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*Daas Torah: A Modern  
Conception of Rabbinic  
Authority*

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The concept of *Daas Torah* is, at one and the same time, both precise and delimited, and broad and elusive. It is precise and delimited for, as historians have argued, *Daas Torah* appears to be a specific modern concept of rabbinic authority that has arisen and developed in a clear and definite historical context. It is broad and elusive, first of all, because of the wide range of varying meanings that—incorrectly, I believe—have been attributed to it, but also because of certain inherent ambiguities in the concept. Most important, the proponents of *Daas Torah* have argued that in fact it is

I benefited greatly from the comments and criticisms of all the participants in the Orthodox Forum. In particular, I would like to thank the following for calling my attention to important source materials: Rabbis Yosef Blau, Norman Lamm, Yonasan Saks, and J. J. Schacter, and Professors David Berger and Moshe Sokol. I would also like to thank Rabbi Joshua Shmidman of Congregation Tifereth Beth David Jerusalem of Montreal for his help.

not a new concept at all, but that it is identical with the fundamental notion of rabbinic authority as that notion is to be found in the classical sources of rabbinic Judaism. One proponent has gone so far as to argue that if the concept of *Daas Torah* is not "mentioned *per se* in the Talmud," it is because it forms the entire basis of the Talmud's authority, because it is "implicit in every line of every piece of every *masechta* of the Talmud."<sup>1</sup> One might think that this

<sup>1</sup>See Avi Shafran, "The Enigma of Moses Mendelssohn," *The Jewish Observer* 19:9 (December 1986): 17. Ironically, Shafran's own article, despite its valiant advocacy of the concept of *Daas Torah*, was itself sharply criticized in the issue immediately following of *The Jewish Observer* 19:10 (January 1987): 13, in a statement by Rabbi Yaakov Perlow, the Novominsker Rebbe, written "in response to an invitation by members of the *Moetzes Gedolei ha-Torah*," for treating Mendelssohn "too kindly" and for not condemning him from "a perspective that rests on the truths of Torah [as] keenly sensed by the sages of his [Mendelssohn's] and later days." Thus Rabbi Shafran, the advocate of *Daas Torah*, is weighed in the balance and found wanting by the Novominsker Rebbe speaking in the name of the *Moetzes Gedolei ha-Torah*, by, in other words, an authoritative expression of *Daas Torah* itself! In this connection, it might also be worth noting that Rabbi Perlow's assumption that the negative attitude toward Mendelssohn taken by the Hatam Sofer is representative of the general view of *Gedolei Yisrael* toward Mendelssohn is, in truth, despite the air of authority with which it is set forth, completely lacking in any foundation and a distortion of undeniable historical facts. See Steven Lowenstein, "The Readership of Mendelssohn's Bible Translation," *HUCA* 53 (1982): 179-213; Meir Hildesheimer, "Moses Mendelssohn in Nineteenth-Century Rabbinic Literature," *PAAJR* 55 (1988): 79-133; and the appendix to the responsum of the Maharam Schick in *Likkutei Teshuvot: Hatam Sofer*, ed. E. Stern (London: G. J. George and Co. Ltd., 1965), no. 82, 75, trans. Shnayer Z. Leiman in "R. Moses Schick: The Hatam Sofer's Attitude Toward Mendelssohn's *Biur*," *Tradition* 24:3 (Spring 1989): 83-86. I should add that there is a reliable oral tradition to the effect that the "well-known" anonymous gaon who according to the Maharam Schick studied the *Biur*, in particular the *Biur* to Leviticus, and who was strongly criticized by the Hatam Sofer for so doing, was none other than

is a classic example of converting a weakness into a strength,<sup>2</sup> but it serves to show the strong nature of the claim being made.

In this chapter, I have set myself three interrelated tasks. First, I will seek to determine the exact nature of the view of rabbinic authority being propounded in the concept of *Daas Torah* and examine the historical context or contexts in which this concept developed, as well as the functions it has served in those contexts. Second, I will try to locate the roots of this concept in traditional notions of rabbinic authority and see to what extent the concept of *Daas Torah* resembles these traditional notions and to what extent it differs from them. Finally, I will look at the fortunes of *Daas Torah* on the contemporary scene and engage in a few, necessarily tentative, speculations as to its prospects for the future. An epilogue consisting of a troubling but, I trust, instructive historical narrative will serve as a conclusion.

### THE IDEOLOGY OF DAAS TORAH: A HISTORICAL OVERVIEW

Several years ago I wrote an article in which I made a few brief critical remarks about the concept of *Daas Torah*.<sup>3</sup> As might have

that halakhic giant, pillar of rabbinic Judaism, and the Hatam Sofer's own father-in-law, R. Akiva Eger! (On R. Akiva Eger's attitude toward the *Bi'ur*, see Lowenstein, 188-89; and Hildesheimer, 97.) Or, perhaps R. Akiva Eger, R. Moses Schick, R. Samson Raphael Hirsch, R. Azriel Hildesheimer, R. Mordecai Baneth, R. Yosef Zechariah Stern, and the rest, all of whom, although at times sharply critical of Mendelssohn, saw some value - indeed, at times, much value - in the person and his writings also ought to stand condemned by the authoritative pronouncement of *Daas Torah* for the "sin" of treating Mendelssohn "too kindly"?!<sup>2</sup>

<sup>2</sup>Certainly the doctrines of God's existence, the election of Israel and the revelation of the Torah are "implicit in every line of every piece of every *masechta* of the Talmud," and yet, if memory has not failed me, they are, every now and then, "mentioned *per se* in the Talmud."

<sup>3</sup>"Rabbi Isaac Hutner's 'Daat Torah Perspective' on the Holocaust: A Critical Analysis," *Tradition* 18:3 (Fall 1980): 235-48.

