

A Brief History of Chutzpah

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Everybody knows what *chutzpah* means. However, when it comes to defining the word, it is actually surprisingly difficult. Most people connect it with life in the shtetl and, when pressed, suggest yiddish as its linguistic origin. The surprising fact is that the word *chutzpah* (חוצפא) comes to us from ancient Hebrew. It's first mention is in the Mishna, which was compiled around two thousand years ago. It has many meanings, the dictionary suggests barefacedness, boldness, impudence, irreverence. The Hebrew root is *chatzaf* (חצף), which is a verb that means 'to bare'. Cheekiness is perhaps the most apt English equivalent, because it manages to bring out the physical aspect of the definition.

In the Jewish tradition, *chutzpah* has many meanings. The first mention of *chutzpah* in the classical Jewish sources is in the Mishna, in Masechet Sota 9:15. The phrase employed is surprising, perhaps: *In the messianic period chutzpah will prevail* (בעקבות משיחא חוצפא יסגא). *Chutzpah* is also mentioned twice in the Talmud, on the same page, in Masechet Sanhedrin 105a. The first mention is that *Chutzpah carries its point, even against Heaven* (חוצפא אפילו כלפי שמיא מהני) and later on that *Chutzpah is royalty without a crown* (חוצפא מלכותא בלא תאגא היא). The notion that *chutzpah* is royalty without a crown is a particularly powerful reminder of how the Rabbis saw *chutzpah* as something much more significant, much more morally complex, than the modern usage of the term would warrant.

In the following, I would like to present four instances of what may be termed moral *chutzpah*. It is not an exhaustive list by no means, but it hopefully gives a flavour of twwhatmay be termed the *chutzpah* of the Jewish trdation.

The Chutzpah of the Rabbis

A striking example of what might be called *chutzpah* in the rabbinic tradition, may be found in the Talmud, in Masechet Baba Metzia 59b. This is the famous account of Achnai's oven. The rabbis are recorded as arguing over whether a particular earthen oven was susceptible to becoming *tame* (impure). The argument is between Rabbi Eliezer, who argues that the oven is not susceptible to *tame* and the rest of the rabbis of the Sanhedrin, who argue that the oven in question is susceptible to *tame*. Rabbi Eliezer seems to be relying on supernatural forces to bolster his argument, but the rest of the rabbis remain unconvinced. Even when Rabbi Eliezer calls forth a heavenly voice, the rabbis do not accept his argument. Rabbi Yehoshuah, exclaims: 'It is not in Heaven', meaning, the

authority to decide *halacha* is no longer resting in God, but is not vested in the rabbis. The rabbis are the arbiters of *halacha*, and even God has to accept their authority. Well aware that they are challenging the authority of the divine, the rabbis were careful to include an epilogue, in which God is presented as being pleased with the assertion of authority on the part of the rabbis.

Talmud – Baba Metzia 59b

It happened one day that Rabbi Eliezer brought forward every imaginable argument, but the rabbis did not accept any of them. He said to them: If the halacha is according to me, let this carob tree prove it! Thereupon the carob tree was torn up a hundred cubits, others say, four hundred cubits. Proof cannot be brought from a carob tree, they retorted. Again he said to them: If the halacha is according to me, let the stream of water prove it! Whereupon the stream of water flowed backwards. Proof cannot be brought from a stream of water, they rejoined... Again he said to them: If the halacha is according to me, then let the Heavens prove it. And a heavenly voice called out: The halacha is always according to Rabbi Eliezer! Rabbi Yehoshuah rose to his feet and exclaimed: *Lo bashamayim hi - It is not in Heaven! (Devarim 30:12)* What did he mean by this? Said Rabbi Yirmiah: The Torah has already been given at Mount Sinai; and therefore we pay no attention to heavenly voices, because You have long since written in the Torah at Mount Sinai, *Side with the majority (Shemot 23:2)*.

Rabbi Natan met Eliyahu Hanavi and asked him: What did the Holy One, Blessed be He, do in that hour? God laughed and said, My children have defeated Me, My children have defeated Me.

It is worth paying attention to the source text that the rabbis bring in to support their argument about the need to follow the majority. In their effort to demonstrate that the majority opinion should win the argument, the rabbis quote part of a sentence from the Book of Exodus (Shemot 23:2). The line seems to be suggesting that one should 'side with the majority'. However, the complete sentence brings out the original meaning, which is directly opposite.

Exodus – Shemot 23:2

You shall not follow the majority for evil; when you testify in court, don't side with the majority to pervert justice.

In the full version, the quote clearly states that one should *not* follow the majority in order to pervert justice. The rabbis are taking part of the verse and misinterpreting it to suit their needs. The term in Yiddish for what the rabbis are doing is: *krum peshat*; they twist the obvious meaning of the sentence. In fact, the misinterpretation serves as a good example of what the rabbis are attempting to convey. They are now the ones with the authority, not only to read and interpret scripture, but also to reinterpret and even subvert the text. The Torah has already been given at Mount Sinai, now it is up to the rabbis to decide what the text means.

תלמוד – בבא מציעא נט.ב

באותו היום השיב רבי אליעזר כל תשובות שבעולם ולא קיבלו הימנו. אמר להם: אם הלכה כמותי - חרוב זה יוכיח. נעקר חרוב ממקומו מאה אמה, ואמרי לה: ארבע מאות אמה: אמרו לו: אין מביאין ראיה מן החרוב. חזר ואמר להם: אם הלכה כמותי - אמת המים יוכיחו. חזרו אמת המים לאחוריהם. אמרו לו: אין מביאין ראיה מאמת המים... ואמר להם: אם הלכה כמותי - מן השמים יוכיחו. יצאתה בת קול ואמרה: מה לכם אצל רבי אליעזר שהלכה כמותו ובכל מקום. עמד רבי יהושע על רגליו ואמר: לא בשמים היא! (דברים ל). מאי לא בשמים היא? אמר רבי ירמיה: שכבר נתנה תורה מהר סיני, אין אנו משגיחין בבת קול, שכבר כתבת בהר סיני בתורה, אחרי רבים להטת (שמות כג).

אשכחיה רבי נתן לאליהו, אמר ליה: מאי עביד קודשא בריך הוא בההיא שעתא? - אמר ליה: קא חייך ואמר נצחוני בני, נצחוני בני.

שמות כג.ב

לא-תהיה אחרי-רבים לרעת; ולא-תענה על-רב לנטת אחרי רבים להטת.

The Chutzpah of Rabban Yochanan ben Zakkai

The next Talmudic story recounts one of the pivotal moments in Jewish history. It is the account of the events surrounding the destruction of Jerusalem in the year 70 CE. The Romans, led by the feared governor Vespasian, had encircled the city for four years. There was widespread starvation and death inside the walls of Jerusalem. The Jews were undecided as how to respond to the threat. Some wanted to fight the Romans to the last man. Some wanted to give in to the overwhelming might of the Roman army. There were numerous sects in Jerusalem at the time. Rabban Yochanan ben Zakkai was the Nasi, which meant he was officially the leader of the Jews. However, numerous other leaders had large followings, not least the uncompromising Sikari group, lead by Rabban Yochanan's nephew, Abba Sikara.

Rabban Yochanan asks Abba Sikara to help smuggle him out of the city so that he could strike some kind of deal with the Roman governor. Abba Sikara devises a plan to smuggle him out of the city in a coffin. The plan works and Rabban Yochanan finds himself in the presence of the Roman governor Vespasian. Vespasian has heard that Rabban Yochanan is among the moderates; his spies have informed him that Rabban Yochanan is a trusted negotiating partner. Their dialogue is soon interrupted, however:

Talmud – Gittin 56b

At this point a messenger arrived from Rome saying, Arise for the emperor is dead and the notables of Rome have decided to make you head of state. Vespasian was overjoyed and said to Rabban Yochanan ben Zakkai... You may make a request of me and I will grant it. Rabban Yochanan ben Zakkai said: Give me Yavne and her Sages, the family chain of Rabban Gamliel and physicians to heal Rabbi Zaddok.

תלמוד – גיטין נ"ב

אדהכי אתי פריסתקא עליה מרומי, אמר ליה: קום, דמית ליה קיסר, ואמרי הנהו חשיבי דרומי לאותיבך ברישא... אמר ליה: מיזל אזילנא ואינש אחרינא משדרנא, אלא בעי מינאי מידי דאתן לך. אמר ליה: תן לי יבנה וחכמיה, ושושילתא דרבן גמליא ואסוותא דמסיין ליה לרבי צדוק.

During the course of conversation, Vespasian finds himself being elevated to the most powerful post in the entire Roman empire. When, in an act of magnanimity, he asks Rabban Yochanan to name any request, Rabban Yochanan's reply is surprising. As the Talmud comments in the continuation of this piece, the obvious thing for Rabban Yochanan to ask for would be to save the city. Rabbi Akiva answers that the reason he didn't ask for this was that he was sure that his wish would not be granted. Better to ask for something smaller and be sure that it would be favourably received. So Rabban Yochanan asks for Yavne and her Sages. Yavne was at the time a small coastal town with a few learned men and a Roman garrison stationed outside. It was a place where learning could progress in peace, but obviously a far cry from the prestige and symbolic centrality that Jerusalem symbolised.

The Temple in Jerusalem had, with the exception of a short period following the Greek occupation, been in continuous use since the time of King David. This link is no doubt symbolised in the second thing that Rabban Yochanan asks for: the family of Rabban Gamliel, who was his predecessor to the post of Nasi. Rabban Gamliel links the project of Yavne, not only to Hillel, but to King David himself. The inclusion of Rabbi Zaddok, on the other hands, seems to be more prosaic. Rabbi Zaddok was a rabbi who had fasted for 40 years to avert the destruction of the Temple. For 40 years he had only tasted water, and the gemara goes on to explain in detail how he was nurtured back onto solid foods by the gradual introduction of dried fruits soaked in water. This, then, seems to be an example of the Jewish way of telling history: right in the middle of the most significant moment in

Jewish history, the Talmud occupies itself with the concern for a single individual.

Yet, the question still remains, why did Rabban Yochanan ask for Yavne when, theoretically, he could have asked for Jerusalem. One reason, the Talmud suggests is that he thought that demand would have been too much. However, there may be a more radical reason why Rabban Yochanan decided as he did. Rabban Yochanan may have decided on purpose, to ask for Yavne instead of Jerusalem. Rabban Yochanan may have understood that the future of Jewish life would have to be different from how it had been conducted in the previous thousand years. On this account, Judaism needed to change radically if it were to survive. It needed to reinvent itself. To base itself on different values. No longer would it be possible to have a Judaism centred around the Temple service. No longer could offerings and pilgrimages and priests be the content of Judaism. If Judaism were to survive, it needed to become the property of every Jew.

On this account, Rabban Yochanan, with staggering *chutzpah*, made a unilateral decision to end the era of Temple-based Judaism. He realised that as long as Judaism was rooted in a geographical place, it would always be vulnerable. It would be the victim of foreign powers seeking dominion over the city. At the same time, it would be the victim of infighting and rivalry between different sects vying for power.

The midrash records a conversation between Rabban Yochanan and his disciple Rabbi Joshua subsequent to the destruction of Jerusalem. The disciple is weeping bitterly over the loss of the Temple. Rabban Yochanan, the Master, however, is not grieved. He suggests that an adequate substitution of Temple service is now acts of loving-kindness. And he links that realisation to the words of the prophet Hoshea, who, centuries earlier, reminded Israel that God desires *chesed* and not acts of sacrifice. Not unlike the epilogue of the story of Achnai's oven, the rabbis are here concerned to bring God on their side by suggesting that the course of action that Rabban Yochanan adopted is condoned on high.

Midrash – Avot de-Rabbi Natan 4:5

Woe unto us! Rabbi Joshua cried, that this, the place where the sins of Israel were atoned for, is laid waste! My son, Rabban Yochanan said to him, be not grieved; we have another atonement as effective as this. And what is it? It is acts of loving-kindness, as it is said, *For I desire loving-kindness and not sacrifice (Hoshea 6:6).*

מדרש – אבות דרבי נתן ד.ה

אמר רבי יהושע, אוי לנו על זה שהוא חרב מקום שמכפרים בו עונותיהם של ישראל. א"ל, בני אל ירע לך. יש לנו כפרה אחת שהיא כמותה. ואיזה זה? גמ"ח שנאמר, כי חסד חפצתי ולא זבח (הושע ו).

A measure of support for this view may be found in the fact that Rabban Yochanan seems to have been agonising over whether he made the right decision for the rest of his life. In another midrash, recorded in the Talmud (Berachot 28b), Rabban Yochanan is depicted on his death bed, desperate because he is not sure whether he is about to be sent to heaven or hell. The midrash adds that Rabban Yochanan saw himself in the tradition of King Heskiah, the so-called Righteous King. He was called righteous because he destroyed the façade of the Ark, in an attempt to stop the Israelite propensity to worship the external aspect of the Ark. Rabban Yochanan, similarly, saw himself as ending the period of Temple worship in order to rescue the authenticity of prayer and worship and study.

Instead of the Temple in Jerusalem, now in ruins, Rabban Yochanan seems to be saying: 'Despair not, you have a Temple in your hands!'

The Chutzpah of Moses

The treatment of Moses in the midrash and aggadic commentaries is revealing for several reasons. It tells us something important about how the rabbis saw this hero of Jewish history. At the same time, it tells us something important about how the rabbis saw the character of God. Finally, it tells us something about the rabbis' own ambitions. We shall try to keep all these three themes in mind when reading the texts below.

The first midrash offers a window into how the rabbis chose to deal with the glaring contradiction in the Torah itself. In Shemot, the God clearly says that children will be punished for their parents' sins. However, three books later, in Devarim, God is recorded as saying exactly in the opposite thing, each person will only be punished for their own sins. The question the rabbis faced was how to deal with this inconsistency?

Midrash – Bamidbar Rabba 19:33

God said to Moses, *I will punish the children for their parents' sins (Shemot 20:5)*. Moses said to him: Master of the Universe! Many are the wicked who have brought forth righteous children. Shall the children bear the sins of their fathers? Terah worshipped images, yet his son Abraham was righteous. King Hezekiah was righteous, yet his father Ahaz was wicked. King Yoshiyah was righteous, yet his father Amon was wicked. Is it right that the righteous should be punished for the sins of their parents? God said to him: You have taught Me something! By your life, I shall cancel My words and confirm yours. As it says, *Parents shall not be put to death for their children, neither shall children be put to death for the parents (Devarim, 24:16)*. And by your life, I shall record these words in your name. As it says, *According to that which is written in the book of the law of Moses, as the Lord commanded, saying: parents shall not be put to death for their children... (Melachim Bet 14:6)*.

מדרש – במדבר רבה יט:לג

אמר לו הקב"ה, פוקד עון אבות על בנים. אמר משה רבש"ע כמה רשעים הולידו צדיקים יהיו נוטלין מעונות אביהם? תרח עובד צלמים ואברהם בנו צדיק. וכן חזקיה צדיק ואחז אביו רשע. וכן יאשיה צדיק ואמון אביו רשע. וכן נאה שיהו הצדיקים לוקין בעון אביהם אמר לו הקב"ה למדתני! חייך שאני מבטל דברי ומקיים דבריך שנאמר לא יומתו על אבות על בנים ובנים לא יומתו על אבות (דברים כד), וחייך שאני כותבן לשמך שנאמר ככתוב בספר תורת משה אשר צוה ה' וגו' (מלכים ב' יד).

The rabbis imagine Moses in argument with God. Moses challenges God both on historical and on moral grounds. Not only is it factually wrong that sins should be inherited (note that most of the examples that Moses brings are historic events that occur much later in Jewish history), it is also morally suspect of God. The rabbis imagine God as agreeing to this suggestion. God, in effect, accepts Moses' view and changes His mind. The inconsistency in the text is explained as an inconsistency in God. Moses' moral vision, by contrast, remains unimpaired.

Another interesting aspect of the midrash is that God quotes the final version in the name of Moses. This is an instance of what the rabbis call "*beshem omro*". In its many rulings, anecdotes and homilies, the halachic and the aggadic tradition (that is, both Talmud and Midrash, though these categories overlap), the Rabbis always quote opinions in the name of the person who first said them. This is the equivalent of the modern practice of references and bibliographies. Only by knowing who said what, can we properly evaluate its importance. In the above passage, God is presented as quoting the latter opinion in the name of Moses. Clearly, references are important to God too!

A further example of the rabbinic treatment of Moses is in the story of the Golden Calf. God is angry at the Israelites for defying his word. Moses however, is able to absolve God of His anger.

Midrash – Shemot Rabba 43:4

When Israel made the Golden Calf, Moses began to persuade God to forgive them; but God said: Moses, I have already taken an oath that, *he who makes a sacrifice unto the gods... shall be destroyed (Shemot 22:19)*. I cannot retract an oath which has proceeded from My mouth... Whereupon Moses wrapped himself in his cloak and seated himself in the posture of a Sage, and God stood before him as one asking for the annulment of a vow; for so it says, *Then I sat on the mount (Devarim 9:9)*.

מדרש – שמות רבה מג:ד

בשעה שעשו ישראל העגל עמד משה מפייס האלהים שימחול להם, אמר האלהים משה כבר נשבעתי (שמות כב) זובח לאלהים יחרם, ודבר שבועה שיצא מפי איני מחזירו... מיד נתעטף בטליתו וישב לו כזקן והקב"ה עומד כשואל נדרו, וכה"א ואשב בהר (דברים ט).

These are striking instances of rabbinic *chutzpah* in which the rabbis are telling the stories of Moses in a particular way. Why? We come back to our three-fold distinction. They tell the stories in this way because of their interest in underpinning the nature of Moses and of God and, in addition, they want to model themselves on a Biblical character that takes authority into his own hands and is not afraid to behave in a radical way.

The Chutzpah of Abraham

Moving now to the heart of the Bible, we come to the character of Abraham. We are told that Abraham was selected by God because of the qualities of his personality. In the midrashic tradition, it is the attribute of *chesed*, of loving-kindness, that is most strongly associated with Abraham. The most famous example of this is Abraham's hospitality towards the three wayfarers, who later turn out to be angels. At the time, however, Abraham doesn't know this.

The story begins with the words: And God appeared to Abraham at Elonei Mamrei (Bereishit 18:1). Then, immediately following, Abraham says: "My Lord, if now I have found favour in your sight, please wait a while for your servant (Bereishit 18:3). The midrash reads these words, which may be addressed to the wayfarers or to God (the appellation *adoni*, my master, is ambiguous), as if they were addressed to God. Thus the midrash depicts Abraham as telling God to wait, whilst he attends to the needs of the strangers.

Talmud – Shabbat 127a

Rav Yehudah said in Rav's name: Hospitality to wayfarers is greater than welcoming the presence of the *Shechinah*, for it is written, *And Abraham said: My Lord, if now I have found favour in Your sight, please wait a while for Your servant (Bereishit 18:3)*. Rabbi Eleazar said: Come and observe how the conduct of the Holy One, blessed be He, is not like that of mortals. The conduct of mortals is such that an inferior person cannot say to a person in authority: Wait for me until I come to you. Whereas in the case of the Holy One, blessed be He, it is written, *And Abraham said: My Lord, if now I have found favour in Your sight, please wait a while for Your servant*.

תלמוד – שבת קכז:א

אמר רב יהודה אמר רב: גדולה הכנסת אורחין מהקבלת פני שכינה, דכתיב (בראשית יח) ויאמר ה' אם נא מצאתי חן בעיניך אל נא תעבר וגו'. אמר רבי אלעזר: בא וראה, שלא כמדת הקדוש ברוך הוא מדת בשר דם: מדת בשר דם - אין קטן יכול לומר לגדול המתן עד שאבא אצלך, ואילו בהקדוש ברוך הוא כתיב ויאמר ה' אם נא מצאתי וגו'.

The message of the midrash seems to be: Don't treat God like a human being. Treat human beings like human beings. God is infinite. Was this insistence on attending to those who required his attention on earth, the reason why God chose Abraham? Was it this *chutzpah klapey shamaya* of Abraham that attracted God to him?

Nowhere in the Torah are the twin characteristics of *chesed* towards Man and *chutzpah* towards Heaven, as important as in the story of Sodom. God tells Abraham of His intention to destroy the wicked cities of the plain. Abraham then decides to take God to task and argues on behalf of the citizens on two counts. He argues on behalf of the innocent people that may be living in the cities. Surely they should not be punished just because their neighbours are wicked? Abraham also argues that if there are innocent people in any of the cities, then the whole city should be saved on account of those who are innocent.

Genesis – Bereishit 18:22-25

And the men turned from there and went to Sodom, and Abraham remained standing before God. And Abraham approached and said: Will You even destroy the righteous with the wicked? Perhaps there are fifty righteous men in the midst of the city; will You even destroy and not forgive the place for the sake of the fifty righteous men who are in its midst? Far be it from You to do a thing such as this, to put to death the righteous with the wicked so that the righteous should be like the wicked. Far be it from You! Will the Judge of the entire earth not perform justice?

בראשית יח:כב-כה

וַיִּפְּנוּ מִשָּׁם הָאֲנָשִׁים וַיֵּלְכוּ קִדְמָה
וַאֲבִרָהֶם עֹדְנֵנוּ עֹמֵד לִפְנֵי יְהוָה: וַיִּגַּשׁ
אֲבִרָהֶם וַיֹּאמֶר הֲאֵף תְּסַפֶּה צְדִיק עִם-
רָשָׁע: אֲוִלִי יֵשׁ חֲמִשִּׁים צְדִיקִים בְּתוֹךְ הָעִיר
הָאֵף תְּסַפֶּה וְלֹא-תִשָּׂא לְמַקּוֹם לְמַעַן
חֲמִשִּׁים הַצְּדִיקִים אֲשֶׁר בְּקִרְבָּהּ: חֲלָלָה לְךָ
מַעֲשֵׂת | כְּדָבָר הַזֶּה לְהַמִּית צְדִיק עִם-
רָשָׁע וְהָיָה כְּצְדִיק כְּרָשָׁע חֲלָלָה לְךָ הַשִּׁפְט
כָּל-הָאָרֶץ לֹא יַעֲשֶׂה מִשְׁפָּט.

The language that Abraham employs is dramatic. Although this passage is often used as an example of 'wrestling with God', that is not really the best way to describe the interaction. Abraham is holding God to His own standards. God is likened to a judge who is not acting justly, and the metaphor is emphatic: all the more so should God be careful to act justly. Abraham refuses to accept God's behaviour and unabashedly demands: "I want a different world!" It is interesting to note that although the story of the cities of the plain is included in the Koran, the above dialogue is not. The idea that man is capable of holding God to account is an idea that proved too radical for the mainstream Islam.

However, as Rashi points out in his commentary, the passage is even more *chutzpedik* than it seems. The passage opens with the words, 'And Abraham remained standing before God.' However, as we have already mentioned, at the opening of the chapter it is God that is standing waiting for Abraham. This incongruity is explained by Rashi in the following way:

Rashi on Genesis – Bereishit 18:22

And Abraham remained standing before God. It should have been written here: And God remained standing before Abraham. This is a correction of the Scribes. The Sages, of blessed memory, changed the text and wrote it in this manner.

רש"י על בראשית יח:כב

ואברהם עֹדְנֵנוּ עֹמֵד לִפְנֵי ה'. והיה לו
לכתוב וה' עֹדְנֵנוּ עֹמֵד לִפְנֵי אברהם,
אלא תיקון סופרים הוא זה, אשר
הפכוהו ז"ל לכתוב כן.

What does this mean? Rashi commentary seems to imply that the original text was so radical that it was necessary to modify it. However, this 'correction of the scribes' is itself an act of considerable *chutzpah*. This act is not coincidental, the Rabbis and the Scribes and the Geonim and the Rishonim all modelled themselves on the characters of the Bible. It is the *chutzpah* of these characters, real or imagined, that has enabled them, and us, to challenge, reinvent and reinterpret the Jewish tradition. And this may well be the secret of the survival of the Jewish people: Throughout our long history, with the odds stacked against us, we've had the *chutzpah* to go on believing.