texts, have become germane to the new Orthodoxy.

R. H. Soloveitchik is clearly not suggesting that the mass of halachic text now dominating Orthodox life is in any way extraneous to Torah miSinai (and nor, for what it’s worth, am I). Only that (in my fallible understanding), the reality of religious practice—the reality which must act, surely, as the defining paradigm of what religious Judaism eternally is—has never in actuality embodied the multitude of minute requirements that are now being deciphered out of the textual tradition and introduced into mainstream practice. Whereas if we want to get a closer idea of what real Orthodox Judaism is, what really identifies it, we must look back at

what our ancestors of a few generations ago and before were actually doing. And to use one of R. H. Soloveitchik's examples, they did indeed sort bones from the fish they ate on Shabbat, despite the applicability, theoretically, of the issur livror, which has only more recently been brought into focus.

Now what might this imply about the possibility of genuine worship? I fear that the text-based construction of worshipful conduct, characteristic of our time, leaves something vital out of our performance of mitzvot. For as long as what fed our religious practical proficiency was the connective of mimicry, this, as I shall now try to clarify, must have brought a certain crucial kind of response into play. Watching and emulating a person with whom we identify, as they lay tefilin, or wave a lulav, we not only reproduce the practice enriched with those subtleties which a written description—inevitably an abstraction to some degree—leaves out. This identification with our model, I shall argue, also imparts a certain inner element that turns the practice into a means for genuine human worshipful expression—and missing from it when our worshipful conduct is synthesized out of text.

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Think of what happens when we observe and imitate a human being. What was at work when, as a child, I watched my father wearing tefilin and praying—saw a human heart throbbing in powerful devotion to God—and then, identifying with him, began to pray and later lay tefilin in imitation of him?

The most striking accomplishment of the human facility to imitate—and the principal phenomenon with which I shall compare halachic practice—is language. But I'll first dwell momentarily on mime artists and their artful impersonations of human beings. This illustrative model will, I hope, help us understand certain elements when we look, first at language, and then at the halachic case.

Mime artists do not merely reproduce the external, visible features of their subject. They show us these by way of showing us the attitude of the subject—the joy, despondence, meekness, haughtiness and so on which they see in their subjects. The mimic looks empathically into the mind of the subject, sees this person's mental state and reproduces it through the mannerisms and gestures which express that mental state. Indeed it is by focusing on that state of mind of the subject and then finding it in themselves—"becoming" the subject internally—that mime artists replicate those external expressions. And though we see directly only those external features shown us by the mime artist, we also see through them to the joy or the haughtiness and so forth—we are looking, that is,

at a person in that mental state.

Something like this goes on in the acquisition of language. Infants hear the sounds of words and in due course replicate these. But these sound-productions become speech only insofar as infants match them with the meanings these sounds express. Hearing their parents say “apple” and discovering that their parents use this word when they want to say something about an apple, the infants too become able to use the word to mean apple. They must have, in other words, like the mime artist, seen into the minds of their parents and detected this desire to refer to an apple. Astonishing though this human facility is, it is not something magical: it will have been preceded by a natural process in which their parents, or other models, have some number of times done things like said “apple” as they hold or point to an apple. (According to some contemporary views, this is enabled by an innately endowed conceptual scheme which this process merely fills with content; but for our purposes this makes no difference, as the relevant end result of the process is the same.) The infant becomes able in this way to recognize the meaning the model intends when using the term—aware, that is, of the mental act which a use of the term expresses. And it is this match which the infant then reproduces: finding in her or himself the desire to say something about an apple (such as that she or he is hungry for an apple), the infant is able to express this desire by using the word “apple”.

It is thus by imitation of our parents as well as our siblings, extended family, teachers, community and so on, as they use the terms of the language in appropriate contexts, that we learn to use these terms, paired systematically with the world of meanings, ultimately making up the complex whole of our language.

The infant does not of course pursue this imitative achievement consciously or deliberately (unlike the mime artist). Yet nearly all of us are, quite evidently, innately endowed with the ability involved here (not with the language itself, but with the ability to acquire the language by imitation). It is, moreover, our innate impulse to press ahead with this process: we are innately urged to empathically see what people have in mind and thus learn how, upon discovering those states of mind in ourselves, to give them expression with our own corresponding linguistic behavior.

In just this way we also acquire a panoply of more elementary, non-linguistic gestures and mannerisms, such as head-shaking, shrugging, frowning and ululating. We detect in others a meaning, see that it is matched with a certain kind of physical expression, and so become able to express this meaning, when we find it in ourselves, by reproducing the same physical expressions (though

some matchings might also have come to us innately, such as a smile with happiness). Indeed the universal human facility and urge to imitate is, in this way, central to the transmission of gestures and characteristics that are, like language, largely nationally and culturally specific (indeed it is often striking how much of the mimetically acquired characteristics of a child's facial expressions and mannerisms are family-specific).

Once our language and other terms of expression are acquired, there is nothing artificial or constructed about our use of them. They become, rather, the natural, instinctive instruments for expressing our thoughts about the world and our yearnings. It is with these we give unmediated expression to our most intimate and overwhelming emotions. They are what reveal, in the most powerful and essential way, our very humanity.

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So it is, I suggest, when by emulating our parents, siblings, teachers and rabbis, we learn to pray, to lay tefilin, to create the world of Shabbat, and so on. We acquire in just this way a language for speaking to God. For as we watch them, we are aware not just of the physical aspects of their actions: we also have an urge—I am extrapolating here from what is hugely evident in the case of language and gesture acquisition—to empathically identify the mental states of which these physical aspects are expression; to discover, that is, the mental states motivating their worshipful behavior; and thus we become able, when we find this worshipful mental state within ourselves, to give it expression by exhibiting the same worshipful behavior. What we emulate is, in other words, not just the outward behavior, but the pairing of these inner and outer components of the act of worship. Through these pairings, thus acquired, our halachic practice becomes the means for expressing our own worshipful mental states. In this way, Halachah as a whole becomes our natural idiom for expressing to God our own inner stirrings.

Here, again, I am not imputing to the halachic novice any magical, mind-reading powers. How then do our halachic novices determine what the inner states of their models are? How do they know whether this is their model's love of God, or awe of God, or perhaps the model's lasting passion to blindly obey a teacher from childhood, or possibly even—for all the novice can tell—eagerness for money offered to the model in exchange for performing the mitzvah?

It is possible, for all I know, that in some instances at least, the novice is able to distinguish, just from the subtleties of the model's performance, that it is an

expression of love of God, or perhaps that it is an expression of blind obedience to a teacher. That said, I don't assume every Jew on the way to independent halachic observance has sufficient perceptive powers, even if some do. Different novices will vary in this respect; so will their models vary as to how much their performances show their inner states. But I'd surmise that, more usually, other contextual indications play a role here, too. One novice may know her father as a man gushing with love who, as she knows also from conversation with him, directs much of this love to God; and this will probably tilt her interpretation of her father's behavior. Likewise if she knows that a Kaddish-sayer in shul is providing someone a service in exchange for payment. Moreover, a novice's interpretation could be erroneous—nothing assures he sees the model's soul accurately. Or possibly the novice identifies the mental state less specifically—perhaps as some indeterminate attitude somewhere between love and awe. But whatever attitude or emotion the novice ascribes to her model—truthfully or falsely—this, I suggest, will be part of the mental state-with-expression match which she emulates in her own performance of the mitzvah.

The context influencing the novice's interpretation could include, for sure, the learning and discussion he or she brings to bare. His having learned about ahavat haShem, for instance, may prejudice—correctly or otherwise—how he now understands the performance he observes. But I doubt this learning can stand on its own in the cultivation of the worshipping self. For it is the process of observing, interpreting and emulating human beings that furnishes the novice with this warm instrument of human expression. The language-like, expressive force of halachic practice—its capacity to reveal our inner stirrings in this immediate, instinctive way—derives from this imitative process, and not, in most of us at least, from theoretical study.

There is also another feature of this imitative process that significantly empowers halachic practice as a means for showing God our souls. Our identification with our parents, family, teachers and community not only invests halachic practice with the capacity to express our worshipful feelings: in addition, much in the way that my first language is itself inseparable from my sense of who I am, the language of religious practice itself becomes part of my identity. It comes with this sense of being intimately mine. When I pray, I am speaking a message to God which draws, in the fullest possible way, from my very being—free of posturing or alien fabrication, essential in both content and form to the person I am.

I must at this point offer a reality check. What is this relation actually like between performance of a mitzvah and the mental state it expresses? Is this

something we could really recognize in our lives? I think the answer is yes, but to prevent us looking for the wrong thing, I must mention a few features which an expressive halachic act need not have. Firstly, as I shall clarify, a halachic act can be expressive of love, or of awe, without this being any kind of overwhelming, trance-like state of consciousness; indeed it need not be any kind of conscious episode. Secondly, the idea that love of God impels us to perform a mitzvah does not mean we should expect this love to sometimes impel us to act in any involuntary or unconsidered way (it will not, for instance, sometimes shake us helplessly out of bed at 2 am to lay tefilin). More positively, our love will show through action that is clear-headedly attentive to time and circumstances.

Compare an act of love for another person, such as when, pressed by love, I buy a present for my wife. This is a highly complex action, lasting over a period, comprising an indefinite sequence of sub-actions, each waiting for the right moment. I may first conceive the idea on Sunday, then check when I can shop for it, and only on Tuesday get in the car, turn the ignition, drive down to Emek Refa'im, search for parking, look in at a few stores, wait my turn at one of them and discuss options with the salesperson, finally choose something, take out a credit card, and so on. The deliberate and time-phased nature of the scheme takes nothing away from its being motivated the whole way by love, from it being manifestation of this ongoing condition of my person. I am not transported through it by any trance-like state of consciousness. Conscious episodes of love may occur in me from time to time, though I doubt these are essential to love being the motive. (This is not the space for a theory of love, but I'll just retell the familiar wisdom that what does testify to its being love is a much larger narrative—years of marriage, shared understanding and lots more.) Nor has this love taken hold of me and forced me to act in any involuntary way: it is, rather, integrated rationally into the matrix of my intentions and understanding regarding the world generally. It is true that some acts of love are less time-bound, more spontaneous, such as a kiss given just on a whim. But these, too, are typically executed not in an involuntary transport but with at least some attention to circumstances, and with ensuing restraint (e.g., not in front of certain witnesses).

It is to this same extent plausible that my performing of a mitzvah is an expression of love, even if it is not produced involuntarily by a spontaneous burst of passion. For so it is with love: it can be my ongoing love of God that presses me to lay tefilin, say Birkat Hamazon, make Kiddush at the Shabbat table, though I do each just when it is appropriately occasioned, at which moment I enact a complex and deliberate scheme (carry my tefilin to shul, go to my seat and so

forth). Nor does the possible absence of any conscious episode of loving Him, as I perform the mitzvah, cast doubt on the existence of this love, or on its being at play as my motive. The love may at some moments enter consciousness, but its doing so is not essential to its being my motive. It will be, rather, this ongoing condition of my person which, just in appropriate circumstances—such as it being time for Shacharit, or when I finish a meal, or when we come to the Friday night table—manifests in my considered performance of the mitzvah. (If mitzvot shehazman lo geraman differ at all relevantly in this respect from the more time-bound mitzvot I've used as examples, it is in their being potentially more spontaneous; so that, kal vechomer, there can be even less suspicion that they fail to demonstrate love.)

I must stress also that none of what I've said comes to deny that halachic texts play a role in the cultivation of expression through halachic practice—of course they do. A practice we have acquired through imitation and then refine further by consulting texts retains its identity as an instrument of personal expression. In contrast, however, a practice constructed in the first place from text alone, and deployed in an attempt to express through it (say) love of God, will lack this immediate and instinctive communicative force. Nor will it truly come from me.

Where, it must be asked, does this place ba'aley teshuvah or for that matter converts? Bereft of a parental model, are they unable to secure the intimate expressiveness of Halachah which I argue is yielded by mimetic transmission? Are they not bound to relying on instructional text? Not at all. Newcomers to Orthodoxy will acquire this identification with practice by attaching themselves to, and identifying with, a community, empathically watching what their fellow shul-goers and perhaps teachers do, and emulating them. In the course of time they, like anyone else there, will have made the language of worship their own. As much as the rest of us, they will acquire the patterns of prayer, tefilin, kashrut, the dos and don'ts making for the glow of Shabbat, and so on, until these shape, for them too, the form of life that is, potentially, our unmediated expression of love of God. They too become participants in this vital, human, forward-moving project of intimately worshipping God, a flux that began at Sinai, has been carried forward from generation to generation, and is now propelled onwards by us.

Family and community have been the artery within which Torat Moshe has coursed through our history. In just the way each generation of a nation inherits its language, we've inherited halachic practice, loaded at each moment with its signifying force—and always with the sense that this is the language our ancestors have used, since Matan Torah, to express their love of God. To be sure,

each generation imparts its admixture to this organically developing tradition—partly in the form of evolving minhag, partly through scholarly refinement; just as each generation of a nation imparts colloquialisms and sometimes scholarly correctives to its national language that are soon incorporated into its mainstream. Yet it is with this entire continuous emerging tradition that we identify; it is with the inner dimension of worship running through it that we empathize. In this ongoing human project we've found our place, and in so doing have become genuinely able to participate in worship.

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But a breach now in the sequence, with the new shift to the authority of text, places it in danger. For the project of synthesizing halachic practice from text gives us no more than this behavioral facility; it contains no mechanism providing us with a means for expressing our inner stirrings to God, such as is furnished by imitation. The shift from mimicry to the authority of text thus brings with it, I suspect, not just the change of quantity and emphasis in halachic practice accounted for by R. H. Soloveitchik—the move to a Judaism of chumrot—but also a qualitative change: it is failing to cast Halachah in the spiritual and psychological role it has traditionally fulfilled.

I must, however, step back a moment and ask, is this harsh conclusion born out by reality? Is it really true that a halachic practice incorporated into our lives after we discover it in a text, instead of by emulation, is less likely to function as expressive of our love of God? Let me flesh out the situation with an example. Suppose in a shiur on Mishnah Berurah, I learn that Chanukah lights must be in a window less than 10 tephachot (slightly less than one yard) above ground level, if one has such a window (if one doesn't have one, then higher is okay; cf. 671:27); and suppose that, in ignorance of this, it has been our family practice to place them in a window above 10 tephachot, even though we do have a window below this height. I can imagine ourselves engaging in some family debate, then switching to the lower window, and yes, with the feeling that we are only now fulfilling the mitzvah properly. But I doubt anything about doing this switch, motivated just by our concern to conform with the written ordinance, will make it in any sense an act expressing our love of God. It will feel, rather, like an alien imposition, even a disruption of the particular form of life by which we've celebrated the relation God has had with Am Yisrael and through which we've shown Him our reciprocal love.

I must also very forcefully stress here that I do not for a moment mean to suggest, God forbid, that a failure of the communicative role of a mitzvah could

be reason not to perform it. I am, to start with, most certainly not qualified to suggest to anyone what they are halachically bound to do or not do. And more importantly: even if I am correct in saying that a mitzvah we've discovered in a text lacks the expressive force that would have been given it by imitation, some other solid reason may nevertheless exist to perform this mitzvah. What our reasons are for performing mitzvot is a huge question of hashkafah, far beyond the scope of the present discussion; but expressiveness is certainly not an exclusive answer. Suffice it to mention here the plausible view that we must perform the mitzvah simply lishmah—as a self-sufficient, intrinsically valuable act; or the view that we must perform it just because God has told us to; or that it is for the sake of some human utility, known or unknown to us, which God wishes us to introduce into the world; or because by doing it repeatedly we eventually do come to express by it our love of God. Deeply disconcerted though some of us may be if the expressive potential of a mitzvah has fallen into some dereliction, it would be outrageous to suppose this could be reason to stop performing it. My conclusion does not extend beyond pointing to this breakdown of expressiveness.

But even this limited statement may seem overly alarming. For in reality we still mostly identify with parents and a community whose practices of Shabbat, tefilin, kashrut and Chanukah lights, for instance, are our primary encounter with and source of mitzvot. Insofar as we are prompted into our own performing of a given mitzvah by identification and emulation, so too does this action retain its expressive power. There admittedly are contemporary practices of which I doubt this can be said—in some circles, for instance, the gebrokts apron, preventing matzo crumbs from landing on moisture, has become de rigueur accoutrement at the seder table—but these remain the minority of our practices. Surely, then, the tradition is still principally transmitted by imitation.

That may be true, yet I fear the evaluative shift towards a religiosity based on the authority of text nevertheless brings with it a more pervasive erosion. For it devalues in a general way the possibility of communicating through Halachah with God. One way of putting this is that a different motivation for performing mitzvot has begun to captivate us, namely, to cultivate a practice whose formal features match the requirements of texts; so that, correspondingly, we have become less driven by the motive to show God our love. The whole enterprise of performing mitzvot in order to express our inner devotion—always its vital human core—is moving towards obsoleteness.

Actually, though, I think the situation is more complex. It is not that we have ceased to inherit halachic practice through mimicry. Mimetic transmission largely

continues: we still observe parents, teachers and others performing mitzvot, and we are still driven to interpret their motives and to emulate the halachic practice that becomes, in ourselves too, expressive of those motives. But we are now gripped by an ideology that focuses just on the formal match between behavior and text. Our new premise, that achieving this match is the true reason for performing mitzvot, now guides our interpretation of halachic practice—is now what guides the novice's interpretation of her model—so that the novice is much likelier than before to interpret halachic practice as motivated just by the concern to achieve this formal match. She may even be misinterpreting that practice—a real, active love of God might be concealed from her by the new premise—nonetheless, a formal match will in turn become her own motive for performing mitzvot. The motivational turn widely infecting us in this way is what is prompting the novel preoccupation, described by R. H. Soloveitchik, with elevating ever more details from the halachic literature into common practice. Moreover, given the authority of text, even the imitative identification with our forbears could, with time, become superfluous altogether.

Halachah is potentially the language in which we tell God we love Him. We learn it by observing others speaking it, empathizing with their motives and emulating them. But we are losing sight of this communicative purpose of Halachah. It is as if we are becoming obsessed with learning some natural language, not in order to communicate in it with others, but just for the purpose of producing syntactically perfect sentences, without the ability to use these sentences for conveying our thoughts: at first we go about this by observing its native speakers—listening only for the formal properties of their speech, indifferently to the meanings they express through it; then in due course we turn for our authoritative source to an instruction manual of syntax, renowned for its accuracy, which teaches us to produce excellent sentences but leaves out their meanings. We are moving, it may be said, towards a condition of halachic aphasia.

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All is not lost. We can counter the trend with education—as parents by telling our children, as teachers by telling our students and, I humbly submit, as rabbis our congregants, that our reason for performing mitzvot is ahavat haShem. This principle, disseminated widely enough, stands a chance of prejudicing accordingly the next generation's interpretation of halachic practice. But as their models, we shall need to be sincere: our own examples need to convincingly demonstrate this love. If we are visibly phony, no one will inherit it from us.