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"If You Seek it Like Silver": Illness and Poverty as Metaphors for Obligation in Israel Salanter

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The modern musar movement and its literature have had a diverse set of scholarly receptions: it has sometimes been seen as a last-ditch effort to preserve an embattled form of halakhic traditionalism, at other times as a radical disruption of conventional approaches to both Jewish law and Torah study.[2] Both of these interpretations proceed from an assumption

[1] The basic idea for this article began as a paper at the 2020 meeting of the American Academy of Religion. I am especially grateful to my co-panelists Sarah Wolf and Shira Billet, as well as to our generous respondent, Martin Kavka. I am also grateful to Paul Franks, for all he has taught me about musar, to Emilie Amar-Zifkin and Avigayil Halpern for help tracking down sources and formulating ideas, and to two anonymous reviewers from the *Journal of Textual Reasoning* for their invaluable help in sharpening the argument of this article. This article was partially written at the Herbert D. Katz Center for Advanced Judaic Studies at the University of Pennsylvania which provided material support and a community of generous colleagues to nourish this work. All errors are, of course, my own.

[2] There has been extensive scholarly debate about how to define the category of musar. The term has been used in three main related but distinct ways. First, some scholars, most prominently, Isiah Tishby and Joseph Dan, have argued that "musar literature" forms a

about the potential sources of "constraint" or "obligation" on the one hand, and "freedom," "autonomy," "reform," or "radicalism" on the other. If the modern musar movement is best understood as an effort to preserve tradition, then it is also an effort to guard halakhic obligation against the "autonomy" promised by modernity; conversely, if the modern musar movement is an effort to reform Jewish practice through increased attention to self-cultivation, then it threatens to cultivate a form of "autonomy" which can reshape, or simply undermine, the normative demands of halakhah. Both of these interpretations rely on a binary

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distinct genre, characterized by a unique interplay between the texts' moral content and their literary form. In turn, other scholars have argued that this generic distinction is itself a modern creation, which is imposed on earlier sources. In this vein, Patrick Koch writes that "Only in modern research would scholars adopt the term musar to posthumously create a literary genre—*sifrut ha-musar* [musar literature]—interpreting it according to their own agenda, either as a philosophical ethics, a moralistic theology, as Hebrew prose, or as a blueprint of a religion that was essentially envisioned as the ultimate expression of an 'ethical monotheism.'" Second, some scholars have treated musar as a general category of thought which functions as halakhah's opposite; Benjamin Brown has argued that the halakhah/musar distinction is parallel to the legal theorist Ronald Dworkin's rules/principles distinction. Finally, musar is sometimes used to refer to a specific intellectual movement, founded in 19th-century Lithuania. These three uses are all related to one another—the generic distinction used by Tishby and Dan authorizes Brown to make his conceptual distinction, and modern scholars' understandings of the term are influenced by the ways that the modern musar movement has reshaped the reception of both halakhic and musar literature. However, the conceptual work that I do in the paper suggests that the binaries that Tishby, Dan, and especially Brown deploy may not capture the complex ways in which Salanter's work integrates concepts of obligation which are borrowed from halakhic literature. Because this paper focuses exclusively on the work of Israel Salanter, I begin by using the term "modern musar movement" to clarify that I am using the term in the third sense (and not to refer to its 20th-century American inheritors, whose work I do not treat here). In subsequent uses, I use the shorter forms "musar movement" or "modern musar literature" to refer to this movement and its literature. While some scholars capitalize "Musar" and "the Musar Movement" I do not do so here, to clarify that musar names a broad range of literatures, movements, and cultural practices; I leave the capitalization as is in secondary materials. Isaiah Tishby and Joseph Dan, *Mivḥar Sifrut ha-Musar* (Jerusalem: M. Newman Publishing House LTD., 1970); Patrick Koch, *Human Self Perfection: A Re-Assessment of Kabbalistic Musar-Literature of Sixteenth-Century Safed*, Sources and Studies in the Literature of Jewish Mysticism (Los Angeles: Cherub Press, 2015), 41–42; Benjamin Brown, "From Principles to Rules and from Musar to Halakhah: The Hafetz Hayim's Rulings on Libel and Gossip," *Dinei Yisrael: Studies in Halacha and Jewish Law* 25, (2008): 86.

opposition between "halakhah," associated with "obligation" and "constraint," and "modernity," which is characterized by "autonomy," "self-determination," and "reform." In this paper, I argue that this binary is ill-suited to understanding the work of the modern musar movement's founder Israel Salanter (1810-1883), because Salanter explicates the obligation to engage in reflection about one's character in terms of a form of constraint that is distinctly personal, emotional, and modern.[3] In particular, I show that Salanter understood the obligation to engage in this kind of reflection, called *Limmud Musar*, through comparisons to modern experiences of illness and poverty. Salanter uses these experiences, and the emotional responses that they engender, to help his readers explore what it means to be obligated to improve one's character.

The modern musar movement inaugurated a set of changes which were at once curricular and philosophical: Salanter developed a set of methods for *Limmud Musar* (literally, "the study of musar," a set of practices designed to shape the practitioner's character), and these methods moved students away from the exclusive study of Talmud, which had become standard in 19th-century Lithuanian Yeshivot. More substantively, the musar movement developed a novel and robust moral psychology which offered an account of how a person might improve their character. As we will see below, these prescriptions were articulated in a rabbinically-inflected idiom and deployed halakhic terminology.

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[3] This paper does not seek to offer a fully-warranted definition of "modernity," nor does it offer a contribution to debates about the periodization of "modern Judaism." Rather, it analyzes the ways scholarly readers of modern Jewish thought have deployed the concept "modernity" to denote a constellation of traits that they took to characterize modernity Jewish subjectivity. These include an increased sense of autonomy from Jewish religious authorities, an increased level of civic participation in non-Jewish political systems, and increased cultural literacy about and participation in the non-Jewish public sphere. It is important to note that these changes were non-linear. While some scholarship has treated Jewish "emancipation" as a time-bound event, taking place almost entirely in the late 18th and early 19th centuries, the processes of emancipation have extended well into the 20th and 21st centuries, and have faced significant setbacks along the way. See David Sorkin, *Jewish Emancipation: A History Across Five Centuries* (Princeton: Princeton University Press, 2019).

My reading of Salanter complicates standard narratives of the modern musar movement, as well as other Jewish "responses to modernity," in two key ways. First, it suggests that, for some Jewish thinkers, the experience of modernity was as marked by constraint—in the form of experiences of poverty, illness, and, we might add, persecution—as it was by autonomy. Second, it suggests that these experiences of constraint influenced how modern Jewish thinkers understood obligation (both halakhic and otherwise) in religious terms. Salanter's effort to analyze the obligation to engage in *Limmud Musar* through a comparison to experiences of illness and poverty also prefigures recent developments in Jewish feminist thought, which has increasingly looked to women's experiences of bearing and caring for young children as models for obligation.[4] Reading Salanter with an eye to how he uses experiences of poverty and illness to illustrate obligation can help scholars see that there is an even wider wellspring of experiences that can be used to build more robust and inclusive accounts of obligation (halakhic, ethical, and otherwise). This reading allows readers of modern Jewish thought to construct an account of obligation which does not rely on an implied opposition between a supposedly unconstrained "autonomous" individual and a halakhic norm that would limit the subject's pursuit of its desires and goals. Salanter's thought thus serves as an occasion for developing a more varied account of obligation and the affects surrounding it.

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[4] For the most significant recent example of this, see Mara H. Benjamin, *The Obligated Self: Maternal Subjectivity and Jewish Thought* (Bloomington, IN: Indiana University Press, 2018). Crucially for our purposes, Benjamin presents her project as an alternative to the assumed opposition between modern notions of autonomy and apparently heteronomous halakhic obligations which has dominated analysis of Jewish concepts of obligation in modernity. Benjamin writes, "Viewing maternal subjectivity as a simultaneous exercise in submission *and* an exercise of agency within a set of constraints offers a new lens on obligation in Jewish thought. A feminist analysis of maternal subjectivity demands critique of traditional Jewish understandings of obligation and, at the same time, suggests a starting point for reappropriating Judaism's religious discourse of obligation." Benjamin, *The Obligated Self*, 4–5, (emphasis in the original).

To argue for this, I begin with a partial survey of the modern musar movement's scholarly reception. This survey is not intended to give a comprehensive view of scholarship on the modern musar movement, but instead to highlight how assumptions about the tradition/modernity and obligation/autonomy binaries have obscured Salanter's understanding of the emotional and psychological structure of obligation in existing scholarly literature. Then, I show that Salanter understood his new practice of *Limmud Musar* as obligatory and described the practice using halakhic terminology. Next, I argue that Salanter figured obligation by comparing it to emotional responses to experiences of illness and poverty. I conclude by suggesting that Salanter's understanding of obligation, and the role that he takes emotion to play in both grounding obligations and responding to them, offers a novel phenomenology of obligation. This phenomenology can in turn be used to broaden and enrich concepts of obligation in modern Jewish thought more generally, allowing it to attend to and learn from a wider range of experiences than it has previously. This new phenomenology of obligation is not designed to serve as the paradigmatic model of what obligation is like, but instead, to offer one way of understanding it, which can be deployed alongside and in conversation with others.

The Modern Musar Movement's Scholarly Reception

The modern musar movement's scholarly reception has been structured by a binary opposition between "traditional" halakhic normativity and "modern" notions of autonomy, which are taken to present a direct challenge to halakhic normativity. Scholarship on the musar movement deploys this binary in one of two ways: some scholarship locates modern musar literature on one side or other of the binary, while other scholarship notes that it includes elements drawn from either side.[5] In his 1928 treatment of Salanter (likely one of the first treat-

[5] The dichotomous treatment of the musar movement as either pro- or anti- "tradition" is continuous with a larger historiographic trend in the treatment of modern Judaism in Europe and perhaps especially in Western Europe. In the classic version of this historiographical

ments of the musar movement using the tools of *Wissenschaft des Judentums*), Louis Ginzberg writes that "In spite of Salanter's originality, he has not given us a new system of ethics."[6] While Ginzberg was willing to grant that Salanter's work was stylistically innovative, he nonetheless denied that the content of Salanter's ethics was distinctive. This reading of musar has had remarkable staying power: In his classic study of Salanter (published in Hebrew in 1982 and then in English in 1993), Immanuel Etkes writes, "Study of Salanter's writings reveals that, not only is his underlying theological position completely lacking in innovation, but it even entails a certain degree of retreat. His approach is essentially a return to the classical Rabbinic thought of the Mishnah and the Talmud."[7] For Etkes, Salanter's classicism implies a prioritization of halakhic

narrative, modernity amounted to a "crisis" which faced an otherwise stable "traditional society." See Jacob Katz, *Tradition and Crisis: Jewish Society At the End of the Middle Ages*, Revised ed. (New York: NYU Press, 1993). There have been significant efforts in recent years to destabilize both the notion of "tradition" and "crisis," by suggesting that the "traditional society" had a more diverse set of relationships to "external" legal regimes and by suggesting that the "crisis" was more varied in intensity than Katz suggests. For versions of this approach see Jay R. Berkovitz, *Law's Dominion: Jewish Community, Religion, and Family in Early Modern Metz* (Leiden: Brill, 2019); Jay R. Berkovitz, *Protocols of Justice (2 vol. set): The Pinkas of the Metz Rabbinic Court 1771-1789* (Leiden: Brill, 2014); Gershon David Hundert, *Jews in Poland-Lithuania in the Eighteenth Century: A Genealogy of Modernity*, 1st ed. (Berkeley: University of California Press, 2004). Hundert writes that "Although there were certainly stresses and strains on the institution of the *kahal* in the eighteenth century, in fact it continued to function well into the nineteenth century in the overwhelming towns and cities in eastern Europe….Although there was indeed increased tension between autonomy and integration during the eighteenth century, these tensions did not constitute the 'crisis' that some historians have seen. It may be, in fact, that the very antinomy—autonomy/integration—conceals more than it reveals." Hundert, 99–100. Just as, for Hundert, the historical story of modern Judaism cannot be fully understood in terms of a distinction between a "traditional society" governed by an autonomous *Kahal* and an "integrated" Jewish population with no power to enforce its own legal regime, I argue here that the parallel antinomy in modern Jewish thought between the "constraint" that characterizes pre-modern halakhic normativity and a modern notion of "autonomy" similarly conceals some key features of modern Jewish thought.

[6] Louis Ginzberg, "Rabbi Israel Salanter," in *Students, Scholars, and Saints* (Philadelphia: Jewish Publication Society, 1928), 178.

[7] I. Etkes, *Rabbi Israel Salanter and the Mussar Movement: Seeking the Torah of Truth* (Philadelphia: Jewish Publication Society, 1993), 92-3.

normativity. He writes that, for Salanter, "Religious activity and meaning are defined by the concepts of commandment and transgression, reward and punishment, this world and the World to Come. The essence of Divine service thus consists in response to and obedience to the mitzvot per se."[8] On this reading, Salanter emphasizes "obedience to the mitzvot per se" in order to respond to the three-fold threat of Haskalah, Hasidism, and assimilation into an increasingly secularized European intellectual culture. Read this way, Salanter's work offers a defense of halakhic normativity in the face of a variety of modern Jewish antinomianisms, whether they present themselves as religious or secular, traditionalist or reformist.

Other scholars have contested this conservative reading of the modern musar movement, arguing that modern musar literature marked a definitive step away from, rather than toward, halakhah. Shaul Magid suggests that the musar movement represented an early form of "secularization" of Jewish life.[9] Magid argues that modern musar literature's emphasis on personal moral development affords the self a kind of autonomy that it would not normally have in the standard halakhic system. He writes that in "modern Musar,"[10]

> the fledgling autonomous self begins to emerge and to function as the arbiter of *tikkun ha-midot* [character improvement], once deemed self-perfection and now better translated as ethical or behavioral refinement, and which, while still articulated as an extension of halakhah, in its premise and even practice gives rise to something that, given different historical circumstances, enables that self to separate from the halakhah

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[8] Etkes, *Rabbi Israel Salanter and the Mussar Movement,* 93.

[9] Shaul Magid, "The Road from Religious Law (Halakha) to the Secular: Constructing the Autonomous Self in the Musar Tradition and Its Discontents," in *Jewish Spirituality and Social Transformation: Hasidism and Society*, ed. Philip Wexler (New York: Crossroad Publishing, 2019), 203–22.

[10] Magid uses this term to refer to Salanter, Simḥah Zissel Ziv, and their direct successors in order to distinguish these figures from the medieval thinkers like Baḥya ibn Pakuda, early modern thinkers like Moshe Hayyim Luzzatto, as well as from contemporary "neo-Musar" thinkers in America including Ira Stone and Alan Morinis.

> to function in its place. While certainly not the intent of Musar, it does not mean it is not a possible mutation.[11]

Magid argues that musar's focus on self-cultivation opens the door to a form of "neo-Musar" where "*Tikkun ha-midot*, or Musar, has been severed from the obligatory nature of halakhah."[12] Because musar is interested in "ethical or behavior refinement," Magid argues, it contains the basic elements of a psychological theory which inherently undermines halakhic normativity. Though their conclusions differ, Etkes and Magid proceed from a similar set of assumptions—modernity offers a vision of autonomy which poses a threat to (or, phrased more positively, offers a set of compelling alternatives to) halakhic notions of obligation, and the modern musar movement offers a response to that threat (either in the form of a counter-argument or an implicit embrace of the supposedly threatening arguments).[13]

Some scholars have also argued that the modern musar movement was not "radical" by contextualizing it as part of a longer pre-modern

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[11] Magid, "The Road from Religious Law," 208. Brackets in the original.

[12] Magid, "The Road from Religious Law," 219.

[13] Some scholars have deployed versions of this binary more gently, while still assigning musar literature to one side rather than the other. In his forward to Geoffrey Claussen's 2022 book *Modern Musar: Contested Virtues in Jewish Thought*, Louis Newman writes that musar's "emphasis on virtue or character clearly appeals to contemporary Jewish sensibilities, which (outside of Orthodox communities) reject a more legal, rules-based approach to ethical issues." Claussen himself also deploys a version of the halakhah-musar opposition in his own introduction to the book, where he writes, "While halakhic literature teaches norms for conduct, musar literature points to ideals of character— not just how people should act, but what people should be like." We will see below that Claussen's other scholarship on musar restates the binary, but does not force musar literature to choose a "side." Geoffrey D. Claussen and Louis E. Newman, *Modern Musar: Contested Virtues in Jewish Thought* (Philadelphia: The Jewish Publication Society, 2022), ix, xvii.

This binary also shapes how scholars have chosen non-Jewish philosophical interlocutors for musar literature. Strikingly, while Claussen reads Simḥah Zissel Ziv's work as a form of virtue ethics, Tamar Ross identifies significant resonances between Salanter's intellectual heirs and Kantiansim. See Geoffrey D. Claussen, *Sharing the Burden: Rabbi Simhah Zissel Ziv and the Path of Musar* (Albany: State University of New York Press, 2016), 3; Tamar Ross, "Ha-Maḥshavah Ha-Iyunit b'Khitvei Mamshikhav Shel Yisrael Salanter Bitenuʿat Ha-Musar" (Jerusalem: The Hebrew University, 1986), 80.

tradition of musar literature. In his multi-volume study, *The Musar Movement*, Dov Katz argues that "the core view of the musar movement is not a new one within Israel. In Judaism's rich literary history, we find many books, both medieval and modern, which address the challenge of becoming a complete servant of God and acquiring virtues and good character traits."[14] Katz thus renders the modern musar movement "traditional" by excavating a series of antecedents which he takes to address the same ethical concerns. Halakhah, then, is no longer the key metric of whether the musar movement is "traditional" or "radical." While Katz is able to gather a long history of sources that address these concerns, he nonetheless recognizes that these precedents for the modern musar movement "were the work of isolated individuals, they were singular works…which did not constitute a movement" and thus reached a very limited audience."[15] For Katz, the musar movement's "radicality" and "traditionalism" came from the fact that it built a community, a more comprehensive way of life, out of what had previously been an isolated theme in marginal literary works.

In contrast to the scholarship surveyed above, both Hillel Goldberg and Geoffrey Claussen pointedly refuse to categorize Salanter as either "traditional" or "radical." Goldberg writes that in Salanter's "defense of tradition he adopted two essential postures, qualified acceptance and qualified rejection of contemporaneous Western currents. The line between the two is a thin one, reflecting a difference in emphasis more than in substance."[16] In his book-length study of Salanter's most prominent student, Simḥah Zissel Ziv, Claussen writes that

> The Musar movement was an Orthodox movement that sought to strengthen the traditional Jewish virtues that Salanter saw as threatened by adherents of the Haskalah who promoted acculturation. At the same

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[14] Dov Katz, *Tenuʿat Ha-Musar: Toldoteha Isheha Ṿe-Shiṭoteha.*, vol. 1 (Tel Aviv: A. Tsiyoni, 1974), 79. Translation mine.

[15] Katz, *Tenuʿat Ha-Musar*, 1:86.

[16] Hillel Goldberg, *Israel Salanter, Text, Structure, Idea: The Ethics and Theology of an Early Psychologist of the Unconscious* (KTAV Publishing House, Inc., 1982), 200.

> time, it was a reformist movement, critiquing the scholarship-centered program of the Mitnagdim that dominated traditionally observant Lithuanian culture.[17]

My work here builds on Goldberg's and Claussen's refusal to fully adopt the tradition (halakhah, heteronomy)/modernity (antinomianism, autonomy) binary. However, rather than arguing that the musar movement inhabited both sides of it, I use a close reading of Salanter's writing on illness, poverty, and obligation to break apart the associations that shape each side of the binary, thereby critiquing the assumptions behind the binary itself. I show that Salanter offers his own distinctive account of "obligation" in his description of *Limmud Musar*; obligation remains a central, productive, category in Salanter's thought. Salanter deployed normative terminology borrowed from halakhic literature in his novel description of the obligation to engage in *Limmud Musar*. I then show that his analysis of obligation relied on an analysis of first-personal experiences of poverty and illness, which he and his students understood to be particularly prevalent in their own time, and which were characterized by constraint rather than autonomy.[18] This paper also con-

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[17] Claussen, *Sharing the Burden*, 3.

[18] Some scholars, including Magid, have argued that Eastern European Jews had more significant intellectual freedom in the 19th century because they experienced less "external" pressure from Christianity. In what follows, I suggest that, whether or not these thinkers did indeed experience less significant pressure to engage in anti-Christian polemics, their experience was nonetheless marked by forms of constraint—in the form of poverty and persistent illness—shaped their intellectual and religious lives.

In his intellectual biography of the Vilna Gaon, Eliyahu Stern argues that the Vilna Gaon was able to exhibit a form of "genius," which "is embodied in those residents of Tel Aviv and New York who live as though they are majorities" and which "represents the protean nature a Jewish people that has arisen out of the horrors of modernity." My treatment of Salanter suggests that the "horrors of modernity"—as experienced by relatively poor eastern European Jews like Salanter—remained a very powerful influence on Jewish religious and intellectual life, even within the Lithuanian Jewish context in which Jews lived in concentrated enough centers to allow them to "live as though they were majorities." Eliyahu Stern, *The Genius: Elijah of Vilna and the Making of Modern Judaism* (New Haven: Yale University Press, 2014), 64, 171; Shaul Magid, *Hasidism Incarnate: Hasidism, Christianity, and the Construction of Modern Judaism*, 1st edition (Stanford, CA: Stanford University Press, 2014), 80.

tributes to scholarly literature in modern Jewish thought generally, by allowing the literature of the modern musar movement to offer conceptual resources to help modern Jewish thought learn from a wider range of subjective experiences—beyond those of the non-disabled, wealthy subjects which populate many of the subfield's primary texts.[19] This allows musar literature to be part of the effort to reckon with the conceptual and bibliographical narrowness of modern Jewish thought's textual canon.

Limmud Musar as Obligatory

Salanter's thought and teaching led to the spread of *Limmud Musar*, a practice of moral study and reflection. While this practice was in many ways quite innovative, it was also framed using the halakhic language used to describe and regulate the practice of *Talmud Torah* (Torah study). In the rabbinic imagination, *Talmud Torah* was not only praiseworthy but obligatory.[20] Later authorities codified this obligation as a central area of Jewish law, with both Maimonides's *Mishneh Torah*, as well as Jacob ben Asher's (1239-1343) *Arbaʿah Turim* and Yosef Karo's (1488-1575) *Shulḥan Arukh* devoting whole sections to the laws regulating Torah study. The *Shulḥan Arukh's* treatment of *Hilkhot Talmud Torah* begins:

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[19] It is worth noting that the lives and reception of two of the modern Jewish thought canon's stalwarts are marked by illness and disability. Mendelssohn's mental illness, as well as his physical disability, have been noted by scholars, and Rosenzweig's biography is similarly oriented around his ALS. In both cases, illness and disability are treated as unfortunate obstacles to their philosophical productivity. My treatment of illness as a key theme in Salanter offers a different approach, in which attending to the psychological features of experiences of illness can provide material for philosophical analysis. See Alexander Altmann, *Moses Mendelssohn: A Biographical Study* (London: Routledge & K. Paul, 1973), 266–71; Leah Hochman, "The Ugly Made Beautiful: Mendelssohn as Icon," *Journal of Modern Jewish Studies* 5, no. 2 (July 2006): 137–61, https://doi.org/10.1080/14725880600741466; Nahum N. Glatzer, ed., *Franz Rosenzweig: His Life and Thought*, 3rd edition (Indianapolis, IN: Hackett Publishing Company, Inc., 1998).

[20] See *Shulḥan Arukh*, YD 246:1 and MT *Hilkhot Talmud Torah* 1:1. Translations from the *Shulḥan Arukh, Mishneh Torah*, and other halakhic and rabbinic texts are my own. Biblical translations are from the NJPS.

> Every man in Israel is obligated in *Talmud Torah*, whether he is poor or rich, whether he is of sound body, or whether he is ailing, whether he is young or very old. Even a poor person, who goes and begs in doorways, and even one who has a wife and children, is obligated to set times for *Talmud Torah*, day and night, as it is written, 'recite it day and night' [Josh. 1:8].[21]

For both the rabbis and later halakhic authorities, fulfilling this obligation required setting aside specific times and spaces for *Talmud Torah*. The rabbis of the Talmud imagine that, when a person faces judgment in the next world, one of the first questions he will be asked is whether he has set aside specific times for *Talmud Torah*.[22]

Salanter imports much of this conceptual architecture and language into his discussion of *Limmud Musar*. In several places, Salanter describes *Limmud Musar* as an "obligation" (*ḥovah*), thereby integrating the practice into existing halakhic vocabulary.[23] In the sixth letter of *Or Yisrael*, Salanter writes that "*Limmud Musar* is an obligation for human beings, and especially for a person who is busy with his work."[24]

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[21] *Shulḥan Arukh*, YD 246:1.

[22] B. Shabbat 31a.

[23] See for example Israel Salanter, *Or Yisrael, with Notes and Commentary from Ruben Lichter* (Jerusalem, n.d.), Letter 3, 76, Letter 20, 254, 257. Translations from *Or Yisrael* are my own, produced in consultation with Zvi Miller, ed., *Ohr Yisrael: The Classic Writings of Rav Yisrael Salanter and His Disciple Rav Yitzchak Blazer*, trans. Eli Linas (Southfield, MI: Targum/Feldheim, 2004).

Katz notes that Yonatan Eyebeschutz also identifies an obligation to "study each day—morning and evening—a few pages of books of musar." Like Salanter, Eyebeschutz also relies on a version of the "medical metaphor" to explain this obligation, comparing it to a form of preventative medicine which has the power to "confuse nature" and avoid illnesses that might otherwise arise. Though Eyebeschutz is using a similar analogy to Salanter, he deploys it slightly differently. As we will see below, Salanter uses the sense of urgency created by illness to better understand the need to attend to an already ailing soul; in contrast, Eyebeschutz argues that musar study serves to prevent the soul from ever becoming ill. Salanter's students discuss this passage from Eyebeschutz in Letter 6 of *Sha'arei Or.* Yonatan Eyebeschutz, *Ya'arot Devash*, vol. 1 (Yozifov, 1866), 66, https://hebrewbooks.org/14492; Katz, *Tenu'at Ha-Musar*, 1:81.

24 Salanter, *Or Yisrael,* Letter 6, 123.

Though both *Talmud Torah* and *Limmud Musar* are obligatory, the two obligations fall on different groups of people. Salanter extends the obligation to engage in *Limmud Musar* to women as well as men. He writes,

> *Limmud Musar* is not like other kinds of study. There is no other kind of study whose obligation extends to all people. Women are exempt from *Talmud Torah*, and there is also ample room to exempt those who are downtrodden from their work, and who are not of sound mind because of their horrible hardships, God forbid—each person can be relieved from their obligation according to their situation. One case is not like another, and as a person's condition improves, his obligation grows.[25]

Here, Salanter glosses the earlier texts about the obligation to study Torah as implying that obligation and exemption are not binary states: one's degree of obligation adapts to an individual's circumstances and psychological capacities.[26] As I will discuss more below, Salanter argues

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[25] Salanter, *Or Yisrael*, Letter 3, 72.

[26] Versions of this approach to *Talmud Torah* are well-attested, but contested, in earlier sources. In his commentary on the *Shulḥan Arukh*, the Rema (Moses Isserles, 1530-1572), writes that "In a time of crisis, even if he only recites the *Shemʿa* morning and evening, he has fulfilled his obligation [to study Torah]" (Rema, YD 246:1). The *Sefer Mitzvot Gadol* (Positive Commandments, 12) as well as the *Hagahot Maimoniyot* (1:7) support this ruling. Nonetheless, this more flexible approach to Torah study remained radical in Salanter's own context, which increasingly saw Torah study as a central obligation which needed to be pursued in spite of physical or economic need. For example, in some Lithuanian yeshivot of the period, students rarely slept; Stern notes that the Vilna Gaon (Elijah of Vilna, 1720-1797) is said to have "adopted a polyphasic sleep schedule, dividing his rest time into four half-hour intervals, three during the night and one during the day." Indeed, in his own commentary on the passage from the *Shulḥan Arukh* quoted above, the Vilna Gaon notes that the Ran (Nissim of Gerondi, 1320-1376) and other authorities disagree with the Rema's conclusion (Biur HaGra, *ad loc*, s.v. "*b'shaʿat had'ḥak*). Stern, *The Genius*, 159.

Salanter's picture of halakhic obligation as a matter of degree, which is responsive to social, political, and emotional realities, has grown increasingly unpopular in 20th and 21st century Jewish thought. In her analysis of contemporary debates surrounding halakhah and gender, Ronit Irshai identifies an increasingly prevalent "formalistic reduction" which undermines efforts to uncover new halakhic narratives and approaches, especially in conversation about gender and halakhah. In turn, she also argues that this "formalistic reduction" lends itself to an "aqedah theology" which pits a formalistic, immutable halakhah against "moral

that the obligation to engage in *Limmud Musar* is not similarly variegated—everyone experiences the illness of the soul which grounds the obligation in *Limmud Musar*, and so everyone, even those who are exempt from *Talmud Torah*, is obligated.

Salanter goes on to argue that the obligation to engage in *Limmud Musar* creates an obligation to set aside specific times for Torah study. As we saw above, when the *Shulḥan Arukh* codifies the requirement for all Jewish men to engage in Torah study, it explicitly states a requirement to set aside specific times for study.[27] Salanter adapts this requirement for "set times" for *Limmud Musar,* writing that someone who wishes for the "lofty idea" of Musar "to find rest" "it is quite right that it should be strengthened by nails that are planted—setting aside specific times for it, each day between the afternoon and evening prayers."[28] Salanter's use of halakhic language to describe *Limmud Musar* already suggests that his relationship to halakhic normativity is more complex than either Etkes's or Magid's readings suggest. Far from rejecting the normative discourse of halakhah, or adopting a rigid version of halakhic normativity which is

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impulses." Irshai's analysis suggests that uncovering the more mutable kind of halakhic normativity that Salanter prioritizes may be helpful in combatting—or at least articulating a counternarrative against—some of the backlash against feminist interventions in halakhah. Ronit Irshai, "Toward a Gender Critical Approach to the Philosophy of Jewish Law (Halakhah)," *Journal of Feminist Studies in Religion* 26, no. 2 (2010): 55–77, https://doi.org/10.2979/fsr.2010.26.2.55; Ronit Irshai, "Religion and Morality: Aqedah Theology and Cumulative Revelation as Contradictory Theologies in Jewish Modern-Orthodox Feminism," *Journal of Modern Jewish Studies* 16, no. 2 (May 4, 2017): 219–35, https://doi.org/10.1080/14725886.2016.1225388.

It is also worth noting that debates about whether supererogation is part of, or reaches beyond, halakhah have continued in other contexts in the modern period. See for example Aharon Lichtenstein, "Does Judaism Recognize an Ethic Outside of Halakhah?," in *Contemporary Jewish Ethics*, ed. Menachem Kellner (New York: Hebrew Pub Co, 1978); Deborah Barer, "Law, Ethics, and Hermeneutics: A Literary Approach to Lifnim Mishurat Ha-Din," *Journal of Textual Reasoning* 10, no. 1 (December 2018); Deborah Barer, "Ethics and Halakhah: Reframing the Question," *Journal of Jewish Ethics* 5, no. 2 (December 1, 2019): 180–206, https://doi.org/10.5325/jjewiethi.5.2.0180.

[27] *Shulḥan Arukh*, YD 246:1. This requirement is drawn from b. Shabbat 31a.

[28] Salanter, *Or Yisrael*, Letter 2, 63-64.

not responsive to individual circumstance, Salanter uses the normative language of halakhah to describe a new, obligatory practice, designed to aid character formation.

Illness as a Metaphor for Obligation

Salanter understands the obligation to engage in *Limmud Musar* as grounded in a diagnosis of a problem within the human soul. Building on Maimonides's use of the "medical metaphor," Salanter compares the psychological and emotional problems facing human beings to physical illnesses.[29] He writes, "A person suffers from a great illness with respect to service of the Holy Blessed One, and it is not easy to make use of the cure of *Limmud Musar*; one needs a very strong treatment in order to cure such a significant illness."[30] Here, Salanter grounds the obligation to engage in *Limmud Musar* in the need to cure a universal human moral illness. Salanter thus argues that fulfilling one's obligation to engage in *Limmud Musar* is not in itself meritorious—it is merely a response to the pressing needs created by a spiritual illness. Salanter writes:

> [S]tudy in the *Beit HaMusar* is not a virtue or an achievement—rather, it is absolutely necessary [*hekhraḥi*]. A sick person who is afflicted by sins and transgressions, which will be bitter for him in the end—must go to [the Beit Musar] to pour out his soul in *Limmud Musar*, so that he might be saved a bit from his *yetzer*, so that he might overpower it and so that he will not go in the way of his stubborn heart.[31]

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[29] See *Mishneh Torah, Hilkhot De'ot* 2:2. Maimonides also uses the medical metaphor to justify some of the commandments in *Guide* III 33 and 35. There, however, Maimonides uses the idea that the commandments improve health as a tool for understanding why God gave particular commandments; in contrast, Salanter uses the idea that the soul is sick as a metaphor for understanding the sense of need, and thus, obligation, which characterizes the obligation in *Limmud Musar*.

[30] Salanter, *Or Yisrael,* Letter 6, 123.

[31] Salanter, *Or Yisrael,* Letter 13, 196. "In the way of his stubborn heart" is a paraphrase of Isaiah 57:17.

Here, Salanter makes it clear that everyone experiences the same illness of the soul and thus the same "absolute necessity" to engage in *Limmud Musar* to cure the illness.

While both Maimonides and Aristotle use the medical metaphor in order to argue for the importance of seeking moral advice, Salanter uses the psychological experience of illness in order to help his reader explore what it feels like to be "obligated" in *Limmud Musar*.[32] Salanter assumes that his audience is well aware of what it feels like to be physically ill, and the pressing sense of need that that experience often creates, and he hopes that reference to that experience can be used to illustrate what it means to be obligated in *Limmud Musar*. Salanter writes:

> For physical needs and ailments, a person looks with all his strength for something that will heal him or at least lessen the suffering and wretchedness of his illness. Why does a person not do the same thing for his soul? A sick person is not ashamed to do things that are not commensurate with his dignity, so why does [a person who has a sick] soul complain and look over his shoulder to what others say about him, even to those who do not know anything about what he is? Because it is the way of man to become preoccupied with attending to his physical needs, which distract the heart of man from attending to his eternal end.[33]

While Salanter recognizes that the preoccupation with bodily and material needs can be a distraction from "attending to one's eternal end," he seeks to turn that potentially distracting experience into a psychological resource that can help make the experience of the obligation in *Limmud Musar* intelligible to his audience. The experience of illness—and the loss of dignity that is sometimes felt to accompany it—is a tool for understanding what it means to be obligated in *Limmud Musar*. The sense of "obligation" or "need" in the case of illness comes not from some legal or religious normative structure; it is not a "demand" issued by a lawgiver (divine or otherwise). Instead, the sense of need comes from a basic desire

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[32] For Aristotle's use of the medical metaphor see Aristotle, *Nicomachean Ethics*, trans. Terence Irwin, 2nd ed. (Indianapolis, IN: Hackett Publishing Company, Inc., 1999), 1114a15-23. For Maimonides's use of the medical metaphor see *Shemoneh Perakim* 3, MT *Hilkhot De'ot* 2.

[33] Salanter, *Or Yisrael*, Letter 13, 198.

to survive. Salanter assumes that his reader has, in one way or another, had this experience and can thus use it as a resource for understanding spiritual illness and the obligation to engage in *Limmud Musar* that Salanter takes that illness to create.

Salanter's contemporaries understood experiences of illness to be especially prevalent in his time. In his introduction to *Or Yisrael*, Salanter's student Yitzḥak Blazer (1837-1907) offers an extended comparison of the obligation to engage in *Limmud Musar* with the sense of need felt when seeking treatment for a physical illness; in doing so, Blazer explicitly notes that his own time is particularly marked by illness. He writes, "It is already well-known that over the course of years, from one generation to another, the strength of human beings has become weaker. [This is true] into the present generation, in which, because of our many sins, health has decreased and illness has been strengthened."[34] This observation then motivates a comparison to modern "spiritual illness" which he also takes to be especially heightened in his own period. "So too, the health of the soul" Blazer writes, "…is not standing [firm] in its place. Generation after generation, the spiritual situation [of human beings] becomes increasingly frail. The health of the soul becomes more and more lacking, and it is struck and afflicted with more illnesses of the soul, which increase in number by the day."[35] This picture of modernity is in some sense consistent with standard historical narratives of the "crisis" facing Jewish communities in modern Europe—the "decay" of both communal institutions and of standard notions of religious obligation might lead to processes that traditional leaders would classify as an "illness of the soul." As noted above, in many historiographies of modern Jewish thought, this "decay" or "crisis" is often seen as a product of a wider range of choices available to Jews who were, for the first time, able to find modes of life that existed outside the standard structure of a self-regulating *Kahal*.

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[34] Yitzḥak Blazer, "Introduction," in *Sefer Or Yisraʾel: Kolel Kevutsat Mikhtavim u-Maʾamarim Shonim Le-Yirʾat H. Ule-Limud Ha-Yirʾah Veha-Musar* (Haifa, 2003), 17.

[35] Blazer, 17.

Salanter and Blazer depict this "crisis" and even the growth of "illnesses of the soul" not as increasing the "choices" available to their communities, but instead, through the lens of an increasingly pressing sense of need or obligation which is best understood through a comparison to waves of illness. In this way, for Salanter and Blazer, modernity has narrowed rather than expanded the kinds of choices a person in their community has open to them. Salanter appeals to this experience of "narrowing" to explain what it feels like to be obligated to "cure" the illness of the soul through the practice of *Limmud Musar.*

Blazer then argues that, while medical treatments have significantly expanded in order to address growing medical needs, treatments for illnesses of the soul have not similarly expanded. He writes, "But the same is not the case for the soul and its illnesses. The sicknesses are increasing; the illnesses are more severe; fatigue is strengthening; the ways of medicine are locked.[36] There are no doctors and no treatments; there is no balm or relief; there is no procedure or protocol."[37] *Limmud Musar*, then, is supposed to serve as a regimen—a "procedure or protocol"—designed to provide relief from illnesses of the soul.

Blazer's description of illness as increasing in his own milieu reflected the epidemiological realities on the ground. Between 1846 and 1860, a cholera epidemic killed millions of people worldwide, including over one million people in Russia.[38] Typhus was also widely endemic in this period, and outbreaks were frequent.[39] Some reported that Salanter spoke to the congregation publicly promoting significant halakhic leniencies (including, most famously, eating on Yom Kippur) to help mitigate the effects of the disease. Others reported that Salanter himself stood up and

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[36] This phrase may be a play on Maimonides's claim that certain sins "lock the gates of teshuvah" (MT *Hilkhot Teshuvah* 4:2).

[37] Blazer, "Introduction," 18.

[38] Geoffrey A. Hosking, *Russia and the Russians: A History* (Cambridge, MA: Harvard University Press, 2001), 9.

[39] Hosking, *Russia and the Russians*, 9.

made the *kiddush* blessing and ate.[40] In our own pandemic, some communal leaders held up Salanter's willingness to make halakhic accommodations in the face of a public health emergency as precedent for doing the same in response to COVID-19.[41] A full analysis of Salanter's response to the cholera epidemic is beyond the scope of this paper, but a close reading of the letter in *Or Yisrael* that addresses the epidemic offers an instructive illustration of Salanter's account of how experiences of observing (rather than experiencing) illness shape human subjects. As we will see in more detail below, Salanter understands that structured practices, including both halakhic rituals and *Limmud Musar,* can be used to cultivate particular emotional states. In his discussion of the cholera epidemic, Salanter argues that the halakhic practices surrounding mourning are designed to help the practitioner respond appropriately to the kind of widespread death that his reader is experiencing during the epidemic. Salanter begins the letter by outlining the "logical" position that his community should not mourn those killed in the epidemic, because their lives in the next world will undoubtedly be better than those they had in this one. Salanter then goes on to say that "without the words of our Sages of Blessed Memory…logic would dictate that we would stand like a rock against our desire to live in this world, rather than to mourn the passing of a righteous man from this world."[42] For Salanter, the mourning rituals outlined in rabbinic law help a person overcome forces that might tempt them to suppress an otherwise productive or important (if not logical) emotional response. As we will see below, Salanter

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[40] See Etkes, *Rabbi Israel Salanter and the Mussar Movement*, 169–70.

[41] For a sampling of how this example was used in both academic and non-academic writing on COVID-19 see Jonathan K. Crane, "Jewish Ethics in COVID-19," *Journal of Jewish Ethics* 6, no. 1 (December 1, 2020): 1–29, https://doi.org/10.5325/jjewiethi.6.1.0001; David Wolpe, "Shmini - Rededicating the Temple" (Sermon, Sinai Temple, Los Angeles, CA, April 10, 2021), https://www.sinaitemple.org/worship/sermons/shmini-rededicating-the-temple/; "From Cholera to Coronavirus: Recurring Pandemics, Recurring Rabbinic Responses," *Tradition Online* (blog), accessed May 3, 2022, https://traditiononline.org/from-cholera-to-coronavirus-recurring-pandemics-recurring-rabbinic-responses/.

[42] Salanter, *Or Yisrael,* Letter 22, 264-5.

imagines that the practice of *Limmud Musar* performs a similar function—*Limmud Musar* delineates a set of practices designed to cultivate emotional responses that might otherwise be repressed or ignored. In an inversion of the standard "medical metaphor," which usually reasons from medical illness and remedies to spiritual ones rather than the reverse, Salanter uses the ritual practices of halakhic mourning to highlight the importance of contemporary medical advice. Just as these practices are designed to mediate emotional responses to death, medical practices provide a set of responses to illness that can help mitigate otherwise irrational or misplaced fears. He writes,

> At this time, when we are fighting here against an epidemic, may God save us—This is how a person should live [*Zot Torat ha-Adam*] and what is wise to do: to live without any fear of it…and so we should follow in the ways that we have been taught by the wise doctors, whose advice we also ought to follow from the perspective of religion, in order to uphold the life of this world for the better.[43]

Here, Salanter describes medicine as kind of inverse version of the practices surrounding mourning—while those laws are designed to counteract our potential ambivalence toward death, medical practices are designed to help us manage our potential fear of it. Despite how this text has been deployed in some contemporary contexts, Salanter's view is not a wholehearted embrace of the idea that "trusting the science" is halakhically required because it offers the best hope for preserving life. Salanter's trust in the scientific advice seems partial at best—he treats medicine as one of the best tools we have, but one whose efficacy is not guaranteed. Even someone following current medical advice cannot be sure "whether he will be successful in his path." While, for Maimonides, the "medical metaphor" led to a naturalized view of the human soul's capacity for human moral development, Salanter deploys illness as a metaphor for the human soul's unpredictability and persistent sense of deep need.

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[43] Salanter, *Or Yisrael*, Letter 22, 265-6.

Salanter's reading of the experience of need created by illness here is a largely negative one—it is punctuated by shame, pain, and even desperation. However, it is worth noting that the experience of having those needs met can be positive and productive. The contemporary disability theorist Mia Mingus describes a form of "access intimacy" which is created when a person's access needs are met. Mingus writes that this form of intimacy "is that elusive, hard to describe feeling when someone else 'gets' your access needs. The kind of eerie comfort that your disabled self feels with someone on a purely access level."[44] The experience of access intimacy can be both physical and emotional. Mingus writes that access intimacy "could also be the way your body relaxes and opens up with someone when all your access needs are being met."[45] Reading Mingus alongside Salanter's description of the feeling of desperate need he associates with illness, and his use of it as a metaphor for obligation, opens up the possibility of imagining a form of "access intimacy" which occurs when the moral subject is able to find partners who understand what she needs to enter a space (whether, physical, psychological, or social) which responds to the spiritual needs that Salanter outlines and the obligations that they engender.[46]

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[44] Mia Mingus, "Access Intimacy: The Missing Link," *Leaving Evidence* (blog), May 5, 2011, https://leavingevidence.wordpress.com/2011/05/05/access-intimacy-the-missing-link/.

[45] Mingus, "Access Intimacy."

[46] This sense of "access intimacy" might also be productively extended to more standard halakhic contexts as well. In their description of "halakhic euphoria," Laynie Soloman writes that halakhic questions about whether key practices that affirm a person's identity are halakhically permissible (their example is top surgery, though their analysis can be extended to other examples as well) produce a kind of "halakhic dysphoria" which is analogous to gender dysphoria. Soloman writes that "We must move beyond a framework of dysphoria. Our task, instead, is to uncover the legal principles that enable us to find the authentic, affirming, joyful, and liberatory expressions of who we are. In other words, we must reveal euphoric experiences of halakha. Instead of asking 'What are the points of dissonance between our tradition as it has been practiced and trans realities?' we must ask 'What are the profound opportunities for revelation that trans people can offer our learning communities and legal tradition?'" In this way, creating a community in which the latter set of questions is prioritized could be said to create a form of halakhic access intimacy. Laynie Soloman,

Poverty as a Metaphor for Obligation

In addition to using the sense of need created by illness as a metaphor to help his readers understand their obligation to engage in reflection on their character, Salanter also uses the sense of need created by poverty to help his readers understand this feeling of obligation.[47] Building on a significant tradition of using the time leading up to Rosh Hashanah, as well as the time between Rosh Hashanah and Yom Kippur (often referred to as the "ten days of repentance"), as times for moral reflection on the past year, Salanter writes that

> The ten days of repentance are days of deeds—days to look carefully at our ways for the coming year, may it come in peace. This is in accordance with the saying of our sages of blessed memory: 'Those in the middle [*benonim*] hang in the balance between Rosh Hashanah and Yom Kippur. If they merit [they will be inscribed in the book of life] etc.' (b. Rosh HaShanah 16b).[48]

While, in the original context in the Talmud, "those in the middle" refers to those who are neither entirely good nor entirely vicious, Salanter translates this saying into an economic key. To do this, he begins with an observation about how economic need affects a person's psychology:

"Towards Halakhic Euphoria," *SVARA: A Traditionally Radical Yeshiva* (blog), accessed November 3, 2022, https://svara.org/hot-off-the-shtender-towards-halakhic-euphoria/.

[47] Poverty is also an important theme in earlier Jewish thought, especially in kabbalah and Hasidism. See Jeremy Brown, "Espousal of the Impoverished Bride in Early Franciscan Hagiography and the Kabbalah of Gerona," *History of Religions* 61, no. 3 (February 2022): 243–311, https://doi.org/10.1086/717690; Haviva Pedaya, "On the Development of a Socio-Economic Religious Model in Hasidism: Ransom, Community, and Pilgrimage," in *Religion and Economics: Mutual Interactions*, ed. Menahem Ben Sasson (Jerusalem: Shazar Center, 1995), 311–73, https://www.academia.edu/10208117/להתפתחותו_של_הדגם_הדתי_כלכלי_חברתי_בראשית_החסידות_הפדיון_החבורה_והעלייה_לר_גל_בתוך_מנחם_בן_ששון_עורך_דת_וכלכלה_יחסי_גומלין_ירושלים_מרכז_שז_ר_תשנ_ה_עמ_311_373. While, in some Hasidic and Kabbalistic texts, poverty is used as a spiritual indicator of or metaphor for traits like humility, or as a way of describing God, Salanter focuses on the sense of constraint or need that experiences of poverty create and uses his depiction of these experiences specifically to illustrate the obligation in the novel practice of *Limmud Musar*.

[48] Salanter, *Or Yisrael*, Letter 6, 120-1.

> There are two aspects to a person's life in this world: one, which is not in his hands, is a person's ability to completely fulfill and sustain his needs in this world. The second, which is in his hands, is his ability to fulfill his material needs in this world as much as he can in his own situation. Anything that diminishes a person's situation in this world makes him work harder to achieve his end—a poor person who goes from door to door [begging] works harder, and so it is not difficult or strange for him to go to a great effort just to get a small amount of money or food from a householder. And a pauper more than a middle-class person [*benoni*], and a middle-class person more than a rich person. Why is this so? Because of the force of his needs [*hekhraḥo*], he is willing to accept the suffering [of begging] rather than forgo a bit of food etc., and the poor person will subject himself to pain according to what he lacks, and the poor person [will do this] more than the householder, etc.[49]

Here, Salanter argues that increased poverty translates to a deeper sense of need, and a corresponding willingness to undergo pain in order to secure basic sustenance. This sense of need [*hekhraḥ*] is Salanter's model for thinking about religious obligation:

> And the same is true with respect to the obligation to serve God, may His name be Blessed. There are two aspects, and they are both in his [the actor's] hands: one is that a person is free to fully and completely devote himself to God, may His name be Blessed, at all times. Also, in the ten days of repentance, a person has in his hands the ability to turn into a different person, to be a righteous person in the new year, may it come in peace. The second aspect is his situation with respect to the service of God, may His name be Blessed, at all times. Especially during the ten days of repentance, the fundamental thing is to observe and contemplate his ways and to see that he keeps a part of it [a given *mitzvah*], according to his situation and his awe [*yirato*], and in this way, he will be saved from the more severe portion of whatever sin.[50]

Salanter suggests that, in the spiritual realm, the piece of life that is "in the person's hands" is the ability to respond to halakhic obligation—but, this response is conditioned not by a sense of bare divine command which acts

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[49] Salanter, *Or Yisrael,* Letter 6, 121.

[50] Salanter, *Or Yisrael,* Letter 6, 121-2.

over and against the individual's desires or emotional needs, but instead by an intensely felt sense that one's soul is in danger and needs to be rescued. The theurgic performance of *mitzvot* thus stands in for the poor person's experience of begging in doorways—both are marked by a profound sense of desperation and need, and neither is guaranteed to yield the relief that the actor seeks.

Salanter's account of obligation disrupts key analytical categories used in modern Jewish thought and provides a novel grounding for the obligation to engage in *Limmud Musar*. As we saw in Magid's analysis above, some scholars have argued that halakhic obligation needs to be grounded outside of the individual actor if it is to have significant "binding" force on the actor. Similarly, those who have theorized halakhic obligation in Kantian terms have treated self-legislated halakhic normativity as grounded rationally rather than emotionally.[51] In contrast, Salanter grounds his account of the need to engage in the practice of *Limmud Musar* in his audience's shared experience of economic and physical need.

The sense of economic need that Salanter describes is both internal to the subject and produced by external—and unjust—social conditions. As we saw above, the dichotomy between halakhic heteronomy and modern autonomy relies on locating the origin of the normative demand outside or within the moral subject. However, the experience that Salanter describes here complicates this categorization. It is imposed on the subject by her material conditions, even as it is also characterized primarily by the internal states that those material conditions engender. The obligation to engage in *Limmud Musar* is grounded not in the externally-conditioned

[51] Though interpreting Kantian moral theories as based on "reason" rather than "emotions," has become commonplace, it is worth noting that Kant himself grounds the moral law in "the feeling of respect." See Immanuel Kant, *Practical Philosophy*, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 4:409n. For discussions of Kantian and neo-Kantian treatments of halakhah as rational, see for example Aviezer Ravitzky, "Rabbi J. B. Soloveitchik on Human Knowledge: Between Maimonidean and Neo-Kantian Philosophy," *Modern Judaism* 6, no. 2 (1986): 157–88; Almut Sh. Bruckstein, "Halakhic Epistemology in Neo-Kantian Garb: J. B. Soloveitchik's Philosophical Writings Revisited," *Jewish Studies Quarterly* 5, no. 4 (1998): 346–68.

fact of poverty itself, but instead in the subject's internal response to it.[52] The physical pain of illness further complicates the distinction between internal and external sources of obligation. The obligations created by illness are imposed by the agent's own body (or sometimes, the particular—again, often unjust—ways that ill bodies interact with the social and material world), but these demands are not autonomously self-legislated, or even endorsed by the agent themselves.

Linking Poverty, Illness, and Obligation

Salanter understands that his emphasis on the deep illness of the human soul may leave some readers feeling that they have no possible path forward for improvement; in his response to this concern, Salanter intermixes the poverty and illness metaphors. He notes that some may feel profound despair [*yeush*] when confronted with the problematic desires of their *yetzer* [inclination]. Salanter treats this sense of despair as yet another illness, writing that, "About those who feel despair when they see the great desires that are before them—there is no illness like despair."[53] Salanter uses both the comparison to poverty and physical illness to suggest a remedy for this kind of despair:

> And so a person should habituate themselves to uphold the verse from Proverbs, 'If you seek it [*yirah*] as you do silver' [Prov. 2:4].[54] We can look to ways of physical bodily needs for a metaphor and simile for the soul. With bodily needs, a person will work hard, day in and day out, in order to acquire what his body needs, even if it causes him pain. How is it that it is not overly difficult for a person to work hard [to meet his basic

[52] This is similar to, but distinct from, Benjamin's analysis of motherhood, which is marked by both "agency" and "submission." The experience of poverty that Salanter describes here is not "chosen" in the ways that Benjamin takes many experiences of contemporary motherhood to be, nor is it one in which the actor "submits" to the social conditions that make them economically desperate. In fact, in many cases, they may actively resist these conditions, even as they face the profound sense of need that Salanter describes.

[53] Salanter, *Or Yisrael,* Letter 7, 154.

[54] The rest of the verse reads "If you seek it as you do silver, And search for it as for treasures, Then you will understand the fear of the LORD, And attain knowledge of God."

> physical needs] even at a time when he is oppressed by afflictions, may God save us? [He will] look for and seek something to lessen his illness. Why do we not do the same with our souls? To at least fulfill the *mitzvot* that are easy for us to fulfill, and to guard ourselves from the sins that are easy [to guard against]—this will save us from significant and bitter suffering, may God save us. And in this area, there is no place for a person to despair. Just as he dedicates his heart and his soul to attend to his bodily needs, he should do the same to for the needs of his soul.[55]

This passage begins with a novel reading of Proverbs 2:4. Rather than reading the verse as encouraging the reader to seek *yirah* as if it were a precious metal, Salanter uses the verse to evoke the more common experience of seeking enough "silver" to meet one's basic physical and economic needs. Up to this point, we have seen Salanter use both economic need and illness as metaphors designed to help his reader understand the dire state of their characters—his appeal to them is designed to accentuate feelings of despair rather than to alleviate them. Here, however, Salanter uses those same metaphors to suggest that his readers already have the basic tools to respond to experiences of deep spiritual need. They already confront economic and physical need on a daily basis, and each day, they take whatever steps they can to address them. Properly analyzed, Salanter argues, the experience of despair in one area provides a remedy in another.

Philosophical Anthropologies of the Halakhic Subject

In *Halakhic Man*, Joseph Soloveitchik argues that the halakhic subject is defined by the need to understand the world through the systematic lens of halakhah. For Soloveitchik, this emphasis on systematicity is designed to limit the impact of the emotions on religious life. He writes, "Halakhic man is a man of the law and the principle, a man of the statute and the judgment, and, therefore, he always possesses in his being, even if at times it should be afflicted with a deep melancholy, a fixed, firm, Archimedean point that is outside and above the turbulence of his soul,

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[55] Salanter, *Or Yisrael*, Letter 7, 155-6.

beyond the maelstrom of the affective life, a true source of peace and tranquility."[56] While this picture has long been critiqued for its overly rigid picture of what halakhic norms are and how they are constituted—Can halakhah really be understood as a "system" or a "science"? How do we account for the ways that halakhah itself seems attentive to emotions?—both the picture and its critique rely on a similarly stable picture of the individual's own needs.[57] For the "halakhic man" to turn to the systematicity of halakhah over and against "the turbulence of his soul," or even some intuitivist sense of "ethics,"[58] he must have a clear sense of what it is that these things demand; similarly, in order to accommodate itself to the realm of the emotions or the demands of "moral intuition,"[59] a revised picture of halakhah would similarly need clarity about what an "affective life," even one described as a "maelstrom," seems to require or to want. Soloveitchik implies some of this confidence when he goes on to recount Ḥayim of Brisk's (1853-1918) encounter with Blazer. After Blazer repeated some of the language of the "illness of the soul" described above, Ḥayim of Brisk replied, "We in Volozhin, thank God, are

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[56] Joseph B. Soloveitchik, *Halakhic Man* (Philadelphia: Jewish Publication Society of America, 1983), 73, http://archive.org/details/halakhicman00solo.

[57] Rafael Neis makes an even more trenchant critique, arguing that treating halakhah as a form of law imports a set of political assumptions into its study, and limits the ways that we can see the non-legal work that halakhah performs. It seems clear that musar literature's reception, and in particular the reception of musar's complex relationship to halakhic discourse, might be quite different if we were to take up the wider range of categorizations of halakhah that Neis suggests. Rafael Rachel Neis, "The Seduction of Law: Rethinking Legal Studies and Jewish Studies," *Jewish Quarterly Review* 109, no. 1 (Winter 2019): 119–38.

[58] Soloveitchik argues that emotions are inherently ethical: "Judaism believes that the emotional experience is suffused with ethico-moral meaning. Axiological structures and moral ideas are intuited through our emotional experiences." Joseph B. Soloveitchik, *Out of the Whirlwind: Essays on Mourning, Suffering and the Human Condition*, ed. David Shatz, Joel B. Wolowelsky, and Reuven Ziegler (Hoboken, N.J: KTAV Publishing House, 2003), 197.

[59] For responses to this line of thinking which highlight the role of "moral intuition" as potentially opposed to halakhic norms see Irshai, "Religion and Morality"; Aaron Koller, *Unbinding Isaac: The Significance of the Akedah for Modern Jewish Thought* (Lincoln: University of Nebraska Press, 2020).

healthy in spirit and body, are whole in our Torah, and have no need of castor oil. If the scholars of Kelm and Kovno feel compelled to drink bitter drugs—let them drink to their heart's content, but let them not invite others to dine with them."[60] Ḥayim implies that the "scholars of Kelm and Kovno" (i.e. the leaders of the musar movement) "feel compelled," while his students do not. In this way, Ḥayim mistakes the "bitter drugs" of musar for optional practices, which an astute student could simply decide to avoid. Salanter, in contrast, offers a picture of the halakhic subject in which experiences of need—the sense of both the compulsion to fulfill those needs as well as the individual's potential inadequacy to the task of doing so—are basic features of human life. They are not something one "opts into" or something that is a product of a psychological disorder or a lack of self-knowledge. For Salanter, not to drink castor oil is not an option; drinking the oil is an obligation. In this sense, the experience of obligation is grounded in emotional life rather than a refuge from it. In offering this picture, and thereby disrupting the affect/obligation dichotomy, Salanter provides a picture of a self who is consistently transformed by the emotional effects of experiences of obligation. In this way, Salanter creates a framework for halakhic normativity that does not presume an "independent" subject who chooses to either acquiesce to or rebel against halakhic demands. Rather, this self is always enmeshed in experiences of painful need—whether to provide for their own (or their family's) material needs, or to find a path toward recovery from an illness. Those experiences are rooted in a kind of dependency on others for care and basic resources, and they are experiences that transform a person over time. Salanter's halakhic subject is both dependent and changeable—her emotional, psychological, and religious needs cannot be "weighed" against the demands of a supposedly external, independent set of halakhic norms, because those demands themselves are subject to both emotional and material conditions that can change over time.

Bringing this philosophical anthropology into view disrupts key elements of the historiography of modern Jewish thought, which is so

[60] Soloveitchik, *Halakhic Man*, 76.

often cast as a series of answers to a question about a battle between the emerging modern individual, and its more restricted, more communally-oriented "traditional" other. Salanter's emphasis on the emotional features of experiences of both poverty and illness suggests that some forms of obligation continued to play a role even for "emancipated" modern Jewish subjects. This reading of Salanter should then prompt us, as readers, interpreters, and even practitioners of modern Jewish thought, to ask: What other experiences of freedom and obligation, of constraint and possibility, have these historiographies obscured? How can they be recovered?

The stakes of recovering this wider range of experiences are significant. Because readers of modern Jewish thought have long relied on a notion of freedom or autonomy which is opposed to "heteronomous" halakhic obligation, it has failed to recognize the generative possibilities of other experiences of constraint, or, to use Benjamin's language, the lives of other kinds of "obligated selves." In prioritizing a narrative of newly-emancipated, able-bodied, cisgender, straight, and newly-prosperous men, who now faced the "challenges of modernity" with these forms of privilege, or at least possibility, in hand, modern Jewish thought has failed to learn from the experiences of non-male, poor, queer, sick, and disabled subjects. This both restricts the subfield's conceptual lexicon and makes it harder for contemporary readers who share those experiences to contribute to its intellectual work. My analysis of Salanter and his reception suggests that standard interpretations of modern Jewish thought have failed to learn from these diverse experiences even in cases where key texts written by classically-trained, male, canonical figures invite them to do so.[61] Creating a community of readers who experience access intimacy with respect to the subfield of modern Jewish thought, and its texts, requires investigating the diverse ways in which obligation is encountered and felt.

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[61] The situation is of course even worse in situations where texts, practices, and ideas, do not originate with subjects with these forms of privilege. Modern Jewish thought also needs, even more urgently, to work to uncover and learn from these resources.

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