

Rabbi J. David Bleich

**THE
PHILOSOPHICAL
QUEST**

**OF PHILOSOPHY,
ETHICS, LAW
AND HALAKHAH**

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Introduction

The Challenge of Faith Commitment

The thirst for knowledge, the desire for understanding and the yearning for meaning are present in every thinking individual. For people of faith the quest for a deeper appreciation of the fundamentals of their belief system is compelling. For Jews that quest is integral to the *mitzvah* of *talmud Torah*.

During roughly the first half of the twentieth century, laxity in religious observance posed the major challenge to the continuity of Jewish tradition in Western society. Economic conditions combined with a desire for social acceptance within the dominant culture to create a milieu in which the Jewish community became increasingly tolerant of relaxed religious norms. Even in observant circles compromise of a greater or lesser degree, oftentimes born of expedience but not infrequently motivated by a sincere desire to preserve the preservable, became prevalent.

Within the Orthodox community, by the grace of God, that has changed. A shifting social climate, ethnic pride, the emergence of cultural diversity as a desideratum, a new economic reality and, above all, higher

standards of Jewish education which inevitably dispel inconsistencies and raise standards of commitment, have all coalesced to produce on these shores a generation of observant Jews whose standards of religiosity are superior to those of their parents and, with increasing frequency, of their grandparents as well. *Akhsar dara* – How the generation has progressed! And for that we must be thankful.

Would that such were the case with regard to ideological commitment, ethical values and social mores as well. In generations past, the Thirteen Principles of Faith were not the subject matter of instruction in the curriculum of either the *heder* or the *yeshiva*. They were transmitted with mother's milk and absorbed through the osmotic fabric of the Jewish family. Observance, at some times and in some places, may have been less than meticulous, but ideological vacillation was far more rare.

The “*Ketzos Yid*” of Jewish folklore, an individual depicted as sitting at a table on *Shabbat* hunched over a rabbinic tome with a cigarette between his fingers, if he ever existed, was a rare bird indeed. But even he recognized that the Thirteen Principles constitute the bedrock of Judaism. For the immigrant generation, even in non-observant sectors of the community, the synagogue one did not attend was the Orthodox synagogue and the only Judaism to be embraced or rejected was the Judaism of unequivocal belief.

With the passage of time, a different form of Judaism began to gain ascendancy – a Judaism based upon practice rather than belief. Orthodoxy became a socio-religious phenomenon. Identification of motivating forces are the domain of the historian; to students of philosophy or of Halakhah they are of scant interest. But it is certainly likely that such an ideological metamorphosis must be attributed either to a desire for intellectual justification of certain antinomian tendencies or as an adaptation and internalization of liberal theological beliefs prevalent in the dominant society. The latter phenomenon represents a limited form of intellectual assimilation. From the vantage point of Jewish tradition, the result, to a greater or lesser degree, is a form of cultural Judaism rather than espousal of a faith commitment. And yes, particularly when observance is intense and consistent, it is quite possible that the undiscerning may be incapable of identifying a peer as a cultural Jew rather than as an ideologically committed Jew.

Cognoscenti, few as they may be, are all too aware that while a generation ago the phenomenon of the non-observant Orthodox was the focus of consternation, in our time, it is the observant non-Orthodox that should be our concern. It may well be the case that, presently, the base level of educational attainment among Orthodox laity in the diaspora is greater than at any identifiable period of Jewish history. In that sense our educational endeavors have been crowned with unanticipated success. Not so with regard to transmission of Jewish belief. Western society is strongly materialistic and lacking in rigorously defined and firmly held dogmatic beliefs. For reasons best left to analysis on the part of others, but undoubtedly due, at least in part, to interruption of a cultural continuum resulting from a wrenching adjustment to Western society and a Western way of life, currently, the dominant influences brought to bear upon a developing adolescent are not the traditions transmitted through the medium of the home but the intellectual trends and mores of society at large. Our educational institutions, by and large, have not risen to the challenge. Matters of belief and ideology are simply not stressed in our schools. Not surprisingly, products of such an educational system who have grown to intellectual maturity while continuing to identify themselves as Orthodox seek to justify that appellation by challenging norms of Jewish faith accepted throughout the ages as fundamental to Judaism.

The revered R. Abraham I. Kook, of blessed memory, *Iggerot Re'iyah*, I, no. 138, wrote with sensitivity about youth who have been led astray by “the raging current of the times” and eloquently portrayed the intellectual blandishments of our age as an evil maidservant who makes use of “all her enchantments to persuade our children” to accept alien ideologies. As a result, he asserted, “They are absolute victims of duress and heaven forefend that we judge the compelled as we do the self-willed.” Whether such doctrinal error be categorized as heresy or invincible ignorance, the contemporary state of disbelief should not be tacitly accepted. As educators we have been sorely remiss. At the very minimum, it is the manifest duty of rabbinic scholars to define the fundamental dogmas of Judaism, to delineate areas of legitimate disagreement, to acknowledge what may appear to be contradictory texts and to place them in proper perspective.

Hardly less significant are issues that do not reflect matters of dogma, but which should be resolved in light of a system of ethics and values that must inform public policy. Here, too, in an age gone by, Jewish reactions would have been almost Pavlovian. Ethical norms and values were deeply engrained in the Jewish psyche. Not infrequently, the Jewish response was unique and at variance from that of other religious or cultural groups. Such values were transmitted from generation to generation and became virtually intuitive.

That, too, has changed. Religious toleration and social acceptance have had a pernicious effect. It has become a common assumption that humanistic values are universal and hence must be integral to the teachings of Judaism. Thus, the Jewish position on virtually any social or political issue is presumed to be no different than that of any intelligent, enlightened and ethical member of society. Many are shocked to discover that this is not always the case. Jewish responses to such issues are predicated upon timeless Jewish teachings not always readily grasped by the uninitiated. Here, too, rabbinic scholars have all too often been remiss in failing to formulate authentic Jewish responses to the problems of the day based upon sacred texts and hallowed traditions.

Indeed, transmission of fundamental beliefs is integral to the *mitzvah* of *talmud Torah* incumbent upon us. Instruction in basic doctrines of Judaism is coextensive with teaching love of God. "And you shall love the Lord your God" (Deuteronomy 6:5) is one of the 613 commandments incumbent upon Jews. Yet, emotions can no more be commanded than can sensory perceptions. A person might be ordered to be present at a certain place at a certain time, but, once there, it makes little sense to demand of him that he see certain images or hear certain sounds. Sensory perceptions are essentially involuntary and hence not subject to command. What can be commanded is that a person engage in the requisite antecedent activities that make such perceptions possible. Thus, "And it shall be to you as fringes and you shall see them" (Numbers 15:39) is more accurately rendered as "And it shall be to you as fringes *so that* you shall see them." The commanded act is placement of the fringes in the garment; seeing them is the purpose of the act but is a resultant visual phenomenon that is virtually compelled.

“And you shall love your neighbor as yourself” (Leviticus 19:18). How can love be commanded? Either one experiences love for one’s fellow or one does not. If such an emotion is present, the commandment is superfluous; if absent, the commandment is vacuous. Rambam, in his *Sefer ha-Mitzvot, mitzvot aseh*, no. 206, readily grasped that it is not human emotion that is the subject of the commandment but it is acts that are associated with the commandment – and indeed causally related to developing the emotions – that are commanded. The essence of the commandment is that a person have “love and compassion for his brother just as he has love and compassion for himself with regard to his fortune and his person... [and] all that I desire for myself I shall desire for him.” Love, declares Rambam, is expressed in concrete acts. The commandment “and you shall love the proselyte” (Deuteronomy 10:19) which follows immediately in the *Sefer ha-Mitzvot* as *mitzvot aseh*, no. 207, is understood by Rambam as having exactly the same ambit and hence as constituting nothing other than imposition of an additional duty *vis-à-vis* the convert encompassing precisely the same norms of conduct.¹

How does one love God? Rambam, *Sefer ha-Mitzvot, mitzvot aseh*, no. 3; *Hilkhot Yesodei ha-Torah* 2:2; and *Guide of the Perplexed*, Part III, chap. 28, defines the *mitzvah* in intellectual, rather than emotional, terms. As stated by Rambam in his *Sefer ha-Mitzvot, mitzvot aseh*, no. 3, with regard to the *mitzvah* commanding us to love God:

That is, that we reflect upon and ponder His *mitzvot* and dicta and His works until we apprehend Him and delight in the ultimate degree of pleasure in apprehending Him. This is the mandatory love. In the words of *Sifri*: “For it says, ‘And you shall love the Lord your God’ (Deuteronomy 6:5). I do not know how to love God. Therefore, [Scripture] teaches, ‘And these matters which I command you this day shall be upon your heart’ (Deuteronomy

1. Rambam reiterates this point in *Hilkhot De’ot* 6:3-4. Cf., R. Yitzchak Hutner, *Paḥad Yitzḥak, Pesah*, no. 29, reprinted in *Netzah Yisra’el*, no. 4 (Nisan 5769), pp. 295-297, who endeavors to show the distinctive purpose and intrinsic nature of each of the two commandments.

6:6). From that you will recognize He who spoke and the universe came into being.” Behold we have explained to you that through reflection you will succeed in apprehension and achieve pleasure, and love will come necessarily.

Significantly, Rambam introduces that exposition by declaring that the *mitzvah* “And you shall love the Lord your God” requires first and foremost “that we reflect upon and ponder His *mitzvot* and dicta.” The phrase “*she-neh̄ashev ve-nitbonen be-mitzvotav u-ma’amarav* – that we reflect upon and ponder His *mitzvot* and dicta” is crafted with precision. The content of His *mitzvot* and dicta is the corpus of the Torah in its entirety. We must “reflect upon and ponder,” i.e., understand the depths of meaning inherent in the words of Torah. Such understanding is integral to, and indeed synonymous with, knowledge and hence love, of God. In his *Guide*, Part III, chap. 26, Rambam insists that *mitzvot* are the product of divine reason. Accordingly, Torah, as the manifestation of divine reason, emanates directly from the essence of the Deity. It necessarily follows that knowledge of Torah is, *ipso facto*, knowledge of God.

Knowledge of Torah can be knowledge of God only because the Torah in our possession is, in its entirety, the product of divine revelation. In revealing the Torah at Mount Sinai God revealed Himself to the extent that He can be apprehended by the human intellect. Were it otherwise, knowledge of Torah could not be equated with love of God. Mastery of any of the myriad facets of Torah constitutes at least partial fulfillment of the *mitzvah*. Thus, Rambam’s insistence that the Torah in its entirety, both the Oral as well as the Written Law, are the revealed word of God and that denial of the authenticity of the *mesorah* originating at Sinai and transmitted by Torah scholars from generation to generation is tantamount to renunciation of God Himself.

Man is not endowed with knowledge upon birth. One can no more be commanded to know than one can be commanded to love. Knowledge is acquired through a long and arduous process of study. An admonition to be proficient in Torah is a commandment to study Torah – an endeavor entirely within the scope of human capacity. To know God is to know His Torah; one masters Torah only by studying

Torah. Mastering Torah is the *sine qua non* of loving God. Little wonder, then, that Rambam posits penetrating and intense study of Torah as the very first element in the fulfillment of the commandment “And you shall love the Lord your God.”

A person fulfills the *mitzvah* “and you shall love the Lord your God” by intellectually recognizing the majesty of the Deity and the grandeur of His creation. Moreover, as elucidated by R. Ovadiah ben David, author of the unidentified commentary published together with that section of the *Mishneh Torah*, love is directly commensurate with knowledge: the greater the intellectual apprehension, the greater the love. *Ahavah* and *yedi’ah*, love and knowledge, become conflated into a single concept. As Rambam, *Hilkhot Teshuvah* 10:6, declares:

One loves the Holy One, blessed be He, only through the knowledge with which one knows Him. According to the knowledge is the love, if little, little and if great, great.

Rambam, *Hilkhot Teshuvah* 10:3, followed by *Sefer Haredim* 1:5, declares that such intellectual awareness generates an emotional state akin to lovesickness as described by King Solomon, Song of Songs 2:5. As stated earlier, in his *Sefer ha-Mitzvot* Rambam writes, “Behold we have explained to you that through reflection you will succeed in apprehension and achieve pleasure, and love will come necessarily.” Rambam declares that it is not simply belief in the existence of God or of His majesty and glory on the basis of faith that constitutes fulfillment of the commandment “And you shall love the Lord your God”; rather, it is the intellectual pleasure that is born of rational apprehension in which lies fulfillment of the *mitzvah*. In his *Guide*, Part III, chap. 28, Rambam reiterates that acceptance of basic truths concerning the nature of God is inferred from the words “And you shall love the Lord your God with all your heart and with all your soul and with all your might.” It is comprehensive understanding, internalization and its attendant intellectual exhilaration that constitute love of God.

The challenge facing our generation is authentic transmission of the essence of the commandment “And you shall love the Lord your God” to convey the message that Judaism is not only a religion of law

and ritual but fundamentally a religion of particular beliefs and that those beliefs dictate uniquely Jewish responses to many contemporary issues. Our endeavors on behalf of *talmud Torah* must extend to elucidation of principles of faith. In repairing breaches of the *mesorah* we will, please God, assure generations of *ma'aminim bnei ma'aminim*.

1

Faith and Dogma in Judaism

One widespread misconception concerning Judaism is the notion that Judaism is a religion which is not rooted in dogma. The view that Judaism has no dogmas originated with Moses Mendelssohn¹ and subsequently gained wide currency. In some circles this idea has been maintained with such vigor that it has been somewhat jocularly described as itself constituting the “dogma of dogmalessness.” Nevertheless, even a superficial acquaintance with the classical works of Jewish philosophy is sufficient to dispel this misconceived notion. To be sure, membership in the community of Israel is not contingent upon a formal creedal affirmation. This, however, does not imply that members of the community of Israel are free to accept or to reject specific articles of faith. Birth as a Jew carries with it unrenounceable obligations and responsibilities, intellectual as well as ritual.

1. See his “Betrachtungen über Bonnets Palingenesie,” *Gesammelte Schriften*, 111 (Berlin, 1843), 159-166.

While great stress is placed upon fulfillment of commandments and performance of good deeds, it is a gross error to assume that this stress is accompanied by a diminution of obligations with regard to belief. It is certainly true that lessened concern with explication of the dogmas of Judaism was evidenced during certain periods of Jewish history. This, however, was the result of an unquestioning acceptance of basic principles of faith rather than of disparagement of the role of dogma. In some epochs formulations of essential beliefs were composed by foremost thinkers as a corrective measure designed to rectify this lack of attention; in other ages endeavors designed to explicate the dogmas of Judaism constituted a reaction to creedal formulations on the part of other religions.

The importance of correct belief as a religious obligation is stressed in particular in the writings of Bahya ibn Pakuda. In the introduction to his widely acclaimed *Hovot ha-Levavot* (properly translated as *Duties of the Intellect* rather than *Duties of the Heart*),² Bahya wrote that the Torah demands of man that he acquire the knowledge requisite for fulfillment of the obligations of the intellect, just as it makes demands of him with regard to fulfillment of the obligations of the physical organs. Nevertheless, he found that his predecessors had devoted themselves in their writings to the discussion and detailed clarification of “duties of the organs” but had neglected to set forth systematically the principles pertaining to the “duties of the intellect” and their ramifications. *Hovot ha-Levavot* was composed to fill this lacuna.

The role of dogma as the fulcrum of Judaism was most dramatically highlighted by Maimonides. His *magnum opus*, the *Mishneh Torah*, is devoted to a codification of Jewish law. Yet the opening section of this work is entitled *Hilkhot Yesodei ha-Torah* (“Laws of the Foundations of the Torah”) and includes a detailed presentation of Jewish belief together with unequivocal statements declaring acceptance of those beliefs to be binding upon all Jews. Dogma, then, does not stand apart from the normative demands of Judaism but is the *sine qua non* without which other values and practices are bereft of meaning. By incorporating this

2. In medieval usage the heart is frequently spoken of as the seat of knowledge and the word *lev* is used as a synonym for “intellect.”

material in his *Mishneh Torah*, Maimonides demonstrated that basic philosophical beliefs are not simply matters of intellectual curiosity but constitute a branch of Halakhah. By placing them at the very beginning of this monumental work he demonstrated that they constitute the most fundamental area of Jewish law. In Judaism, profession of faith is certainly no less significant than overt actions. Contrary to the dictum of Moses Mendelssohn, Judaism imposes obligations not only with regard to action but with regard to religious belief as well.

Bahya demonstrates the existence and the binding nature of obligations incumbent upon the intellect, not simply on the basis of Scripture and tradition, but on the basis of reason as well. Reason dictates that the heart and mind, the choicest and most unique elements of human existence, should not be exempt from obligations imposed in the service of God. The manifold references in Scripture to man's duty to love God and, moreover, the very existence of a biblical code establishing rules of conduct for mankind implies the existence of a divine lawgiver. While in his *Sefer ha-Mitzvot* Maimonides cites the verse "I am the Lord your God who has brought you out of the land of Egypt" (Exodus 20:2) as constituting the first in his list of 613 commandments, i.e., belief in the existence of a Deity, others among his predecessors failed to do so, not because they did not feel belief in God to be incumbent upon each Jew, but because they viewed such belief to be already assumed by, and hence outside of, a system of commandments. There can be no commandment without one who commands. As Bahya puts it, there can be no fulfillment of physical duties without assent of the mind. Accordingly, acceptance of obligatory commandments presumes antecedent acceptance of the existence and authority of God.

Nahmanides pursues this argument to its logical conclusion by declaring that a heretic need not anticipate reward even for meritorious deeds which he has performed. In the introduction to his commentary on the Book of Job, Nahmanides writes, "There is no merit in the actions of the evil persons who deny God... even if they comport themselves in accordance with beautiful and good traits all their days," and proceeds to query how it is possible for them to be the recipients of any form of beneficence. A noted talmudic scholar, the late Rabbi Elchanan Wasserman, although apparently unaware of Nahmanides'

comments, categorizes the fulfillment of a commandment on the part of an unbeliever as *mitasek*, an unmeditated, thoughtless performance devoid of religious significance.³ Commandments, regardless of their intrinsic rationality, are binding and significant in the theological sense only because they constitute the fulfillment of a divine command. Thus, not only the existence of God but also the authenticity of revelation as a historical event and the divinity of the entire corpus of Torah are inherent even in those moments of Judaism which concern themselves with action and conduct rather than belief.

To be sure, the formal promulgation of a creed of faith is unknown in Judaism. By the same token, official synods for the comprehensive codification of the laws and regulations governing ceremonial obligations or other areas of human conduct are also virtually unknown to Judaism. Within Judaism, Halakhah is hardly monolithic in nature. "Judges and bailiffs shall you appoint for yourselves in all your gates" (Deuteronomy 16:18), commands the Torah. Each community possesses not only the authority but also the obligation to appoint ecclesiastical authorities. In all matters of doubt or dispute their decisions are binding upon all who are subject to their authority. Only when local authorities were unable to resolve a complex question was the question referred to the Great Court sitting in Jerusalem, whose decision was binding upon all of Israel. Inevitably, divergent practices arose in different locales. With the redaction of the Mishnah, and later of the Gemara, binding decisions were promulgated with regard to any matters of Halakhah which served to establish normative practices in areas which previously had been marked by diversity born of dispute. This, of course, did not preclude subsequent disagreement with regard to other questions which had not been expressly resolved.

Since matters of belief are inherently matters of Halakhah, it is not at all surprising that disagreements exist with regard to substantive matters of belief just as is the case in other areas of Jewish law. Thus, while there is unanimity among all rabbinic authorities with regard to the existence of a body of Jewish law that is binding in nature with respect to matters of faith, there is considerable disagreement of opinion with

3. *Kovetz Ma'amarim* (Jerusalem, 1963), no. 11, sec. 14.

regard to precisely which beliefs are binding and which are not, as well as, in some instances regarding substantive matters of faith.

The concept of the Messiah is one example of a fundamental principle of belief concerning which, at one point in Jewish history, there existed a legitimate divergence of opinion, since resolved normatively. The Gemara, *Sanhedrin* 99a, cites the opinion of the Amora, Rav Hillel, who asserted, "There is no Messiah for Israel." Rashi modifies the literal reading of this dictum by explaining that Rav Hillel did not deny the ultimate redemption of Israel but asserted, rather, that the redemption will be the product of direct divine intervention without the intermediacy of a human agent. Nevertheless, Rav Hillel certainly denied that reestablishment of the monarchy and restoration of the Davidic dynasty are essential components of the process of redemption. Rabbi Moses Sofer quite cogently points out that were such views to be held by a contemporary Jew he would be branded a heretic.⁴ Yet, the advancement of this opinion by one of the sages of the Talmud carried with it no theological odium. The explanation is quite simple. Before the authoritative formulation of the Halakhah with regard to this belief, Rav Hillel's opinion could be entertained. Following the resolution of the conflict in a manner which negates this theory, normative Halakhah demands acceptance of the belief that the redemption will be effected through the agency of a mortal messiah. As is true with regard to other aspects of Jewish law, the Torah "is not in Heaven" (Deuteronomy 30:12) and hence halakhic disputes are resolved in accordance with canons of law which are themselves part of the Oral Law.

Certainly, there remain many points regarding various articles of faith which have not been formally resolved by the sages of the Talmud. Indeed, in subsequent periods controversies did arise with regard to significant theological issues, such as, for example, the nature of providence and freedom of the will. In the absence of a definitive ruling, the question which presents itself is, would the exponent of a certain view with regard to any of these matters consider an opponent and his followers simply to be in error, or would he view them as heretics as well? The

4. *Teshuvot Hatam Sofer, Yoreh De'ah* no. 356.

answer is itself a matter of Halakhah having many ramifications, and, as proves to be the case, is the subject of considerable dispute.

The Mishnah which forms the opening section of the last chapter of *Sanhedrin* posits that all Jews enjoy a share in the world-to-come, but proceeds to exclude from this ultimate reward those who espouse certain heretical doctrines which are then enumerated in the text of the Mishnah. Maimonides' understanding of the underlying principle expressed in the Mishnah is that denial of a share in the world-to-come is not in the nature of punishment for failure to discharge a religious duty, but rather that profession of certain creeds is a necessary condition of immortality. The reason which prompts an individual to deny any specific article of faith is irrelevant. The person who has been misled or who, through error in the syllogistic process, reaches false conclusions, fails to affirm the basic propositions of Jewish faith and hence cannot aspire to the ultimate intellectual reward. This is entirely consistent with Maimonides' view, as will be explained below, that development of the intellect in recognition of fundamental metaphysical truths culminates in the perfection of the intellect and leads naturally to the ability of the soul to participate in the intellectual pleasures of the world-to-come. The nature of these pleasures is such that they simply cannot be apprehended by the totally undeveloped intellect. Thus, attainment of a share in the world-to-come is more in the nature of development of potential than of reward and punishment. Accordingly, the causes and motivating forces which lead either to belief or to nonbelief are irrelevant.

Simon ben Zemah Duran, who was followed in this matter, by his pupil, Joseph Albo, adopted an opposing view. Duran asserts that intellectual rejection of any doctrine of revelation constitutes heresy. Scripture must be accepted as divinely revealed and the contents of Scripture in their entirety must be acknowledged as absolute truth. Conscious denial of the veracity of any biblical statement constitutes heresy. Nevertheless, for Duran, one who is ignorant or fails to interpret the details of a revealed doctrine correctly may be an unwitting transgressor, but is not to be considered a heretic. For example, it is possible to interpret the biblical narrative concerning the creation of the universe in a manner which assumes the existence of a primordial hylic substance and thus contradicts the doctrine of *creatio ex nihilo*. In fact, there are midrashic

statements which, at least on the basis of a superficial reading, seem to support this view; Albo declares that some sages did indeed subscribe to a view akin to the Platonic doctrine of primordial substance.⁵ Such an interpretation, while in error, is not heretical, so long as it is not advanced as a knowing contradiction of the biblical account. Thus, man is free to engage in philosophical speculation and is not held culpable if as a result of such endeavors he espouses a false doctrine. False beliefs, if sincerely held as the result of honest error, do not occasion loss of eternal bliss. This position is also assumed by Abraham ben David of Posquières (Ra'avad) in a gloss to Maimonides' *Mishneh Torah*⁶ and received wide circulation through Albo's exposition in his *Sefer ha-Ikkarim*.⁷

In his introduction to *Hovot ha-Levavot*, Bahya seeks to establish, on the basis of reason, that it is entirely logical that God should impose duties upon the intellect. Man is a composite of body and soul, i.e., corporeal substance and intellect. As was to be stressed by later thinkers, it is the intellectual component which is uniquely human and which constitutes the essence of man. The corporeal aspect of man is consecrated to the service of God by virtue of commandments imposed upon, and fulfilled by means of, the physical organs of man. It is to be anticipated that the intellect should also be impressed into the service of God in a like manner through imposition of commandments specifically binding upon the mind.

It is axiomatic that God does not impose obligations which cannot be fulfilled. Quite apart from questions of theodicy which would arise from the imposition of such obligations, it simply does not make sense to speak of an obligation which cannot under any circumstances be discharged. Jewish philosophers have repeatedly stressed that God cannot command man to accept the illogical or the irrational. The human intellect, no matter how much it may desire to do so, cannot affirm the absurd. Man may, if prompted by a sufficiently compelling reason, postulate the existence of unicorns or mermaids, but he cannot affirm the existence of a geometric object which is at one and the same time

5. *Sefer ha-Ikkarim*, Book I, chap. 2.

6. *Hilkhot Teshuvah* 3:7.

7. Book I, chap. 2.

endowed with the properties of both a square and a circle. He cannot fathom the concept of a square circle, much less affirm the ontological existence of such an object.

Propositions which constitute objects of belief must, then, first and foremost do no violence to human credulity. They must be readily apprehended and accepted by human thought. Yet belief implies more than hypothesization. Belief connotes unequivocal affirmation of that which is regarded as certain, rather than speculative postulation of the contingent. The latter is compatible with a state of doubt; the former is not. And herein lies a dilemma: the intellect need not be commanded to recognize the possible. An open, honest, and inquiring mind must of necessity recognize the ontological contingency of that which is affirmed by any proposition which does not violate the canons of logic. Recognition of the contingent nature of such propositions need not at all be commanded and does not constitute belief. Belief, by virtue of its very nature, entails positive affirmation of the veracity of a proposition. But how can intellectual certainty be commanded? Certainty is a psychological state of mind. It would appear that such certainty is either present or it is absent. If present, the commandment to believe is superfluous; if absent, the commandment to believe poses an obligation which cannot be fulfilled.

This paradox is presented and discussed forthrightly in the essay by Rabbi Elchanan Wasserman cited above.⁸ Rabbi Wasserman's thesis is that an unbiased and unimpeded mind cannot escape an awareness and affirmation of the existence of a Creator. The Midrash presents what is probably the oldest, and certainly one of the most eloquent, formulations of the argument from design. A heretic approached Rabbi Akiva and asked him, "Who created the universe?" R. Akiva answered, "The Holy One, blessed be He." Thereupon, the heretic demanded a demonstrative proof that this was indeed so. R. Akiva responded by posing a question of his own: "Who wove your coat?" he inquired of the heretic. "A weaver," replied the latter. "Present me a demonstrative proof!" demanded Rabbi Akiva. The exchange concludes with R. Akiva's simple but forceful formulation of the teleological argument. Addressing his

8. *Loc. cit.*, secs. 1-7.

students, he declared: “Just as the garment testifies to [the existence of] the weaver, just as the door testifies to [the existence of] the carpenter, and just as the house testifies to [the existence of] the builder, so does the universe testify to [the existence of] the Holy One, blessed be He, who created it.”⁹

A different version of the teleological argument is recorded by Bahya with the comment that experience teaches that intelligent writing never results from overturning an inkwell onto a piece of paper.¹⁰ To put it in a different idiom, the mathematical odds militating against the probability that a chimpanzee seated at a typewriter might peck at the keys in a random manner and in the process produce the collected works of Shakespeare are so great as to render the prospect preposterous. Bahya categorizes one who seriously entertains such a belief as either a simpleton or a lunatic. Yet, on the cosmic level, there are many who find it possible to dismiss evidence of intelligence and design and to attribute the ordered nature of the universe to random causes.

Rabbi Wasserman endeavors to explain this denial by pointing to the stated consideration underlying the prohibition against bribery. This prohibition is not limited to accepting a bribe for purposes of favoring one litigant over another. Such conduct is independently forbidden by the injunction “Thou shalt not bend judgment” (Deuteronomy 16:19). The prohibition against bribe-taking encompasses even instances in which the gift is presented on the express condition that a lawful and just verdict be issued. It also applies to situations in which both the plaintiff and the defendant present the judge with gifts of equal value. And the prohibition stands no matter how upright and incorruptible the judge might be. The reason for this extreme and all-encompassing ban is spelled out clearly in Scripture: “For a bribe blinds those who have sight and perverts the words of the righteous” (Exodus 23:8).

A judge, if he is to be entirely objective, must remain detached and emotionally uninvolved in the controversy between the litigants who appear before him. Justice is assured only when evidence can be

9. *Midrash Temurah*, chap. 3, published in *Bet ha-Midrash*, ed. Adolf Jellinek, I (Leipzig, 1853), 114, and in *Otzar ha-Midrashim*, ed. J.D. Eisenstein (New York, 1915), II, 583.

10. *Hovot ha-Levavot, Sha'ar ha-Yihud*, chap. 6.

examined in a cool and dispassionate manner. Human emotions cloud judgment. No matter how honest and objective a person may strive to be, once personal interests are introduced, objectivity is compromised. Receipt of a favor creates a bond of friendship. When a judge receives a gift from a litigant, the litigant's concern becomes, in a measure, that of the judge himself. When he accepts gifts from both parties, the concerns of both become his concerns, and he can no longer dispassionately adjudicate between competing claims solely on the basis of evidence and applicable law. The Torah testifies that all men are affected in this way at least to some extent.

All of mankind, points out Rabbi Wasserman, is subject to a subtle form of bribery. With the pleasure experienced in imbibing mother's milk, we begin to enjoy sensual gratification. Pleasure is addictive in nature; our desire for pleasure is, in a very real sense, insatiable. The need for gratification is very real, very human, and very constant.

Recognition of the existence of the Deity entails acknowledgment of His authority over us. Acceptance of other cardinal beliefs entails an awareness that our freedom to seek pleasure may be drastically curtailed. As beneficiaries of the gift of sensual gratification even before attaining the age of reason, human beings are never capable of entirely dispassionate analysis of the evidence substantiating basic religious beliefs. The sages put it succinctly in their statement, "Israel engaged in idol worship solely in order to permit themselves public licentiousness."¹¹ Worship of pagan gods surely involves an ideological commitment. Yet, psychologically speaking, the sages testify, intellectual conviction did not serve as the impetus for idolatry. Rather, the acknowledgment of pagan gods on the part of the worshippers of the golden calf was born of a desire for unbridled sexual gratification. Passion prevented a reasoned adjudication between the claims of idolatrous cults and monotheistic belief. Man is a logical animal; he finds it difficult to lead a life of self-contradiction. It is hard for him to accept certain concepts intellectually and then to act in a manner inconsistent with those affirmed principles. Denial of basic theological principles prevents such contradictions from arising. Certainly man has strong, albeit unconscious, motives for such denial.

11. *Sanhedrin* 63b.

It is Rabbi Wasserman's thesis that many non-believers close themselves off from faith-commitments in order to avoid tension between a desire for untrammelled sensual gratification and acknowledgment of divinely imposed restraints.

The notion of a commandment concerning belief can be understood in a different manner on the basis of a statement of Ḥananiah Kazis, contained in his *Kinat Soferim*, one of the classic commentaries on Maimonides' *Sefer ha-Mitzvot*.¹² *Kinat Soferim* understands the commandment affirming the existence of God as bidding us to disseminate knowledge of God's existence and to impart the knowledge upon which this belief is predicated to future generations. His argument is both conceptual and textual. The community of Israel that experienced a beatific vision of God at Mount Sinai did not need to be commanded to believe in Him; they *knew* Him. Moreover, the preamble to the Decalogue, "And God spoke all these words, *saying*" (Exodus 20:1), employs the Hebrew term *leimor*. In rabbinic exegesis, this term is customarily understood as meaning not simply "saying," but connoting that the person addressed is bidden "to say," that is, to convey to others the information which follows. Most frequently, this formula is employed in reporting that God addressed Moses bidding him to convey divine commandments to the Children of Israel. In light of the tradition which teaches that the first two commandments of the Decalogue were not transmitted to the assembled populace by Moses but were received by them directly from God,¹³ the use of the term *leimor* in this context seems incongruous. *Kinat Soferim* argues that the connotation of the phrase in this instance is that those to whom the commandment was addressed were instructed to convey this information to succeeding generations for all of eternity. The commandment, then, is to *teach* in order that belief be possible.

Extending this concept, it certainly seems feasible to understand that the commandment as formulated delineates the *telos*, or goal, to which man is commanded to aspire. Although belief itself, while obligatory, cannot be commanded, nevertheless, activities through which belief is acquired may properly constitute the object of divine commandment.

12. *Mitzvot aseh*, no.1.

13. *Makkot* 24a.

Thus, in defining the commandment, “And you shall love the Lord, your God” (Deuteronomy 6:5), Maimonides writes:

One only loves God with the knowledge with which one knows Him. According to the knowledge will be the love. If the former be little, the latter will be little; if the former be much, the latter will be much. Therefore, a person must devote himself to the understanding and comprehension of those sciences and studies which will inform him concerning his Master, as far as is the power within man to understand and comprehend, as indeed we have explained in the Laws of the Foundations of the Torah.¹⁴

Bahya also posits an obligation to engage in philosophical investigation directed to the rational demonstration of the objects of belief:

...Scripture expressly bids you to reflect and exercise your intellect on such themes. After you have attained knowledge of them by the method of tradition which covers all the precepts of the law, their principles and details, you should investigate them with your reason, understanding, and judgment, till the truth becomes clear to you and false notions dispelled; as it is written, “Know this day and lay it to your heart that the Lord, He is God” (Deuteronomy 4:39).¹⁵

Man is endowed with the capacity for knowledge and, hence, for belief. To state this is not at all to assume that the task is a facile one or that faith is immediately within the grasp of man. The hasidic sage, Rabbi Menahem Mendel of Kotzk, explained the matter by means of an allegory. God prepares a ladder by means of which souls descend from heaven to earth. The soul alights from the ladder and steps upon the ground. The ladder is immediately withdrawn and a voice calls out to the soul bidding it to return. Some souls do not even attempt what appears to be an impossible task. Some jump and fall; becoming disillusioned,

14. *Hilkhot Teshuvah* 10:6.

15. *Hovot ha-Levavot*, Introduction.

they make no further attempt. Others try and try again, leaping time after time, refusing to become discouraged, until God Himself draws them nigh to Him. "You must understand," concluded the Rabbi of Kotzk, "That God does not extend mercy on the basis of a single leap!"¹⁶ Judaism does not teach that God requires of man a "leap of faith" in the Kierkegaardian sense, i.e., blind faith to the extent of acceptance of the absurd. It teaches, rather, that God's beneficence assures man that his diligence and perseverance will ultimately lead to understanding and intellectual satisfaction.

Every age has witnessed the presence of both believers and doubters. Intellectual doubt and the questioning of fundamental beliefs have always been present in one form or another. It is nevertheless axiomatic that man has the ability to rise above such inner conflict and to experience faith. A just and beneficent God could not demand belief without bestowing upon man the capacity for faith. Abiding belief must, however, be firmly rooted in knowledge. Study has the unique effect of dispelling doubt. There is a story of a group of Jewish students in Berlin during the *Haskalah* period who, as a result of their encounter with secular society, began to experience religious doubts. Questioning the faith claims of Judaism, they were on the verge of rejecting fundamental theological beliefs. But before making a final break with Judaism they resolved to send one of their company to the Yeshiva of Volozhin, which at the time was the foremost Torah center of the world, to determine whether or not there existed satisfactory answers to the questions which troubled them. The young man to whom they delegated this task spent a period of time as a student in the Yeshiva and immersed himself completely in that institution's program of studies. Upon his return to Berlin he was met by his friends, who eagerly awaited his report. The young man described his experiences and related that he had never before experienced such intellectual delight. "But," they demanded, "have you brought answers to the questions which we formulated?" "No," he replied. "I have brought no answers – but the questions no longer plague me."

Centuries ago the sages provided an explanation for this phenomenon. They depict the Almighty as declaring, "I have created an evil

16. See Yehudah Leib Lewin, *Bet Kotzk: Ha-Saraf* (Jerusalem, 1958), p. 98.

inclination but I have created the Torah as its antidote.”¹⁷ With acquisition of Torah knowledge doubt recedes and ultimately dissipates. This is the essence of Jewish belief with regard to the dilemma of faith. “*V’e’idakh perusha; zil gemor* – the rest is explanation; go and study!”

17. *Kiddushin* 30b; *Sifre, Parshat Eikev* 11:18; see also *Bava Batra* 16a.