

## Human Artistry and *Tikkun Olam*<sup>1</sup>

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The idea of *tikkun olam*—repairing the world—has evolved greatly through the centuries. In the earliest rabbinic sources, the focus of *tikkun olam* was exclusively on preserving *halakhah* and caring for the most vulnerable in Jewish society. Gradually, however, *tikkun olam* came to be regarded as having a more universal application.<sup>2</sup> According to both of these perspectives, the notion of repairing a broken external world is of critical concern. Yet, the history of *tikkun olam* also reflects a concern for the spiritual journeys of the individual—that is, seeking to attain the perfection of one’s soul.<sup>3</sup> And this more personal approach to *tikkun olam* is focused on repair that is inner-directed, rather than an outer-directed repair of an external environment (be it the Jewish community or beyond).

This essay examines the realm of artistic expression, defined broadly to include many types of human creativity, as a vehicle for engaging in *tikkun olam*. Although I assume that creating works of beauty has the potential to help repair a broken external world, my primary focus here is the internal dimension of human creativity as an exercise of *tikkun olam*. I argue that human creativity can embody *tikkun olam* insofar as it represents a path to observing God’s will and perfecting one’s soul. In making this case, this essay mines the depths of the Jewish tradition, particularly the creation narratives in Genesis and selected commentaries, both ancient and modern, on those texts.

A profound understanding of the nature of the artistic soul can be achieved by examining narratives that recount, or seek to explain, the creative process as inspirationally or spiritually motivated.<sup>4</sup>

Human beings have an innate urge to create. This is suggested by the urge to create demonstrated by children,<sup>5</sup> as well as by the works of artists lacking any expectation or hope of remuneration—such as the cave drawings of prehistoric humans,<sup>6</sup> the artistic creations of death row inmates,<sup>7</sup> and Nazi death camp prisoners.<sup>8</sup> Elisabeth Kübler-Ross, the psychiatrist who outlined the five stages of grief in her groundbreaking work on the emotional components of dying, often spoke of her experience in volunteering in an internment camp after World War II as the catalyst that influenced the course of her research. Specifically, she was struck by the beautiful butterflies carved all over the walls of the barracks housing the prisoners about to be put to death; she contemplated those butterflies for the rest of her life, as they helped her realize that even in the midst of tragedy, human beings still can strive for beauty.<sup>9</sup> This point is also underscored in the book *Art Against the Odds*, which features works by inmates and other artists who were isolated, self-taught, and totally disinterested in showing or profiting from their works.<sup>10</sup> Art made the worlds of these artists more comforting and tolerable; it was their way of repairing not only a very broken external world, but also a fractured internal spirit.

The creation narratives in the Book of Genesis reflect Western society's understanding of the human creative enterprise. Although the unique creation stories of other religions and cultures can help illuminate the spiritual and artistic creations of those cultures,<sup>11</sup> the Genesis narratives probably are the most celebrated stories about creativity in Western society. These narratives, and their interpretation through the rabbinic tradition, are the basis of my exploration of human creativity and *tikkun olam* through the Judaic perspective. These sources attest to the strong spiritual underpinnings that animate human innovation<sup>12</sup> and furnish the basis for the view that human creativity exemplifies *tikkun olam*.

A nuanced examination of the creation texts in Genesis discloses two distinct creation stories, each depicting a different image of

Adam. Although these two images of Adam can be interpreted as “two representatives of humanity,”<sup>13</sup> for purposes of this discussion it is important to underscore that both creation narratives contain significant insights about inspirational motivations for human creativity. These insights can be derived from a careful exegesis of the biblical text and its interpretive theology.

### **First Creation Narrative**

The first creation narrative recounts God’s creation of the world in six days, culminating with the creation of humankind on the sixth day (Genesis 1:26). The text states: “God created man in His image, in the image of God He created him” (Genesis 1:27), and then tells us that God commanded the newly created human being to “fill the earth and master it” (Genesis 1:28).<sup>14</sup>

Through this language, the first creation narrative provides important support for a fundamental insight regarding inspirational motivations for artistic creation. It depicts the first human as a spiritual being whose affirmative creative acts are undertaken in response to divine command. According to the late Rabbi Joseph Soloveitchik, an influential twentieth-century theologian, the Torah tells us the story of creation so that humans could derive the law that God obligates us to create; Soloveitchik believed that “the peak of religious ethical perfection to which Judaism aspires is man as creator.”<sup>15</sup> Thus, the Jewish religion introduced to the world the idea that “the most fundamental principle of all is that man must create himself.”<sup>16</sup>

The rabbis of antiquity taught: “All that was created during the six days of creation requires improvement.”<sup>17</sup> The role of humans was to partner with God in creating an improved world, thus renewing the cosmos with creative enterprise.<sup>18</sup> Another early rabbinic narrative involving a dialogue between the great talmudic sage Akiva and the

evil Roman governor, Turnusrufus, also expresses this fundamental concept.<sup>19</sup> Turnusrufus challenges Akiva by asking which is more beautiful: the work of God or of humans. Akiva replies that the latter is better, with respect to those things where human art is effective (in contrast to things where humans and God are operating in completely different spheres—such as the creation of heaven and earth). Pressing further, Turnusrufus asks why male babies are not already born circumcised; Akiva replies that this is because God gave the commandments in order to refine the people of Israel.

The Hebrew verb used in the first creation narrative is *bara* (“created”), which derives from the root *bet-resb-alef*. This root appears in the Torah only in conjunction with divine creativity; however, the first creation narrative in Genesis is understood by Rabbi Soloveitchik as “challeng[ing] man to create, to transform wilderness into productive life.”<sup>20</sup> The text of the first creation narrative reinforces this perspective. The human being of this story dominated the “elemental natural forces” and invoked a “will to learn the secrets of nature.”<sup>21</sup> In so doing, however, the human being obeyed God’s command to “rule the fish of the sea, the birds of the sky, the cattle, the whole earth, and all the creeping things that creep on earth” (Genesis 1:26). After God created man and woman, he blessed them and said: “Be fertile and increase (*p’ru u-r’vu*); fill the land and master it” (Genesis 1:28). Significantly, the earliest appearance of the phrase *tikkun olam* in rabbinic literature is in the Mishnah’s tractate Gittin, where it is linked to the divine commandment about procreation.<sup>22</sup>

Human creativity exercised in response to divine command figures prominently in the story of the construction of the Tabernacle, beginning in Exodus 31. God instructs Moses to single out, as the supervisory master craftsman for this project, Bezalel—who has been endowed “with a divine spirit of skill, ability, and knowledge (*b’hokhmah u-vit’vunah u-v’da’at*) in every kind of craft; to make designs for work in gold, silver, and copper, to cut stones for setting and to carve wood, to work in every kind of craft” (Exodus 31:3–5).

And then Bezalel (and his associate Oholiab) are assigned the task of supervising the construction of the Tabernacle and all of the accoutrements necessary for the service of God. (Exodus 31:7–11) This text thus presents a confluence between obedience to God, worship of the Divine, and human artistic creativity.

Although the construction of the Tabernacle exemplifies a specific link between human artistry and obeying God, Jewish tradition sees human artistry, on an even broader level, as acting in accord with God's commandment to humans to create. In carrying out God's instructions, the human beings in the first creation narrative are viewed as the prototypes for "collective human technological genius."<sup>23</sup> This idea embodies the concept of "practical spirituality," which recognizes that a spiritual connection to God can be achieved even through the performance of ordinary tasks.<sup>24</sup> Thus, an important lesson from this creation narrative is that an author who labors toward even a physical or material end can be empowered through a sense of practical spirituality, in much the same way as the humans depicted in the biblical text.

Practical spirituality is prevalent in Judaism. For example, the twelfth-century philosopher and legalist Maimonides seems to recognize this concept when he affirms that people should perform even ordinary tasks for the service of heaven; he writes: "A person should direct one's heart and the totality of one's behavior to one goal: becoming aware of God, the Blessed One."<sup>25</sup> The concept of practical spirituality also is steeped in the hasidic teaching that every object reflects and expresses the Divine; according to this view, "not only study and prayer are religious acts but also commerce, *artisanship*... [and] all human behavior has the potential to reveal God to His people, and each person can aspire to that revelation."<sup>26</sup> According to this view, the body is the source of concern for the physical, whereas the soul is the source for the spiritual. Judaism strives to maintain an appropriate balance between body and soul, or the physical and the spiritual. Thus, "when the physical is engaged for spiritual purposes,

the conflict is transformed into peace and harmony.”<sup>27</sup> This harmony can be achieved even through the creation of mundane physical objects or other artistic creations that, in fact, can allow the author to, in the words of Marc Chagall, “take flight to another world.”<sup>28</sup>

The first creation narrative provides a second important insight regarding inspirational motivations for artistic creation. This insight can be called the mirroring argument: humanity’s capacity for artistic creation mirrors or imitates God’s creative capacity.<sup>29</sup> Rabbi Joseph Soloveitchik notes that phrase *tzelem elohim*, “the image of God” (found in the first account of creation), underscores “man’s striving and ability to become a creator.”<sup>30</sup> This language clearly lays out a path for humans to see themselves as potential creators, underscoring an unprecedented parallel between God and humanity—and this has been recognized even by those who approach the Bible from a non-theological perspective.<sup>31</sup> This view sees creativity as rooted in inspirational elements, because the motive for human creativity is to mirror the Divine.

An additional example of the mirroring argument in connection with human creativity is found regarding the laws of Shabbat, embedded in the Tabernacle narrative in the Book of Exodus. Israel is commanded to mirror God not only with respect to creating, but also with respect to ceasing to create on Shabbat. An injunction for the Israelites to observe Shabbat appears following the delineation of all the instructions for constructing the Tabernacle and its accoutrements, which are necessary for the service of God (Exodus 31:16). The textual juxtaposition is telling: the injunction to observe Shabbat immediately follows the instructions for the construction of the Tabernacle, directed to the skilled craftsmen, and thus furnishes a reminder to humans to mirror the Divine in this regard as well—that is, in cessation from labor, no less than in the creative enterprise. Indeed, the last verse of this section concerning Shabbat reads: “For in six days the Eternal made heaven and earth, and on the seventh day God ceased from work and was refreshed (*va-yinnafash*)” (Exodus 31:17).

Further, the “Godlike notion of creation” in the opening chapters of Genesis provides the basis for the parental metaphor of authorship.<sup>32</sup> Both God and humans “give birth” to their creations, and therefore manifest a particular type of connection to their handiworks. In fact, the word “creativity” derives from the Latin verb *creo*, which means “to give birth to.”<sup>33</sup> Indeed, the opening verses of Genesis may be seen as providing a description of a womb: “The deep, unformed darkness is the womb, ripe with potential. The water is the amniotic waters that protect the fragility of life.”<sup>34</sup> The first creation narrative thus serves as a highly significant source that reflects the inclination of humankind to view themselves as creators, with the potential for possessing a parental connection to the created works.<sup>35</sup> This is yet another way in which humanity mirrors the Divine.

There are many textual examples of God’s parental connection to humanity. This concept appears very concretely in the Book of Jonah, for example, which concludes with the idea that God has pity on the Ninevites because they are God’s creation, and refrains from destroying the city out of a parental concern for its inhabitants (4:11). Similarly, the Torah relates that God had “heartfelt sadness (*va-yinnaḥem*)” concerning the evil generation in the time of Noah (Genesis 6:6).<sup>36</sup> Rashi explains this phrase as meaning that God “mourned over the loss of the divine handiwork (*ma’aseih yadav*).”<sup>37</sup> Yet another example of God’s parental concern with humanity appears in the weekday Amidah, recited by observant Jews three times a day: “Hear our voice, our God, take pity and be compassionate to us...” The specific Hebrew word for “take pity” used in this prayer is *hus*, which refers to an artisan’s special regard for the product of his hands. The underlying concept here is that God should pity us because we are God’s handiwork.<sup>38</sup>

Thus, we see from the first creation narrative that the traditional Jewish approach to human creativity emphasizes the underlying spiritual motivations for physical creative action. These motivations are rooted in the spiritual elements of obeying God and mirroring

God's capacity for creativity, ceasing creativity on a periodic basis, and connecting to one's works of authorship in a particular type of way. I now turn to the second creation narrative in the Book of Genesis, which reveals additional spiritual motivations for human creative enterprise.

### Second Creation Narrative

The second creation narrative, beginning in Genesis 2:4,<sup>39</sup> also is significant for its understanding of humanity's inspirational creative spirit. The biblical text reads: "Eternal God formed [the first] man from the dust of the earth. God blew into his nostrils the breath of life (*nishmat hayyim*), and man became a living being (*nefesh hayyah*)" (Genesis 2:7). Classical interpretations of this narrative suggest that human creativity derives from an intrinsic drive that, although endowed by an external source, enables people to suppress their egos and focus on the emergence of their work. These themes reinforce the notion, seen above in the first creation story, that creativity is spiritually motivated.

Initially, this passage illuminates the idea that human ability to engage in expression, including through artistic skill, is endowed by an external source. The thirteenth-century Jewish commentator Nahmanides (Ramban) interprets this passage to mean that God's own breath was blown into Adam's nostrils.<sup>40</sup> God's breath is understood to mean "the soul of life,"<sup>41</sup> thus establishing the way in which the creation of human beings differs from all other creations.<sup>42</sup> Rashi explains that the human soul is more alive than the souls of animals because only the former contains the powers of speech and reasoning.<sup>43</sup> Further, according to Rabbi Soloveitchik, "the Biblical metaphor referring to God breathing life into Adam alludes to the actual preoccupation of the latter with God, to his genuine living experience of God."<sup>44</sup> In other words, Adam enjoyed a closeness



with God that facilitated God's direct endowment in humanity of expressive, creative capacities. Moreover, this perspective understands human artistry as a reflection of knowledge of the divine will. This point is illustrated further in the passages about the Tabernacle that refer to the artistic contributions of the "wise-hearted" men and women.<sup>45</sup> This text illustrates the Jewish tradition's inclination to equate creativity with wisdom and knowledge.<sup>46</sup>

The second creation narrative also emphasizes the connection between creative endowment and self-abnegation, which can be understood as "the denial or abasement of oneself."<sup>47</sup> From a theological perspective, self-abnegation facilitates spiritual transcendence, to the extent that an individual focuses on God as the Center of the Universe rather than on oneself.<sup>48</sup> Thus, the concept of self-abnegation also relates to the idea that creativity is endowed by an external source.

According to Jewish authorities, speech is singularly reflective of the quality of self-abnegation. For both God and humans, speech is an indication of the ability to transcend the self and relate to someone or something else. In describing the divine act of creation, the Torah does not say that God *made* a world, but rather that the world was *spoken* into existence. Every creative act was preceded by a speech-act, declaring in advance what God was about to do; for example, "God said, 'Let there be light,' and there was light" (Genesis 1:3). These "speakings" are referred to as the "Ten Utterances" (*asarah ma'amarot*) with which, according to the text, God created the world.<sup>49</sup> According to this view, the Adam of the second creation narrative, whom God infused with a special soul, possessed the ability to speak and express himself in a way that mirrored the divine capacity for self-abnegation.<sup>50</sup>

In sum: the two creation narratives in Genesis depict humans as inspired, creative beings. Classical Judaism's interpretation of these narratives facilitates the development of a theory of spiritual motivation that focuses on an intrinsic dimension of human

innovation. The way in which humans partner with and relate to God has important implications for human creative enterprise and its role in *tikkun olam*. These motivations for human creativity are consistent with the view of *tikkun olam*, especially prominent in kabbalistic thought, which emphasizes the restoration of “harmony, balance, and oneness among the forces that constitute the manifested aspects of God.”<sup>51</sup> The idea of *tikkun olam* as a means of perfecting one’s soul through engaging in physical activities that can also positively impact the world was skillfully articulated by law professor and former prosecutor Samuel Levine: “As a prosecutor, I feel that I... further the purpose of creation, by helping the criminal justice system return order to the world....As a result of my work, society is better able to function in accordance with God’s plans, in an orderly and productive manner....I am a partner with God in creating a better world.”<sup>52</sup> Although Levine was not speaking about artistic creativity, the same reasoning clearly applies to the process of human creative enterprise. Indeed, as this discussion has demonstrated, human creativity entails the very type of contemplation and concentration that is a fundamental component of this vision of *tikkun olam*.

### **Judaism’s Lessons on Human Creativity as a “Light Unto the Nations”**

From a profound biblical standpoint suggestive of the concept of *tikkun olam* as it would later evolve, Israel is imagined as “a light unto the nations.”<sup>53</sup> This essay has explored how the Jewish tradition understands human creativity to facilitate spiritual self-development. The lessons derived from our tradition regarding the potential for spiritual self-development in connection with artistic creativity can be such a “light unto the nations.” Indeed, studies have documented how Christian theology and culture, as well as the narratives of secular authors and creativity theorists, comport with the Jewish tradition, by attesting to the strong spiritual underpinnings that Jewish tradition

believes animate human creativity and innovation.<sup>54</sup> For example, the renowned Christian author Madeleine L'Engle explicitly invoked several of the themes discussed in this essay, without specifically attributing her insights to the Jewish tradition. She embraced the parental metaphor in combination with the “gifted” aspects of creativity when she spoke of the work coming to the author, saying “Here I am. Enflesh me. Give birth to me.”<sup>55</sup> Moreover, Director Elliot Silverstein, representing the Directors Guild of America, also relied on the parental metaphor of authorship explicitly when he referred to the film colorization process as a means of torturing and butchering “our children” (i.e., the films), in his testimony before Congress opposing this technological process.<sup>56</sup>

The classical Jewish tradition views God as the external source of expressive and creative ability. However, there is also a more generalized idea that creative expression, though driven by an intrinsic mechanism, is “gifted”—that is, it comes from a source beyond the author’s control. Some degree of self-abnegation is critical to the development of an artistic soul. Creativity derives from a higher power, and therefore, if true artistic creation is to occur, an artist must transcend the self in order to focus on the source of one’s gift. Contemporary psychologists and creativity scholars John Dacey and Kathleen Lennon have extensively explored the connection between creativity, faith, and self-abnegation, and they emphasize the importance of spirituality and faith in the creation process: “Being spiritual...means striving to enlarge one’s connection to that force lying within, a force that can make it possible to transcend the ordinary self and reach one’s fullest potential.”<sup>57</sup>

Another universal lesson derived from the creation text in Genesis concerns the cyclical nature of creativity. After Adam and Eve partake of the forbidden fruit, God admonishes them, “For dust you are, and to dust you shall return” (Genesis 3:19). The text thus ensures that the starting-point of humanity is the same as its end-point: dust. According to Rashi, the human being is a combination

of the earthly and the Divine.<sup>58</sup> After death, the soul returns to its source, God, while the body returns to its source, the earth.<sup>59</sup>

While alive, however, every person—as God’s creation—serves as a testament to God’s message for humanity.<sup>60</sup> The universal message concerning human creativity embedded in this text is powerful: just as God’s creations are cyclical and return to their source, the author’s creations are cyclical and return to their source.<sup>61</sup> According to this view of creativity, the author’s creation is an embodiment of the work’s spiritually motivated message. Moreover, an author has the responsibility for preserving the message of the work and its meaning during his or her lifetime, after which the work returns to its source. Jewish tradition thus provides the basis for a well developed set of secular laws, applied throughout the world, that are designed to preserve the message and meaning of an author’s works. These laws are known as moral rights, and they serve as a practical application of the spiritually focused basis for human creativity that is emblematic of the internal potential for *tikkun olam*. Unfortunately, the moral rights laws in the United States are substantially under-developed as compared to the rest of the world. A primary reason for this discrepancy is that in the United States, human creativity is seen largely as a means to an economic end rather than as a spiritually motivated enterprise.<sup>62</sup> Perhaps, then, lawmakers in the United States need a bit more education on the potential for *tikkun olam* as it applies to human spirituality and improvement of the soul.

## NOTES

<sup>1</sup> This essay is an adaptation of sections of chapter 2 of my book *The Soul of Creativity: Forging a Moral Rights Law for the United States* (Stanford: Stanford University Press, 2010).

<sup>2</sup> Byron L. Sherwin, “*Tikkun Olam*: A Case of Semantic Displacement,” in *Jewish Political Studies Review* 25:3–4 (Fall 2013), pp. 11 and 14; and see also the essay by Vernon Kurtz elsewhere in this volume. Note that Sherwin is critical of contemporary understandings of *tikkun olam* on the ground that they “have little or nothing in common with the various understanding of the term in classical Jewish literature” (p. 14).

<sup>3</sup> See Sherwin, “*Tikkun Olam*: A Case of Semantic Displacement,” p. 10.

<sup>4</sup> I use the terms “inspirational” and “spiritual” synonymously throughout this essay. See *Soul of Creativity* (cited in note 1 above).

<sup>5</sup> Frank Barron et al., eds., *Creators on Creating: Awakening and Cultivating the Imaginative Mind* (New York: Penguin Group, 1997); see especially Barron’s “Introduction,” pp. 1 and 18.

<sup>6</sup> See Daniel J. Boorstin, *The Creators: A History of Heroes of the Imagination* (New York: Random House, 1992), pp. 151–152, for a discussion of depictions of animals of prey as early as 15,000 B.C.E.

<sup>7</sup> See Roberta Harding, *Gallery of the Doomed: An Exploration of Creative Endeavors by the Condemned*, in 28 NEW ENGLAND JOURNAL ON CRIMINAL & CIVIL CONFINEMENT 195, 196 (2002). Please note that throughout this essay, all citations to legal sources (such as law review articles) appear in accordance with conventional legal citation format, rather than in the style used elsewhere in this volume. In these citations, the title of the article is italicized, and the name of the journal (printed in small caps) is preceded by the volume number and immediately followed by the page number on which the article begins, and if applicable, by the page number(s) for the specific proposition or quotation being referenced in the body of this essay.

<sup>8</sup> See, for example, *The Diary of Anne Frank*, which is one of the greatest classics of Holocaust literature (*Anne Frank: The Diary of a Young Girl*, trans. B.M. Mooyaart-Doubleday [Garden City, NY: Doubleday, 1952]).

<sup>9</sup> See Judith Graham, “Pioneer Who Taught World to Live with Death, Dying,” in *Chicago Tribune* (August 26, 2004), section 1, p. 1.

<sup>10</sup> Susan Goldman Rubin, *Art Against the Odds: From Slave Quilts to Prison Paintings* (New York: Crown Publishers, 2004).

<sup>11</sup> See generally in this regard, Boorstin, *The Creators*. In this comprehensive work on heroes of the imagination, historian Daniel Boorstin explores the creation stories of other cultures, and their impact on the specific works of art produced.

<sup>12</sup> Consider Thomas Wolfe’s account of sculptor Frederick Hart’s “Ex Nihilo,” which adorns the tympanum over the Washington National Cathedral. See Wolfe, “The Artist the Art World Couldn’t See,” in *The New York Times*

(January 2, 2000), 6 (Magazine), at pp. 16 and 18, available online at [www.jeanstephengalleries.com/hart-wolfe.html](http://www.jeanstephengalleries.com/hart-wolfe.html).

<sup>13</sup> Joseph B. Soloveitchik, *The Lonely Man of Faith* (New York: Doubleday, 1965), p. 10. The character Adam (Eve's partner) actually is mentioned by name only in the second creation narrative.

<sup>14</sup> Unless otherwise indicated, the translations of biblical passages throughout this essay are based on the new JPS translation of the Tanakh (Philadelphia: Jewish Publication Society, 1985), hereafter referred to as NJPS.

<sup>15</sup> Joseph B. Soloveitchik, *Halakhic Man*, trans. Lawrence Kaplan (Philadelphia: Jewish Publication Society, 1983), p. 101.

<sup>16</sup> *Ibid.*, at p. 109.

<sup>17</sup> Bereishit Rabbah 11:6.

<sup>18</sup> According to Jewish tradition, humans were not intended to be passive recipients of the Torah; rather, in Soloveitchik's words, the human being is to become "a partner with the Almighty in the act of creation" (*Halakhic Man*, p. 81).

<sup>19</sup> *Midrash Tanhuma, Tazria* 5, and cf. the extended discussion of this midrash in the essay by Benjamin Blech elsewhere in this volume.

<sup>20</sup> Abraham R. Besdin, *Reflections of the Rav* (1979; rpt. New York: KTAV, 1993), pp. 27–28.

<sup>21</sup> Soloveitchik, *Lonely Man of Faith*, p. 14.

<sup>22</sup> See M. Gittin 4:1–5:3, together with the discussion in Sherwin, "Tikkun Olam: A Case of Semantic Displacement," p. 4 (citing Sagit Mor, "Tikkun Ha-olam in the Thought of the Sages"; Ph.D. dissertation, Hebrew University, 2003). The Mishnah's discussion of procreation (*p'riyah u-r'viyah*) is found in Gittin 4:5.

<sup>23</sup> Soloveitchik, *Lonely Man of Faith*, p. 17 n.†. Soloveitchik also notes that man also acquires dignity by exercising control over his environment (p. 15).

<sup>24</sup> *Ibid.*, pp. 18–19.

<sup>25</sup> See M.T. Hilkhot Dei'ot 3:2.

<sup>26</sup> Moshe Rosman, "Innovative Tradition: Jewish Culture in the Polish–Lithuanian Commonwealth," in David Biale, ed., *Cultures of the Jews* (New York: Schocken Books, 2002), pp. 519 and 563 (emphasis added).

<sup>27</sup> "Chanukah in a New Light," in *Farbrenge* (Winter 2001), pp. 9 and 11.

<sup>28</sup> Barry Oretsky, "Making the Mystical Transition," in *Farbrenge* (Winter 2001), p. 7. Oretsky, a painter, also notes that he finds "a wonderful spirituality occurs when the creative process is expressed in paint" (*ibid.*).

<sup>29</sup> Cf. Mark Rose, Copyright and Its Metaphors, in 50 UCLA LAW REVIEW 1, 11 (2002). Rose notes that "some creative spark...if unpacked could be shown to carry a numinous aura evocative ultimately of the original divine act of creation itself."

<sup>30</sup> Soloveitchik, *Lonely Man of Faith*, p. 12.

<sup>31</sup> See Boorstin, *The Creators*, p. 41.

<sup>32</sup> See Rose, *Copyright*, p. 9.

<sup>33</sup> Russ VerSteeg, *Rethinking Originality*, in 34 WILLIAM & MARY LAW REVIEW 801, 826 (1993).

<sup>34</sup> Karyn D. Kedar, “The Many Names of God,” in Elyse Goldstein, ed., *The Women’s Torah Commentary* (Woodstock, VT: Jewish Lights Publishing, 2000), p. 129.

<sup>35</sup> Parents often view their children as reflections of themselves, just as authors do their works. See generally Nancy Friday, *My Mother/My Self: The Daughter’s Search for Identity* (New York: Delta Trade Paperbacks, 1997).

<sup>36</sup> The translation “heartfelt sadness” comes from *The Chumash: The Stone Edition*, eds. Nosson Scherman et al. (New York and Jerusalem: Moznaim Publishing Corp., 1993), p. 29.

<sup>37</sup> Rashi to Genesis 6:6, s.v. *va-yitatzziv el libbo*.

<sup>38</sup> *The Complete Artscroll Siddur*, eds. Nosson Scherman and Meir Zlotowitz (Brooklyn, NY: Mesorah Publications 1984), p. 109, referencing an observation of the Vilna Gaon.

<sup>39</sup> The first half of verse four finishes the first story of creation; the second half begins the second story. The NJPS translation, for example, reads: “Such is the story of heaven and earth when they were created. When the Lord God made earth and heaven...” The *Etz Hayim* commentary to that verse observes that the inversion of “heaven and earth” and “earth and heaven” “signals a shift in the focus between the two creation stories” (*Etz Hayim: Torah and Commentary* [New York: Rabbinical Assembly and the United Synagogue of Conservative Judaism, 2001], p. 12).

<sup>40</sup> Nahmanides to Genesis 2:7, s.v. *va-yippah b’appav nefesh hayyim*.

<sup>41</sup> Cf. Rashi to Genesis 7:22, s.v. *nishmat ruah hayyim*.

<sup>42</sup> According to many traditional commentators, although humans were created alive, their true form was not attained until God took this further step of infusing them with a soul, cf. the comments of Rabbi Yaakov Culi in his *Mei-am Lo’eiz* Torah commentary, trans. Aryeh Kaplan (Brooklyn, NY: Moznayim, 1977), vol. 1, p. 245.

<sup>43</sup> Rashi to Genesis 2:7. Cf. also Maurice Merleau-Ponoty, *Phenomenology of Perception* (London: Routledge & Kegan Paul Ltd., 1976), pp. 178–179 (likening authentic speech—that which is the creative, original descriptions of feelings—to the expression of artists); and Russ VerSteeg, *Defining ‘Author’ for Purposes of Copyright*, in 45 AMERICAN UNIVERSITY LAW REVIEW 1323, 1339, 1365 (1996) (affirming communication as the essential component of authorship).

<sup>44</sup> Soloveitchik, *Lonely Man of Faith*, p. 23.

<sup>45</sup> See, e.g., Exodus 35:25, where this phrase appears in conjunction with the women’s contributions specifically; and 36:1–2, where it appears in conjunction with the men’s work.

<sup>46</sup> Interestingly, in her speech accepting the 2013 Tony Award for directing *Pippin*, Diane Paulus quoted Harvard President Drew Faust as saying that “creativity is a form of knowledge.” See Sarah Rodman, “ART’s Diane Paulus,

'Pippin' Win Big at Tony Awards" (June 9, 2013), online at [www.boston.com](http://www.boston.com).

<sup>47</sup> *Oxford American College Dictionary* (New York: Spark Publishing, 2002), p. 1239.

<sup>48</sup> Sue Fishkoff, *The Rebbe's Army: Inside the World of Chabad-Lubavitch* (New York: Schocken, 2003), p. 77.

<sup>49</sup> See Berel Wein, *Pirkei Avos—Teaching for Our Times* (Brooklyn, NY: Birnbaum Edition/Shaar Press, 2003), pp. 184–185.

<sup>50</sup> See Soloveitchik, *Lonely Man of Faith*, p. 2.

<sup>51</sup> Sherwin, "Tikkun Olam: A Case of Semantic Displacement," p. 12.

<sup>52</sup> Samuel J. Levine, *The Broad Life of the Jewish Lawyer: Integrating Spirituality, Scholarship, and Profession*, in 27 TEXAS TECH LAW REVIEW 1199, 1206 (1996).

<sup>53</sup> Isaiah 49:1–6; 51:4. And cf. in this regard Elliot N. Dorff, *For the Love of God and People* (Philadelphia: Jewish Publication Society, 2007), p. 109, as well as the essay by Dorff elsewhere in this volume.

<sup>54</sup> See generally Roberta Rosenthal Kwall, *The Soul of Creativity; and idem, Inspiration and Innovation: The Intrinsic Dimension of the Artistic Soul*, in 81 NOTRE DAME LAW REVIEW 1945 (2006).

<sup>55</sup> Madeleine L'Engle, *Walking on Water: Reflections on Faith and Art* (New York: Macmillan, 1980), p. 18; see also p. 195, which present a Christian perspective on the "gifted" aspect of creation.

<sup>56</sup> United States Senate, Committee on the Judiciary, Subcommittee on Technology and the Law, *Legal Issues that Arise when Color Is Added to Films Originally Produced, Sold, and Distributed in Black and White* (Washington, D.C.: Government Printing Office, 1987); statement of Elliot Silverstein.

<sup>57</sup> John S. Dacey and Kathleen H. Lennon, *Understanding Creativity* (San Francisco: Jossey-Boss, 1998), p. 130.

<sup>58</sup> Cf. Rashi's comment to Genesis 2:7, s.v. *va-yippah b'appav*, where he notes that "[God] made the human being from the terrestrial realms and the celestial realms: the body from below and the soul from above."

<sup>59</sup> Cf. Kohelet 12:7.

<sup>60</sup> See Boorstin, *The Creators*, p. 42.

<sup>61</sup> Over time, the notion of stewardship, which assumed a prominent theological focus particularly in Christianity, embraced this cyclical view of creativity.

<sup>62</sup> These themes are explored in depth in Kwall, *The Soul of Creativity*.