

What is “*Emunat Ḥakhamim*”?

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The Talmudic Term *Emunat Ḥakhamim*

In the *Baraita* appended to *Tractate Avot*, known as *Kinyan Torah*, we learn:

גדולה תורה יותר מן הכהונה ומן המלכות שהמלכות נקנית בשלשים מעלות והכהונה בעשרים וארבע והתורה נקנית בארבעים ושמונה דברים.
(אבות ו:ה)

“Torah is greater than priesthood or kingship, for kingship is acquired with thirty attributes, priesthood with twenty-four, and Torah with forty-eight.”

Among the forty-eight attributes, the twenty-third is “*emunat ḥakhamim*.” Since this *Baraita* is not part of the Mishnah, there are few commentaries from the *rishonim* that explain it. *Mahzor Vitri*, however, explains briefly: “... to believe in the words of the *ḥakhamim*, unlike the Sadducees and Boethusians.” Others explain similarly, that “*emunat ḥakhamim*” is to believe that we received the Oral Torah and that it was passed down to us through an unbroken chain of tradition.

* This is a translation by *Ḥakirah* of the original Hebrew article, which was first published in *Ma’aliyot* vol. 17 (*Shevat*, 5756) pp. 101–107 and subsequently included in *דרכה של תורה* by R. Nachum Rabinovitch, Ma’aliyot Press, 1998.

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There is no doubt that faith in the Oral Torah and in the authority of our Sages is mandatory and that without such faith we cannot acquire Torah. This was emphasized by Rabbi Yehudah ha-Nasi in the opening statement of *Tractate Avot*, in which he lays out the chain of tradition: “Moshe received the Torah at Sinai, he passed it on to Yehoshua, and Yehoshua to the Elders...” In the introduction to his *Perush ha-Mishnah*, Rambam explains this Mishnah in great detail. The *Mahzor Vitri*’s explanation is thus difficult to accept—precisely because this point is so fundamental. Had this been the *tanna*’s intent, he would have mentioned *emunat hakhamim* as number one rather than list it somewhere amongst the details: “with minimal...slumber, banter, pleasure, hilarity; with *derekh erez*, tolerance, a good heart, *emunat hakhamim*, and acceptance of suffering...”

The *Tiferet Yisrael* provides a different explanation:

שאינו מאמין לכל דבר ששומע, דזהו מדת "פתי יאמין לכל דבר" (משלי יד, טו). אבל יאמין לחכמים בחכמת התורה אפילו לא ישיגם בשכלו.

“Not that he believe everything he hears, for that would make him a ‘fool [who] believes everything’ (*Mishlei* 14:15). Rather, he should believe those who are wise with the wisdom of the Torah even if he cannot grasp [their logic] with his own intellect.”

In associating his explanation with the verse in *Mishlei*, it would seem that the *Tiferet Yisrael* is also alluding to the end of the verse, וְעָרוּם, יָבִין לְאִשְׁרוֹ, “and a clever person understands correctly.” Reaching the level of “understanding correctly” requires *emunat hakhamim*. Even when he does not comprehend fully, the wise person does not ridicule the words of the *hakhamim*. On the contrary, he knows that there is a deeper intent, and as a result of this belief he will toil “with minimal...slumber, banter,” etc., until he achieves that deep comprehension and “understands correctly.”

Acquiring Torah via *Emunat Hakhamim*

The proper attitude toward the words of the *hakhamim* is critical. Otherwise it is impossible to arrive at the correct meaning of their words. Only if one is prepared to invest great effort into probing

their words, certain that they contain important implications, is he destined to uncover their truth. "The fool believes anything" and cannot differentiate between words that need to be taken seriously and mindless chatter. More important, he is not prepared to work hard to get at the truth and to understand it. In contrast, one who thirsts for Torah must know that the words of the *hakhamim* are not superficial and simple but were "all given by a single Shepherd" and through them the wisdom of the Creator is revealed. The mysteries of the universe are not easily deciphered. So too we need to invest great effort to understand the words of our *hakhamim* and their secrets.

Every Torah student can attest that a difficult *sugya* in the Gemara cannot be mastered with casual study. Only one who delves deeply into the words of *hakhamim* with the certainty that he will find truthful and rational arguments will uncover what the *hakhamim* intended. Even an accomplished scholar of great stature is sometimes stumped by a difficult question on a Gemara, a *rishon*, or one of the giants among the *aharonim*. The meaning of the text seems elusive, and every path he pursues leads to a dead end. Having absolute trust in the *hakhamim*, he continues to toil day and night, helped also from Above, and ultimately, as if in a flash of inspiration, a solution appears. Often he will be guided to some verification; he may chance upon a source that confirms that a certain *gaon* understood it similarly, or he will find that the author of the original statement provided this very interpretation elsewhere, and his words will be proven true.

The Neziv, in his introduction to his *Ha'amek She'elah*, notes that the sources for many perplexing rulings of Rif and Rambam, with which scholars have struggled throughout the ages, can be found in the writings of the *Gaonim* that have been missing and have not been seen inside a *beit midrash* for centuries. Yet, even when the source did not emerge and the many difficulties and problems persisted, no one ever questioned that they derived from a sacred source. Knowledgeable people have succeeded at arriving at the true explanation through honest and rigorous logic, even before the commentaries of the *Gaonim* were discovered. For all this, we require *emunat hakhamim*.

Thus, the roots of *emunat hakhamim* are in wisdom. The *hakhamim* were masters of wisdom; therefore a person of wisdom can

plumb the depths of their words and extract their true meaning. Concerning this, the Gemara in *Bava Batra* 12a states, “A wise person is greater than a prophet...Rav Ashi says, this fact can be seen when it happens that a great person issues a ruling, and then it is learned that a halakhah consistent with his ruling was given [by prophecy] to Moshe from Sinai.” Rav Ashi was asked, “Perhaps it is like a blind person [who finds his way out] via the *arruba*¹?” i.e., that it happened by chance. They answered, “Did he not give a reason?” Since he gives an acceptably logical reason for what he said, it is not like a blind person who chanced upon the opening to let himself out. He arrived at the correct answer by using his powers of reasoning, and he merited that his understanding conforms to “the halakhah of Moshe from Sinai.”

Emunat hakhamin thus has two parallel planes. On the one hand is the faith that the words of our Sages contain deep significance and truths that are worth seeking out. On the other hand is faith and self-confidence that with one’s G-d-given mind it is possible to comprehend the wisdom hidden in the words of the Sages.

In a new *sefer* published by R. Avraham Aba Weingart, *sblita*, “*Hidushei Ba’al Seridei Aish*,” I noticed that R. Yehiel Yaacov Weinberg זצ”ל had already stated this idea:

“Our Sages listed, among the forty-eight attributes through which Torah is acquired, “*pilpul hatalmidim*” (deliberation amongst the students) and “*emunat hakhamim*,” two concepts which seem to contradict each other. And, what does *emunat hakhamim* have to do with acquiring Torah?

“What it means is as follows: If one lacks faith in the words of the *hakhamim*, he tends to skim over them casually, and arrogantly dismisses them saying “The Sages just didn’t understand.” The result is that such a person does not struggle to probe beneath the surface and to confirm their words. In the end, it becomes clear that it was he who erred, not they. Indeed, it is a characteristic of intelligence to believe that it is not they who err, Heaven forbid, but we, with our short-sightedness and limited knowledge, who are mistaken. However, to trust simplistically and not exert our minds

¹ ארובה is a skylight on the upper floor through which one can lower himself to the ground floor.

with investigative, concentrated thinking, to say blandly “They knew; we can rely on them without thinking,” is also wrong. Rather, one must challenge their words with any contradictions or uncertainties, as if their author is one of us. Through this we arrive at a more profound and analytic understanding. These two attributes, *emunat hakhamim* together with unhampered *pilpul*, provide the path to acquiring the knowledge of Torah.”²

The Prophet and the *Hakham*

In the introduction to his commentary on the Mishnah, Rambam carefully and clearly explains the difference between a *hakham* and a prophet. The authority of an established prophet derives from the commandment “To him shall you listen” (*Devarim* 18:15). We are not to ask him for reasons or explanations. The main purpose of a prophet is to guide those to whom he was sent, in דברי רשות, non-halakhic matters.³ However, with regard to the Torah and its laws (apart from an exceptional one-time ruling, הוראת שעה), a prophet, *qua* prophet, has no authority. On the contrary, if he were to claim that Heaven revealed to him how a certain halakhah should be decided, this claim itself would prove that he is a false prophet. We already received the Torah at Sinai and no prophet may add anything to it.

The authority of a Sage is different. Although we are commanded to honor and fear him, it is only because of his Torah knowledge, which can be evaluated with straightforward logic. Unlike a prophet, a *hakham* is obligated to provide a reason for what he says. Therefore even while the *Sanhedrin*, “the core of the Oral Torah, the pillars of judgment, from which justice and law went forth to the entire nation of Israel”⁴ was in place, its decisions were arrived at only after careful consideration of underlying reasons. If all members agreed, fine. But if—as is human nature—some dissented, a count would be taken and the rule established based on the majority opinion.

² עמוד 22 מהדורה ירושלים תשנ"ה.

³ Optional activities that are neither prescribed nor proscribed by halakhah. See *Hakdamah li-Perush ha-Mishnah*, Kappah ed. p. 5.

⁴ הלכות ממרים א:א.

Doubt and Disagreement

The Ramban ז"ל wrote:

“Everyone who studies our Talmud knows that among disputing commentators there are no absolute proofs nor definitive solutions for most problems, for this field is not an exact science like geometry or astronomy. Rather, we invest all our efforts when evaluating differing opinions on an issue, ruling out some possibilities through decisive reasoning and forcefully applying the conclusions and rules of the Gemaras. We favor an opinion which is more straightforward and more consistent with the Talmudic discussions, provided it adheres to clear and rigorous logic. This is all we can accomplish, and is the aim of every G-d fearing scholar who is expert in the wisdom of the Talmud.”⁵

Since the wisdom of Torah is unlike the study of mathematics, there is room for opposing opinions. One *hakham* sees one aspect prevailing, while a second sees the opposite. It is clear, however, that both sides justify their position on recognized principles and criteria. To this person, a particular component carries more weight, while to the other, it carries less. Therefore, even one who disagrees with a certain *hakham* still has *emunat hakhamim* that the words of this *hakham* are not meaningless, Heaven forbid, and he works at understanding the *hakham's* imperatives and reasoning. This applies towards scholars sitting together and debating in a *beit midrash*, and most certainly towards established *hakhamim* of previous generations who have already been accepted among us. This idea is also found in the *sefer Minḥa Ḥadashah* on *Pirkei Avot* by R. Yehiel Michal Marpatchik⁶ who collated the explanations of ten great leaders of the generations (although without identifying individual sources):

“**With *emunat hakhamim***—That he has faith in the words of the *hakhamim* ז"ל from the least of them to the greatest...He does not argue on their words and their decisions simply to antagonize, but rather to establish what is true and right for each time and place. He does so privately, not publicly, never seeking to aggrandize

⁵ הקדמה לספר מלחמות ה'.

⁶ צילום בני ברק תש"ל.

himself by pointing out the faults of others even when he knows that he is right and that his friend is beyond the pale. If, however, there is, Heaven forbid, a risk of desecration to the name of Hashem, or some immediate need, then “I state your laws [publicly and] unabashedly even before kings. (Psalms 119:46).”

The Obligation of the *Ḥakham*

Emunat ḥakhamim is not intended to prevent divergent opinions that come about due to alternate views or to differing emphasis on certain points. *Emunat ḥakhamin* obligates one to approach the words of all *ḥakhamim* with seriousness and to make an honest and diligent attempt to understand them. To arrive at a clear halakhic conclusion requires great effort, and careful and thoughtful study of Torah. If at the end of this process it is necessary to choose between differing opinions, *emunat ḥakhamim* places upon the decider the weighty obligation to act according to truth—to the degree that he is capable of perceiving it. This principle guided the great *poskim* throughout the ages. Rambam, in his introduction to *Mishneh Torah*, puts it this way: “If one of the *gaonim* ruled that the law is a certain way, and it becomes clear to a later *beit din* that the ruling is not consistent with what is written in the Talmud—we do not accept the ruling of the first authority but rather whichever ruling seems more correct.”

One who has achieved the level of “studying Torah for its own exalted sake” (לשמה) will have absolute *emunat ḥakhamim* and, precisely because of this, has a greater obligation to decide between opposing halakhic views. It is worthwhile to cite the responsa of a *risbon*, R. Yeshaya the Elder of Trani ז”ל:⁷

“First, I would like to reply to Your Honor concerning what you wrote to me that I should not dispute the great *rav*, Rabbeinu Yitzhak ז”ל. Heaven forbid that I do this! I never saw myself as disagreeing with him. Who am I? Compared to his disciple I am but a flea⁸ (“פרעוש אחד”), a simpleton.⁹ How could I dare speak after the king! Nevertheless, this is my approach: Something that

⁷ תשובות הרי”ד ירושלים תשל”ה, ריש סימן סב.

⁸ שמואל א:כז.

⁹ על פי תרגומו.

seems incorrect to me, even if Yehoshua ben Nun had stated it I would disobey him (see *Hullin* 124a). I will not refrain from speaking my mind, limited though it is, applying to myself the verse “I state your laws unabashedly even before kings.” Heaven is my eternal Witness that even when it appears to me that my view is more correct than that of our predecessors ז”ל, Heaven forbid that it should occur to me that “my wisdom has stood by me” (*Kobelet* 2:9). Rather, I see myself ... as but a midget riding on the shoulders of these giants. We have been exposed to their great wisdom; we are taller only by adding a bit of knowledge on top of theirs. Only by drawing upon their wisdom have we learned to say what we say, not because we are greater than they.

“But, if because of this we were to say that we may not evaluate the words of our predecessors, then what should we do when they themselves disagree; when one prohibits and the other permits? On whom do we rely? Can mountains be measured on a scale to determine which is greater? Our only option is to analyze what each has said, for “both are the words of the living G-d” (*Erwin* 13b). We must delve into their words and draw the appropriate conclusion... the words of the wise men are of greater importance than the wise men themselves. There has never been a Sage entirely free of error for there is no perfect wisdom except G-d’s.”

This is how the luminaries of the Torah conducted themselves throughout the generations. The words of the Rosh are apt: “Who can be said to be greater than Rashi, who enlightened the eyes of the Diaspora with his commentaries? Yet his descendants, Rabbeinu Tam, and Rabbeinu Yitzhak ז”ל, frequently disagreed with him and contradicted his words. The Torah is truth; special treatment is reserved for no one.”¹⁰

The Responsibility of the Individual

This obligation to work at achieving and clarifying the truth is not limited to those who are on the level of deciding halakhah. The Torah was given to all Jews, each of whom is obligated to learn the Torah sufficiently to be capable of arranging all his actions according to halakhah. For this purpose we need to understand the reasons for

¹⁰ שו"ת הרא"ש כלל נה, אות ט

the halakhah, "for if one does not comprehend the reasoning behind the halakhah, he does not understand the halakhot themselves correctly and clearly. He is the "undeveloped" person [of whom the Mishnah says, "cannot and does not fear *aveirot*."] For this reason many [*poskim*] prohibit issuing halakhic rulings out of books which summarize the laws without providing reasons or background. It is therefore not permitted to postpone studying the reasoning behind the halakhot...."¹¹

Until a person has studied sufficiently so that he can decide halakhot, he has no choice but to choose a *rav* from whom he can inquire concerning what he may do and what approach he should take. Even when one has acquired substantial knowledge, if he is truly wise he will never rely exclusively on his own decision but will turn to other *hakhamim* for their opinion and advice. But one who has insufficient knowledge, yet fails to turn to a *hakham* for guidance, relying instead on his own weak understanding, is but an arrogant person with no fear of Heaven.

Yet, even when one asks a *rav* to rule for him and the *rav* renders a *psak*, he is not relieved of his responsibility to understand the reasoning behind the *psak*. The *rishonim* already dealt with this topic, and I will quote here the instructive words of the *Ba'al ha-Ma'or* on tractate *Sanhedrin* (p. 12a in the *Rif*).

"If you were to ask: We hold [the prevailing view] that cases of *garmi* (damages resulting from direct and predictable cause) are liable for court adjudication. Why then do we say that when a judge errs in something stated explicitly in a Mishnah, he simply reverses his ruling but is not responsible for any losses, even if the damage incurred by the litigant due to his error is irrevocable? [For example,] the case of the cow of Bet Menahem whose meat can not be returned because R. Tarfon [the judge] had already [caused it to be] fed to the dogs [by those who followed his ruling].

"The answer is: The litigant was negligent. Since the error is in that which is stated explicitly in a Mishnah, the error is obvious, **and the litigant should not have relied upon him and should not have acted upon what he was told. He should have questioned [the judge] and demonstrated the error,** for this

¹¹ שולחן ערוך הרש"ו, הלכות תלמוד תורה ב, א.

was as obvious as an explicit Mishnah. Therefore **it is the litigant who was negligent**; the judge's ruling is superfluous. This is what is meant by: It is as if the judge never issued the ruling; he did nothing at all [to the litigant].”

Thus, one who consults even an outstanding *rav* is considered negligent if he does not attempt to clarify and confirm that the *psak* he received is indeed correct. This is how great is each individual's responsibility for his actions; this is how effectively he must clarify the correct ruling, as well as what *Hashem* expects of him in each situation.

We can conclude from all this that *emunat hakhamim* is indeed an exalted attribute, but one that is quite difficult to achieve. It is not found in those who are lazy, who wish to relieve themselves of the burden of study. True *emunat hakhamim* obligates one to delve deeply to find the reasoning behind the *hakhamim*'s words while at the same time requiring the student or inquirer to be critical and to investigate rigorously, in order to verify that there is no room for dissent. Certainly there exists justification for their words; we still need to determine if they are to be actually carried out, הלכה למעשה.

All this applies to words of Torah, which all Jews are commanded to know and carry out. On the one hand one may not rely on his own knowledge to issue rulings—even for himself, certainly for others—without consulting and seeking advice from *hakhamim*. “Any scholar who has not yet achieved the level that qualifies him to issue rulings, and he nevertheless does so, is an arrogant fool.... Junior students who have not acquired an appropriate store of Torah knowledge and want to appear important to the commoners and to their own communities, leap at the opportunity to sit at the head, to weigh and decide judgments and to instruct Jewish communities. They are the ones who cause divisiveness, they destroy the world, extinguish the light of the Torah, and destroy the vineyard of the Lord of Hosts” (*Mishneh Torah, Hilkhot Talmud Torah* 5:4). On the other hand, even when one does ask and seek advice, he is not freed from the obligation to personally understand the halakhah so that he is not like a blind person following one teacher or another. Obviously, someone who has no knowledge has no choice but to choose a *rav* and to follow him. But he still bears the responsibility of learning so that he can understand and validate the teachings of his *rav*.

Conclusion

Recently, some have begun applying the term “*emunat hakhamim*” to something else entirely, something that *Hazal* never discussed—that *hakhamim* also have prophetic authority in *divrei reshut*.¹² We are not talking about asking advice of those who are experienced and wise in Torah, whose righteousness, Torah knowledge and brilliance provide good guidance and sound advice. It is surely good for any person to seek advice from those who are greater and better than he. But there is a difference between asking advice and taking personal responsibility for one’s actions, and relying on others with absolutely no independent thought. There are those who label such childish behavior as “*emunat hakhamim*” while in reality it is a distortion of this great attribute. Instead of acquiring true Torah, those who cling to this distorted “*emunat hakhamim*” distance themselves from the light of the Torah and are ultimately incapable of distinguishing between right and wrong.

The distinction between a prophet and a *hakham* is clear enough. When a prophet instructs on *divrei reshut*, not only are we commanded to obey, but “it is forbidden to have any thoughts of doubt or to contemplate the possibility that the prophecy never took place, and it is forbidden to challenge him excessively” (10:6). With a *hakham*, however, *emunat hakhamim* requires us to clarify and elucidate his every word, and one who does not do so is simply a “fool who believes anything.” If this is true for Torah, then even more so for *divrei reshut*. “He who trusts in his own heart is a fool, but one who acts with wisdom will prevail.” ❧

¹² See above, note 3.