Alexander Carlebach

Does Judaism's insistence upon submission to the "yoke of the commandments" reflect — as it has often been charged — a purely authoritarian approach that extolls blind submissiveness as the highest value? To what extent is there room within Judaism for the free and creative exercise of the human intellect and the cultivation of humanistic values? It is to these basic questions, affecting the very nature of the religious approach, that Rabbi Alexander Carlebach addresses himself in this essay. Dr. Carlebach, a noted author and thinker, is the Rabbi of Belfast, Northern Ireland, and Editor of the Belfast Jewish Record.

AUTONOMY, HETERONOMY AND THEONOMY

The overwhelming stress on Torah as Law, as a normative system of duties imposed on the Jew, has tended to result in an overemphasis on the heteronomous character of Judaism.* It is the purpose of this essay to examine this fundamental and perennial problem of religion: autonomy versus heteronomy.

It will be necessary to define the essence and extent of the problem and to recognize its position in relation to cognate themes of religious philosophy. To the Jew who has accepted Torah as the sum total of divine revelation and who believes in such revelation as both possible and necessary and, moreover, as a historical fact, the question of autonomy is first of all one of motivation. Do we perform our duties as men and Jews solely in blind submission to the will of God, or because and only insofar as our own human mind and instinct, our thinking and

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* I made this criticism in a recent article in the Jewish Review of London, Vol. XIV, no. 412, pp. 6-7, in which I evaluated Dr. I. Grunfeld's English translation of Samson Raphael Hirsch's Horeb, the nineteenth century work by the father of modern Orthodoxy.
feeling approve of and harmonize with the demands of Torah and Him Who gave it? The word “blind” in the first half of the alternative and the phrase “and only insofar as” in the second indicate that we have stated the two extreme antitheses within which intermediate and compromising positions can and should be found. The first position is, indeed, an extreme of heteronomy pure and simple — no less heteronomous in character because it can be named theonomy in view of its origin. From the point of view of him who performs the command, this “blind” obedience is indeed the Kadawer - (cadaver) or Hunde-gehorsam (canine obedience) of which Geiger wrote and which expression so much incensed Samson Raphael Hirsch and which is perhaps not as blasphemous as Hirsch thought. Once the obedience springs “from the ardent desire of the Jew to understand to obey God’s declared will and to make it his own” (Dr. Grunfeld’s words in answer to Geiger), one can no longer speak of a purely heteronomous motive. On the other extreme, to fulfill Torah and Mitzvot only because and inasmuch as they are approved by our own reason and conscience constitutes a radical rationalism and humanism which is bound to endanger our a priori faith in the general validity and binding force of revealed religion, of Torah in particular.

Ta’amei ha-Mitzvot

Somewhere between these two polar positions of exclusive heteronomy or autonomy must be sought others, intermediate ones, which will try, in different ways and by various degrees, to compromise between them and to harmonize the motives of religious and moral conduct. The need to do so has been the main incentive for the search for ta'amei ha-mitzvot, the reasons of the commandments of the Torah. This in turn is only an aspect, though an important one, of the general problem posed by the duality of revelation and reason which has been the dominating theme of Jewish religious philosophy from Saadia onward. In its most acute form it puts before reason the necessity to justify why divine revelation was and is necessary in addition to what man’s own thinking, methodically or by intuition, may reveal to himself. It is across this bridge of rationalization
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that the voice of God speaking to man and the inner voice of man's reason and conscience are able to meet; reason, in the widest sense of the word, thus becomes the common denominator of autonomous and heteronomous morality. In a way, revelation is at a disadvantage here, as the reasonableness of our own autonomous moral demands appears to be self-evident and somehow inherent in and synonymous with the attitude and actions required, which is not always the case with the contents of revelation coming, as it were, from the outside. Reason is thus apt to sit in judgment over what has been revealed to us. This disadvantage finds some compensation in that revelation speaks with greater authority and objectivity than that enjoyed by the more subjective and fallible judgments of man. It is, in fact, through this clash of objective authority and autonomous though subjective freedom on the battlefields of reason that the fate of our ethico-religious existence is decided.

While the search for ta'amei ha-mitzvot may produce agreement and consonance of moral motivation over a wide area of our Torah-given duties, there remain important sections that resist rationalization, failing to satisfy either our logic and reason or our moral judgment, or are even felt to be antagonistic to them. This, in turn, has resulted in the division and classification of commandments according to the extent of their conformity to the standards of autonomous reason and morality. While it is, of course, possible and perhaps even desirable that our reason and conscience should submit to what is recognized as the command of an over-riding authority and wisdom, there is surely a limit both to the extent and the universality to which such submission can be accepted as possible or legitimate, taking into account the very premises and fundamentals of Torah revelation, let alone those of a purely humanistic, inner-worldly orientation. What we consider possible in this respect, not merely for a particular individual or group, but as generally valid, must have a strong bearing on what is, philosophically and religiously, legitimate and admissible.

Two Sources

The dichotomy between autonomy and heteronomy in the
field of Torah life and observance gains particular sharpness where it reveals not merely a diversity in motivation but a difference in value judgment expressing itself either in indifference or in antagonism. We are not thinking here, I repeat, of an extreme philosophical position (such as adopted by Kant) which recognizes the human conscience and its categorical imperative as the only possible source of moral ideas and rules of conduct and which denies both the possibility and the need for a heteronomous revelation. But even for those who accept a duality of sources for human and Jewish religious morality — and they are the vast majority of Jewish teachers and thinkers across the ages — and who conceive of Torah-inspired life as one where divine revelation embodied in a historical tradition plays a decisive role alongside human reason, feeling, and conscience, the failure of communication or a conflict between these two sources remains an ever present possibility, whether in the realm of thought and theory, or in that of practical performance, generally or in a particular historical or personal situation. This possibility must not be confused with the obvious and unavoidable tension which needs exist between moral and religious demands of a normative system of law and the weakness of the flesh and of nerve which too often leave the former unfulfilled. This, in turn, cannot entirely be separated from the material conditions of life which themselves are interwoven with the intellectual climate prevailing at any given moment of history. It cannot be denied that such temporal circumstances have a bearing on the ability and/or willingness of the individual Jew or an entire group of Jews to live up to the eternal standards of Torah life. All the same, the problem has to be viewed on its highest and most general level and with the utmost seriousness as one of the sparking points of religion in general and of Torah Judaism in particular, before it can be viewed against the backdrop of a particular civilization, of the human and Jewish condition at a given point of its progress in history.

In attempting in what follows to sketch our problem as it presented itself and the treatment it received in the main periods of Jewish history, it will become only too evident that one is dealing not only with a crucial question confronting the modern
Jew but with a hardy perennial which has to varying degrees exercised Jewish religious thought and thinkers at almost every stage and age.

Theonomy in the Bible

What about the Bible? Here, in this primary source book of divine revelation, we may hope to find, though not in the form of ordered and systematic thought, the raw material for the construction of an integrated religious and philosophical view. Not that the Bible proclaims its message in a religio-historical vacuum, for many an idea and institution in the Torah must be understood against the background of the civilization of contemporary antiquity. However, the idea of absolute obedience and service to the voice of God is certainly paramount in the Pentateuch and in large areas of the prophetic, historical, and wisdom books.

The exhortation, “And now, if you will harken unto my voice” (Exod. 19:5), is an integral part of the programmatic preface to the revelation on Sinai and this is echoed and re-echoed, particularly in Deuteronomy. Already of Abraham it was said, “because he hearkened unto My voice” (Gen. 26:5), and he is generally taken as the exemplar of blind and unconditional obedience to the voice and will of God as shown in the story of the Akedah (the sacrificial binding of Isaac). But in spite of the strong heteronomous note, the autonomous one is heard often and unmistakably. That man, created in the image of God (and therefore endowed by Him with a share of His own spirituality), possessed ab initio and a priori moral sense and freedom can be seen from many of the stories and statutes of the Bible, both before and after Sinai. “The Seven Noachide Laws” are not all explicit and though they were found hermeneutically in Genesis 2:16 — here, as elsewhere, “a verse cannot depart from its literal meaning.” Cain and Lemech, the generations of the Flood and the Dispersion, Sodom and Gomorrah and many others, individuals or people, are assumed in the Bible to have a sense of right and wrong, even of the proper and acceptable way to worship God, without having
been vouchsafed an explicit supernatural revelation as was given to Israel on Sinai.

In fact, throughout the Bible basic ethical concepts such as charity, justice, law, purity and impurity, sanctity, abomination, violence and others are assumed to be known and accepted in their ethico-religious connotations. The laws of God are recognizable both by Israel and the nations as righteous statutes and laws (chukim u'mishpatim tzadikim), and the Torah is recognized as neither too difficult (intellectually) nor too far (strange) for Israel; it is “in your mouth and in your heart to do it” (Deut. 30:14). And even if “in your mouth” refers, as S. R. Hirsch and D. Hoffmann explain, to the “from mouth-to-mouth” tradition, “in your heart” can only mean that the word of the Torah must find an instantaneous echo and understanding. Where the fear of God is mentioned as the awareness of a general morality, it is not so much the idea that this morality stems from God but that He is its guarantor and will punish those who violate it. Moreover, one cannot say that the Pentateuch contains rules for all possible conditions and problems and that in it all religion and all morality are exhaustively expressed. If that were so, there would have been no need at all for prophetic and other biblical utterances or indeed for the Oral Torah of our sages all of which is comprised under the term of Kabbalah (Tradition).

In the prophetic books, too, the ideas of heteronomy and autonomy find equal expression, the former as in Samuel’s words,

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\text{“Hath the Lord as great delight in burnt-offerings and sacrifices,}
\text{As in harkening to the voice of the Lord?}
\text{Behold, to obey is better than sacrifice,}
\text{And to harken, than the fat of rams.”}\]

Even here the idea of mere obedience is softened by the protest against sacrifices as a possible “bribe” for God. Nor was Saul’s disobedience prompted by “humanitarian” considerations, though a passage in Yoma 22b imputes these to him. But Micah, in a very similar appreciation of the relative value of sacrifices, whether human or animal, addressing himself to man (not to
Israel! makes his classic proclamation of prophetic morality on what God requires from man: justice, loving-kindness, and modesty. The same train of thought, appealing in the name of God to that innate feeling of right, of kindness and decency in man, as opposed to mere formal, outward, mechanically performed religious acts, can be found in many prophetic passages such as in the 58th chapter of Isaiah, the Yom Kippur Haftarah. It would be tempting and worthwhile to examine each book of the Bible from the angle of autonomy versus heteronomy, but what has been said must suffice.

**Talmud and Midrash**

Turning now to the sages of the Talmud and Midrash, we hope to find with them even more guidance and enlightenment on the problem before us. They were no more systematic philosophers than those who conveyed to us the revelation contained in the Bible, though according to their own particular method and style they treated theological and philosophical questions in a more reflective and dialectic way than the Bible with its greater immediacy and spontaneity. This is due, in no small measure, to the fact that the rabbis were active in a historical setting in which the challenge of foreign ideas and civilizations on Jews and Judaism was more pressing than ever before. Hellenism, Roman institutions, emerging Christianity and other syncretistic oriental faiths and cults, not to mention the internal struggles caused by the Sadducees, the Essenes and other splinter sects, forced the rabbis to formulate Torah views and attitudes and place them before their hearers and disciples. Inevitably the cut and thrust of these grand debates, the confrontation, in particular, with triumphant Hellenic and Hellenistic civilization, exercised a deep influence on these teachers, helped them to clarify their own Torah-based ideas, to reject what ran counter to them and adopt or adapt what appeared true and useful. This applies in particular to the humanistic elements in Hellenism which made man and his reason the measure of all things. This idea dominated the mind of men in the Hellenistic era and penetrated into the Jewish domain as well. The rabbis, therefore, had to deal with this
religious challenge. Their freedom of thought and expression was all the greater as every individual teacher was making his contribution in accordance with his own character and temperament, his training and experience, and at the same time he was aware of all those others who worked towards the same end. Thus, over the generations, they produced in the dialectic system of Aggadah, a kaleidoscopic wealth of views which left no aspect of any possible problem outside their intellectual or religious probe.

Before we examine some of the halakhic or aggadic statements that seem to bear on the problem of theonomy, we ought to recognize to what extent the very activity and method of the sages of Talmud or Midrash sheds light on the problem mentioned. Leaving aside those traditions which, as Oral Torah in the narrow sense of the word, have been preserved for us in this literature, the teachings and interpretations resulting from the inexorable intellectual debate to which the rabbis submitted every detail of Torah show that the sovereignty of men’s logic was the unspoken but unquestioned a priori assumption of all their work. The fact that the traditional hermeneutical rules are considered Halakhah le-Mosheh mi-Sinai (Halakhah given to Moses on Sinai) — not all of them being purely logical rules — makes them no less an inherent, autonomous function of the human mind. In other words: Oral Torah, in the wider sense, is the product of the clash and interaction of the written Torah, as well as the rest of Scripture, and other traditional material with the logical mind and the moral sense of our sages. This is perhaps less obvious than it sounds. Is it really self-evident that Torah and Mitzvot must be subject to the Law of Contradiction? I submit that it is not, unless, of course, one sees in God-given human reason the arbiter of revelation. And what is true of intellect and logic is true of moral sense and intuitive feeling as well. What is it that entitles the rabbis to raise moral objections to stories and actions described in the Bible, to aspects of its legislation, unless they assumed their right and duty to listen to the voice of their minds and hearts? When they ask, “If a man has sinned, wherein has the animal sinned” (Yoma 22b; Sanhedrin 54a) or, “How may
one do business with one's neighbor's cow?" (Bava Metzia 35b) or when they state, for example, "A sinner should not have any profit" (Ketuvot 11a), they assume the validity of certain unstated and yet self-evident moral principles to which Torah law and teaching is expected to conform. The rabbis, of course, never doubt that they do conform and they regard it their duty to prove it, despite any prima facie difficulties. Suffice it to say that here we have before us the basic, essential mechanism of the Oral Torah and incidentally the justification of autonomous reason, both logical and moral, as being in partnership with the Giver of the Torah in the full revelation, deployment and continuous potency of the Sinaitic message.

There is, of course, no shortage of rabbinic statements asserting the heteronomous, theonomous character of Torah and Mitzvot. Man and the Jew in particular stand to God in the relation of either son or servant, implying obedience to His will either out of reverent fear or love, or both. In either case, what man does for these motives is determined solely by being the will and command of God. (We may leave aside for the moment the question whether the ability of man to love and fear God is not in itself the beginning of his autonomy). Terms as fundamental and ubiquitous as acceptance of the yoke of Heaven (or of Mitzvot, or of Torah) show a prevalence of the idea of heteronomy, of obedience to God, the Law-giver, as the dominant religious motive of our conduct. Its most general formulation as a deliberate submission, not to say abdication, of one's own will and reason is found in the midrashic elaboration of Israel's declaration at Sinai: "We shall do and we shall listen;" on the other hand, God was said to have threatened to bury them under the mountains [if they did not accept the Torah]. Perhaps too much should not be made of these homilies; the early act of more or less free acceptance of the Torah is periodically renewed, as stated in the Bible and described by our sages in the words, "they confirmed what they had already accepted." This is quite apart from the rabbis' insistence on the need for a daily renewal by the individual of his submission to the divine yoke.
Two Categories of Mitzvot

In any event, the idea of theonomy in these terms or statements is perhaps less explicit than in the much quoted passage of Rabbi Elazar ben Azaryah: "How do we know that we should not say, 'I have no desire to eat swine's flesh' or 'I have no desire to commit a forbidden sexual act'; on the contrary we should say, 'I have a desire for these forbidden things, but what can I do when my Father in Heaven decreed that they are forbidden to me.'" Maimonides quotes this statement in his Introduction to Avot (Chapter 6), but both the examples cited by Rabbi Elazar and by Maimonides are restricted to a particular type of Mitzvah. Maimonides identifies them as those commandments of tradition which cannot be explained rationally, as opposed to those commandments which can be derived by reason. These categories were introduced into Jewish philosophy by Saadia, and were antecedent by the division of Mitzvot into those which, if they had not been written in the Bible, should by right have been written, and those to which the Satan objects. The latter are of course, those which Hirsch has grouped together as statutes (chukkim) and although he refuses to regard them as either irrational (Rashi) or esoteric (Maimonides), they are largely those which though capable of rationalization are not postulated by reason. It is difficult to understand why Rabbi Elazar ben Azaryah included illicit sexual relations in this category; they are, in fact, included among the "rational" ordinances in Yoma and Sifra. Yet, only to this limited group of Mitzvot are applied the apodictic declarations: "I am the Lord Who have decreed (the chukkim) and therefore you are not permitted to criticize, to change, or to transgress." In any event, the emphasis on heteronomy in the passage quoted is a limited and not a general one.

Metzuveh Ve'oseh

Another much quoted passage emphasizing the heteronomous nature of the Mitzvot is Rabbi Chanina's statement that "he who fulfills a commandment because he is commanded to do so is greater than he who fulfills it although he is not commanded
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to do so" which appears to have been accepted as authoritative.\textsuperscript{11} Here we find no restriction as to the type of Mitzvah; but on the other hand, no scriptural proof is adduced by or for Rabbi Chanina. The word "greater" is explained in the Gemara as referring to the reward to be expected and not to the intrinsic religious value of the act, though the two are very much connected. Tosafot justifies the greater reward by saying that to conform to a command involves painstaking care and trouble not present with one who performs voluntarily.\textsuperscript{*} This, of course, is far removed from the ideological pathos with which Hirsch and his disciples propound the idea of heteronomy. One would have to reconcile or rather dialectically confront Rabbi Chanina's bold assertion with other rabbinic statements which extol the virtue of those who act without being commanded.\textsuperscript{12} Perhaps what he wishes to state is a maxim of religious pedagogy, stressing the value of obedience to the will of God, rather than a theological principle. Let us note that such a staunch defender of autonomy as Moritz Lazarus\textsuperscript{13} found it perfectly possible to harmonize autonomous religious ethics with the normative tendency (Gesetzlichkeit) which is expressed in Rabbi Chanina's dictum.\textsuperscript{**}

\textsuperscript{*} Nor does Rabbi Chanina deny his due reward to the latter, a side of the medal which has often been stressed, by, among others, Maimonides (Guide to the Perplexed, III, 17).

\textsuperscript{**} In Berakhot 33b (cf. Yerushalmi, ad loc.) the Mishnah says, "If one says, 'May Thy mercies extend to a bird's nest,' we silence him." The Gemara explains this reproof of an apparently innocent expression with the criticism, "He presents the decrees of God as deriving from mercy whereas they are but decrees" — certainly a heteronomous attitude. It should be noted, however, that this is only one of several explanations given in the Babylonian and Palestinian Talmud. The reason of mercy, rejected in the Gemara quoted, is in fact adopted by the Midrash (Peyikra Rabba XXVII), by one of the Targumim, and also by Rashbam. I refer the reader to the excellent discussion of this passage by Joseph Wohlgemuth in Das jüdische Religionsgesetz im jüd. Beleuchtung, II, p. 31-32 and his suggestion that instead of decree one should read din (law), thus giving the statement a very different and more plausible meaning. On the basis of the present reading, however, the law regarding the sending away of the mother bird would have to be ranged with the group of statutes mentioned before (cf. Rashi, ad. loc.) and the idea expressed in the Gemara would lose its general character.
It would appear from the foregoing that our sages, or rather those among them who pronounced on our problem and on those akin to it, adopted a dialectic method not so much to arrive at the truth as to assure the full, continued, and correct observance of Mitzvot and to defend the Torah against critics and adversaries from both outside and inside. It was this primarily educational but also apologetic task which was their main object and concern. That the whole Torah and all Mitzvot were “all given by the one shepherd from the mouth of the Lord of all Works” was as axiomatic with them as that absolute obedience was demanded. They were equally convinced that God requires nothing from man but what is reasonable and morally right and useful, even if occasionally this was not apparent. By stressing or elucidating the “morality” and rationality of Mitzvot they appealed to the human heart and mind whose approval would reinforce obedience and conformity to the will of God. Where there was difficulty, they would fall back as a last resort upon heteronomy (theonomy) as the inescapable normative appeal and motive for performance. From their understanding of Scripture as much as from their rational or instinctive experience they had a high opinion of the place of man in the God-given order of things in which he was “but little less than the angels” by virtue of his spirit, his consciousness, his intellectual and moral freedom and potentialities. Greater even than the Angels of Service, he was capable of becoming God’s partner in the work of creation and was, in fact, his partner in achieving the purpose of that creation. When man merges his will with that of his Creator (Avot 2:4), the problem of heteronomy is effectively solved. But before this happens, the balancing of the two motive forces, which do not always pull in the same direction, is as difficult as it is necessary. Rationalists, both inside and outside the talmudic world, fear that over-emphasis on heteronomy is not only intrinsically wrong but tactically dangerous as it might lead to a revolutionary explosion of the human mind. But there are others who fear that by encouraging the human mind to assert its autonomy, it will set
itself up as a supreme authority with dire consequences for belief and observance.

This danger became manifest, even within the talmudic period, for those sections of Jewry who lived in the Hellenistic diaspora and were therefore much more exposed to the influence of Greek and Hellenistic thought and civilization. They are best typified by Philo and Josephus. Hellenists believed in the existence of an autonomous natural law* before whose tribunal all legislation had to justify itself. And Jewish-Hellenistic writers set their whole pride and employed their considerable gifts in proving that in fact our Torah fulfilled all moral and utilitarian demands of the *jus naturale*. They addressed themselves not only to their fellow Jewish Hellenists, who were very much in need of encouragement in whatever observance was still theirs but also apologetically and as religious propaganda to a large Gentile public which, as we know, were interested in and attached to Jewish faith and practice. Inevitably the question of the divine origin and authority of Torah and *Mitzvot* became less important than their intrinsic value and philosophical and moral character in the eyes of Greek science. It also led to greater value being attached, at least by the intelligentsia, to obviously ethical laws in preference to purely religious and ceremonial observances. On the other hand, it was just those which gave Judaism its characteristic distinction from other religions and it was they which appealed to the Gentile imagination. While to us today Hellenistic Judaism seems shadowy and diluted compared with its talmudic and medieval counterparts, one must give their due to those who wrestled hard with the problems of keeping Jews loyal to their heritage in a spiritually hostile environment and under adverse conditions. We may have much to learn from an episode and experience in Jewish history, the setting of which has so many parallels with our own.

*From Saadia to Abravanel*

Jewish philosophy in the Middle Ages is even for us moderns a most important laboratory of ideas. Philosophers from Saadia

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*The distinction between man-made state laws and a natural, universal one is already made by Aristotle and by others before him.*
to Abravanel are distinguished from Philo and other Hellenists in that the former were firmly rooted in the entirety of rabbinic tradition and, on the other hand, were of much greater stature as philosophers and scientists. While Judaism in the age of Hellenism faced the challenge of an all-pervading popular culture, the medieval philosophers dealt chiefly with an intellectual and academic problem: the relationship between reason and revelation. The Middle Ages differed from antiquity in that the demand for a deep, self-searching philosophical examination was addressed by Greco-Arabic philosophy to a Jewish-Islamic-Christian world which was deeply rooted in their respective and, in important points, identical religious attitudes. The idea of God as the Creator, the Law-giver and Redeemer of the universe and mankind was common ground, and so was an a priori acceptance of theonomy - heteronomy as the mainstay of religion. For Jewish philosophy this meant the absolute validity of the received talmudic tradition and the unquestionable legitimacy of the claim of Torah and Mitzvot to obedience.

The philosopher-sages of Judaism over a period of more than 600 years had to deal to a much greater extent than it ever was incumbent upon the sages of Talmud and Midrash, with the confrontation of tradition with the philosophy and science of the various schools — Kalam, Neo-Platonic, Aristotelian — which dominated the thinking of the Middle Ages. The legitimacy and indeed religious importance of this confrontation was recognized by the great majority of writers. Even the minority, which denied this legitimacy, freely used both the method and terminology of philosophical inquiry. In the name of autonomous human reason, which was the progenitor of all philosophy and science, one studied not only the basic theological and metaphysical questions such as God and His attributes, the meaning of existence, body and soul, immortality, and, in particular, the place of revelation in the order of things, but also, and as a logical consequence, the reasons of individual or groups of Mitzvot. Reason is not, here as elsewhere, limited to intellectual processes, but includes and occasionally is conceived as the moral sense of man, as in Kant’s Practical Reason. It is evident that the problem of autonomy as opposed to the heteronomy of re-
vealed religion is implicit, if rarely explicit, in the philosophical labors of the Middle Ages. An occasional voice can even be heard as early as the 11th century, if not from rabbinic at least from Karaite Judaism, which makes use of “the whole arsenal of arguments which at the beginning of modern times have been advanced on behalf of the idea of an autonomous morality.”

Reason, on the other hand, has to justify itself, its rights and functions, alongside revelation as its competitor as a source of knowledge and a guide in human conduct; and perhaps its greatest justification from the point of view of Torah lies in its being the chief instrument of investigation and interpretation of the meaning of Torah. But it is reason, too, that has to justify the need for revelation alongside or over and above what reason knows unaided. There could, of course, be no guarantee that reason would confine itself to exposition and justification. What if, like another “Sorcerer’s Apprentice,” the human mind would strike out on its own, as it were, and become the critic and rival of revelation instead of its faithful supporter and companion. Saadia, in fact, confines reason to this latter role and he was followed in this in modern times by S. R. Hirsch.

In this process of examination the medieval philosophers naturally arrived at a division of Mitzvot which we mentioned previously as having occurred already to the sages of the Talmud. This twofold division into those of Reason and those of Revelation (Tradition and Obedience), which from Saadia onwards we find in varying forms and contents with most of the philosophers, may not be identical in strictly philosophical terms with that of the Talmud and Midrash, but the connection cannot be denied. But to distinguish these two categories at once raises the question of their relative roles and importance. While the more rationalist were inclined to put the value of rational commandments above that of traditional ones, Judah Halevi, for instance, reverses this order. Both sides realize the danger which such a differentiation means to observance, and they try to counter this by laying great stress on observance of Mitzvot, whether their reasons are known or acceptable to reason, or not. On the other hand, when early teachers of Mussar such as Bachyah ibn Pakudah emphasized the duties of the
heart as truly important in contradistinction to mere legalism and formal religiosity, then this was only another variant of the division and the dialectic of which we have spoken. Inquiring into the meaning and purpose of individual Mitzvot or Torah institutions sometimes involved advancing historical reasons (e.g., Maimonides’ explanation of the sacrifices) which seemed to run counter to their eternal validity. Here, too, philosophers tried to guard against danger by stressing the unchangeable authority of Torah. But here again such differentiations among Mitzvot as to their relative importance and even their continued or time-bound validity had already been made by our sages in the Talmud and Midrash; and they, too, had thought it wise to warn the religious Jew not to allow such distinctions to influence his conduct.

Once more we have seen how in a vital period of Jewish continuity and creativity, a fine but essential balance was kept between Reason and Revelation, between the voice from on high and that from inside. Sure enough, in every generation there existed alongside the spokesmen of a philosophical and a scientifically based Judaism those rabbinic leaders who saw no need for philosophy to underpin a self-evident, self-supporting faith and way of life; who were content to look inward and let the great world go by, seeing only the dangers of heresy and religious estrangement lurking in the domain of rational inquiry. It would be facile to divide the medieval world into philosophers and halakhists. Most of the former were great expounders of Halakhah as well, and many purely rabbinical luminaries in those centuries had a good general education and were not hostile to philosophy and science. The frontiers often ran right through one personality as in Rambam-Maimonides. These men were perhaps less monolithic than we imagine, being only too well aware of the challenges and the dangers in them. They were above all deeply religious men, attached with every fibre of their being to the God and Torah of Israel. They could afford the courage and intellectual honesty required to walk the tightrope that swung between their intuitive, inborn, and often mystical union with Torah and Mitzvot and the inescapable demands of their intellect.
One cannot be sure to what extent the philosophical discussion of the Middle Ages — say from Saadia to Maimonides — affected Jewish communities beyond the intellectual elite. The explosion and controversies of the post-Maimonidean age show, in any event, that philosophical ideas had — in one shape or another — percolated to broader strata of the population with often undesirable effects on belief and practice. The opposition, whether violent or moderate, to philosophical inquiry now began to dominate Jewish life in Europe, with the almost exclusive emphasis on Halakhah being reinforced by a growing interest in Kabbalah. But even to the end of the 13th century and the Expulsion, philosophical studies continued in Spain and southern France. The many important works written in this period — Levi ben Gershon, Crescas, Duran, Albo, Abravanel — presuppose a public interested in theological problems. Philosophy and science were blamed for the weakness and lack of mesirat nefesh (readiness to face martyrdom) shown by large sections of Spanish Jewry during the persecutions of 1391-1492. However that may be, it is equally true that some of the finest spirits and men of high education preferred exile to apostacy. The late flowering of Jewish thought in Italy after the Expulsion was largely due to Spanish emigrants. Little new, however, was added to the discussion of the problem of theonomy by the thinkers coming after Maimonides. And in the communities of northern Europe the problem did not exist. Jews were content and happy to perform the will of their Creator — with no questions asked.

Mendelssohn

The Renaissance, the age of humanism and Reformation which had conquered Europe and was followed in the 17th and 18th centuries by a revolutionary upsurge of the human mind and scientific discovery, made hardly any impression on the introverted life of the Jewish communities. Only as the 18th century advanced did intellectual and social cracks begin to appear in the armor, and "modern times" began to catch up with Jewry. The outstanding symbol of this development is Moses Mendelssohn, the man who unlocked the gates of Euro-
pean culture for himself and his people. It is, therefore, not without irony that it should be he, the Socrates of his time, who has been so much maligned by those in the Orthodox camp (who probably never read a line of his), who most strongly asserts the heteronomous character of Judaism by defining it as revealed legislation and not as a system of ideas and beliefs. In this distinction he was no doubt influenced by Spinoza who, in his *Tractatus*, had described the laws of the Torah as the state law of a no longer existing Jewish state and therefore no longer in force. Mendelssohn maintains the exclusive legal and practical character of Torah but insists on its timeless validity. The Torah, which merely tells us what to do or what not to do and not what to think or to believe, gives the philosopher absolute freedom in the realm of thought and inquiry. The external verities need no revelation except that which has its source in the human mind.

This was a doubtful gain for the principle of theonomy without any guarantee that the human mind will not use its freedom to question the assumptions and legitimacy of the divinely revealed legislation. Mendelssohn, in all his sincere loyalty to Torah and Mitzvot, is the model not of the Orthodox but of the “orthoprax” Jew who tries to keep his intellect and his religious observance in two watertight, non-intercommunicating departments. It is, of course, not true that the Torah does not require beliefs from us, that it has no dogmas. Mendelssohn himself has not been absolutely consistent in his assertion. But his ideology, which embodied much of the teachings of the medieval philosophers, suited his particular position, straddling European philosophy and Halakhah-controlled Jewish life. His was indeed a philosophy of transition leading to, but stopping at, the threshold of a new age.

*Kant*

The man whose philosophy heralded a true revolution in modern thought in general and in views on religion and revelation in particular was Immanuel Kant. After him, things would never be the same. His teachings, for better or worse, dominated Jewish thinking throughout the 19th century and
beyond. Never before had the autonomy of ethics and anything that deserved the name of religion been asserted with such vigor and clarity. Not only were they autonomous, exclusive of external revelation, which was denied both as a fact and as a possibility, but religion was limited to and identified with ethical conduct as dictated by human conscience alone, thus depriving the greater part of Mitzvot, all that dealt with man's relations to God, of any meaning and value. The one-sided, over-rationalistic nature of Kant's Practical Reason and morality as a substitute for living religion was soon enough recognized, particularly by the Schleiermacher school and the romantic movement which sought to re-instate religious feeling, as the sole basis of religion. But this was of small value to the believers in historical revelations and religious systems based on them. This is not the place to describe the deep religious inspiration that is one of the mainsprings of the Kantian system of religion and ethics and its undiminished religious value and potency for those who cannot conceive religion without a full commitment of man's rational faculties and his inborn conscience and sense of duty. All the more blatant is Kant's failure to give due recognition not only to the intuitive, affective and imaginative areas of the human psyche but to the role played by the historical religions and — by implication — by the acts of revelation and processes of tradition on which they are founded.

Quite apart from the overriding importance of Kant for the history of philosophy and for the philosophy of religion and our problem of autonomy versus heteronomy in particular, his influence on Jewish thinkers during the last century and a half has been decisive even where these went critically beyond their master's teachings. Essentially, the ideology of the Reform movement, with its rejection of ceremonial in favor of ethical religion, is based on Kant. The leaders of Reform, Geiger in particular, realized that this new conception of religion was diametrically opposed to what Judaism had meant in the past. They only lacked the philosophical consistency and clarity, and perhaps the courage (something which should not be held against them) to do away entirely, as a matter of principle and not of
expediency, with Torah and Mitzvot. There were others, however, who presented a Judaism in which Kant was forcibly joined with the traditional concept of Jewish religion and ethics. Such was the achievement of Moritz Lazarus, and, above all, of Hermann Cohen. While the latter, in his published writings, would not go beyond the essentially Kantian concept of the Religion of Reason identified by him with Judaism, in his old age and in his lectures to students of the Berlin Hochschule für die Wissenschaft des Judentums, he felt constrained to admit that certain basic concepts of the Torah could not be explained and rationalized and were “wonders and miracles.” Shades of Nachmanides!

S. R. Hirsch

Even S. R. Hirsch and S. D. Luzatto, who in the 19th century were the champions of heteronomy against the Kantian maelstrom of autonomy, would not go so far as to deny the existence of an inner autonomous revelation which was complementary to the theonomous one. Hirsch saw no need to differentiate between moral and purely religious duties. The philosophical fusion of all Mitzvot, of the entire Torah, into a harmonious ethico-religious system is his great achievement. That some essential ingredients of Jewish reality escaped him and found no place in his monumental structure need not concern us here. His overemphasis on heteronomy, his constant appeal to the obedience of the homo Judaeus to the will of God, is more apparent than real, more declamatory than systematically dominant. He often enough gave due weight to the voice of God that speaks out of man even if in general he stresses that voice that speaks to him. We have already pointed out, in our discussion of Saadia, whom Hirsch follows in this respect, how precarious the somewhat artificial restrictions are which they impose on the human mind in its relation to revelation and tradition. But one must pay tribute to the courage of Hirsch for proclaiming a new religious humanism, the human element in the Jew and his Torah, as well as the universalist concern and validity of our Torah. Hirsch, not unlike Mendelssohn before him, had to fight a battle on two fronts: against the radicalism
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of Reform and assimilation and the obscurantism and ossification of the surviving past. He was no less a son of the 19th century, the ideals of which he shared, than a sincere and enthusiastic exponent of an integral traditional Judaism. He was much more successful than Mendelssohn in harmonizing these two tendencies, whatever limitations his historical position inevitably imposed on his system and ideology.

The weak spot in that system is its lack of historical thinking. The facts of revelation are strictly confined in time and place, and three and a half thousand years of Jewish history have no part to play in that revelation. Here lies the cause of the violent controversy between Hirsch on the one hand and Zechariah Frankel and the school of Positive-Historical Judaism on the other. For the latter history mattered. In those millenia Sinaitic Revelation had its chance fully to deploy and develop, particularly in the Oral Law and Tradition contained in rabbinic literature. For Frankel and his school this process of evolution continues and cannot be limited artificially. Hirsch, in his staunch belief in a once-and-for-all revelation, and in spite of what is called his "humanism," could only suspect heresy in the historical approach, an encroachment of the human element on what must be conceived as exclusively divine. But history should not be denied its meaning and value for the unfolding of truth and Torah, as a school in which the Jewish people — and humanity — learn to bring the potentialities of Sinai into more and more actuality. The yoke of the Kingdom of Heaven and that of Mitzvot, and this is what theonomy - heteronomy means, is so much easier to accept and so much lighter to bear as the partnership of man with the Giver of Torah becomes evident. This dynamic view of Torah, though it has been

* For a critique of the underlying assumptions of the positive-historical position, see Walter S. Wurzburger's "The Oral Law and the Conservative Dilemma" in the Fall 1960 issue of Tradition, pp. 82-88. The same article also shows how the Orthodox position can incorporate an awareness of historic processes.—Ed.

adumbrated in the Aggadah, is no doubt the most fruitful contribution which the 19th century has made to the solution of the problem of religious heteronomy, breaking to a large extent the vicious circle of the either-or which had made the issue so intractable. It shall not be denied that the historical evolutionary approach has its dogmatic difficulties and indeed dangers. But so had earlier attempts to find a compromise between autonomy and heteronomy.

Franz Rosenzweig

Before we sum up, a few sentences ought to be devoted to that great Jewish thinker and Baal Teshuvah, Franz Rosenzweig. This mind and soul of a giant was not only heir to the fullness of philosophical tradition, both Jewish and general, but also an outstanding example of the perplexities which beset the Jew in the 20th century. This pupil of Hermann Cohen and the neo-Kantian school had undergone that great transformation which set him on the road of return to the God of Abraham, Isaac and Jacob and away from the God of philosophers. Jewishness was for him not ideology and thought processes but experience, renewed and growing experiences. The European, the philosopher, and the poet in him demanded freedom of thought and action; the enthusiastic Jew, submission to God’s Torah and his all-embracing, ubiquitous Mitzvot. For him, the acceptance of the yoke of Mitzvot was a deadly serious matter, confronting him ever afresh with the need for a decision whether to keep this or that Mitzvah or not. In the freedom of this decision, which was not always positive, he preserved his autonomy. Asked whether he was observing a certain Mitzvah his answer might be: no, not yet. He had not only to be willing, but also to be able, morally and intellectually, to accept the Mitzvot or any of them. He rejected the description of them as laws. Law demands unquestioning compliance. Mitzvah, for Rosenzweig, was a request, a demand, a direct personal approach. But man could do no more than was “humanly possible.” Accepting the historical view of revelation, he believed that his own generation, as well that which went before, had a share in the God of Israel — according to its ability, conditioned by its particular historical circumstances
and setting. As a Jew he felt himself a member of the Jewish community as well as a link in the chain of a tradition borne and passed on by preceding generations. While recognizing the compulsive element which lies in this double involvement, he nevertheless postulated for the individual a certain elbow room of autonomous freedom of decision. This intensely individualistic approach is open to many obvious objections. But it may still be a modus vivendi of sorts vis-a-vis a religious problem which confronts a certain type of modern Jew, a way which has the merit of keeping the doors open for many who wish to return and keep some attachment to Torah and Mitzvot without having to accept the all or nothing alternatives which systems such as Hirsch’s place before the perplexed but searching Jew of our time.

The foregoing survey — in many ways sketchy and inadequate — of one of the most pressing problems of religious man, of the Jew who loves and believes with all his heart and soul in the Torah, has led us through the four principal periods of our spiritual history: the biblical, the talmudical, the medieval-philosophical — all abutting on this modern age. In all of these we found the problem of theonomy either adumbrated or discussed with various solutions or accommodations proffered or implied. Much of this was ephemeral, conditioned by transient circumstances, but below the surface there flowed a strong current of a conflict that is perennial. Modern Jew, no less than his predecessors, must return to the Bible and Talmud as the reservoir of living waters from which to draw the elements of both question and answer. The masters of the Middle Ages and their pupils not only brought the clarity and articulation of philosophy to an age-old problem, but it was their merit to have assured, once and for all, the legitimacy of the inquiring human mind facing what is superhuman and supernatural. The age which we call modern has broadened this intellectual freedom into the moral and social freedom of man who is called to master and mold not only himself but also his environment. We moderns have learned, as the logical result of that new freedom, to see in history humanity’s striving towards its God-given goals.
and the dynamism of the human spirit to which God has entrusted the unfolding and consummation of his Revelation.

Modern times have more than any other age made man conscious of this hard-won inner freedom. But how is he to use it? Some of us are only too eager to surrender it forthwith and to accept freely and eagerly the shackles of theonomy, of the heteronomous way of thought and life as it is found in the self-contained and timeless teachings of our masters, past or present. Others, the great majority, have cast off the yoke and arbitrarily break or fulfill God’s law according to their hearts’ desire. And there are those who strive to find the inner balance and harmony of the religious, God-serving man without having to jettison the freedom that they feel is theirs, the judgment of the heart and of the mind that makes them accept “every day anew” what was commanded of old. They feel that they live in today’s world, not yesterday’s or that of the day before, and as such have to shoulder the Jewish man’s burden. Theirs is the harder road but, in this writer’s opinion at least, the only one that is neither a cul-de-sac nor one that leads into outer darkness but to the broad uplands of a great future.
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NOTES

1. See Dr. Grunfeld’s Introduction to Horeb, p. LXXVII.
6. See also Malbim to Sifra, I, c. and II; 44, 45.
7. Or, of “revelation” (Klatzkin, Thesaurus IV, p. 133; so also Rosenblatt in his translation of Saadia, p. 145); or, of “obedience” (Guttmann, Philosophie des Judentums, p. 80).
8. Yoma 67b and Sifra, Lev. 18:2; Pesikta de R. Kahana (Buber, p. 40b) and parallels.
12. Lifnim mishurat hadin or me’kadesh et atzmo be’mutar lo.

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