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HALAKHAH AS A GROUND FOR CREATING A SHARED SPIRITUAL LANGUAGE

Zionism in the twentieth century has created a framework for Jewish political activism. It expresses the revolutionary thrust of the Jewish people to become politically autonomous and responsible. It reflects the will of the Jewish community to determine, as far as this is possible, its own historical destiny. Zionism has provided a cause around which Jews with different ideologies and life-styles have forged a minimum basis for community. The yearning for liberation from exile, however these terms are understood, is a vital source of Jewish self-understanding and collective action.

Harav Joseph Ber Soloveitchik, in his article "Kol Dodi Dofek," utilizes traditional covenantal categories to illuminate the religious significance of a community forged by a common political destiny.¹ R. Soloveitchik views the resurgence of Jewish political autonomy as an expression of *berit goral*, covenantal destiny. The attempt of a great halakhist to understand the Zionist revolution and the State of Israel in traditional, covenantal categories indicates, in itself, how deeply Israel's political existence has permeated the spiritual consciousness of contemporary Jews. However, R. Soloveitchik is not satisfied merely with community based upon *berit goral*, a common historical and political fate. He argues that the Jewish people should again strive to become, as they were in the past, a community of shared spiritual goals. His article reflects the hope that beyond shared political

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destiny, the soil of the Israeli reality may nurture a renewal of *berit ye'ud*, covenantal meaning.²

One can appreciate the pathos of Soloveitchik's yearning that *berit goral* be consummated with *berit ye'ud*. But, while the shared values of a Jewish society were quite clear during long periods of history, today, unfortunately, there is no consensus as to how the Jewish people should give expression to *berit ye'ud*.³ Given the contemporary breakdown of traditional Jewish society, is it possible to create a shared community of values? Or will the sense of Jewish community be limited to the struggle to maintain our political autonomy?

One may understandably question how any community of meaning is possible between Jews who subscribe to the normative structure of Halakhah, however understood, and those who do not feel bound to organize their pattern of living by those norms. Furthermore, can those who seek to live within the halakhic framework understand and spiritually appreciate life styles whose values are not grounded in Revelation and traditional halakhic authority?^{3a}

A strong current within contemporary religious education tends to negate the possibility of a shared dialogue with Jews who lack faith in God and belief in Revelation. There are, however, religious educators who are aware that we must meet upon the common ground of the larger society. Yet even among them we often hear the argument that, ideally, Judaism can best sustain itself and thrive in a climate of insulation. These educators recognize, however, that given the potency of modern communications media, we cannot hope to achieve this insulation. Modernity is forcibly imposed upon us; we cannot escape its impact and challenges.

One who sincerely believes in insulation and yet is forced to react to the modern world, will often enter the confrontation in a spirit of polemicism. He will try to prove that what is different from the tradition is wrong or, if recognized to be of value, that the tradition had it first and in a better form! Forced confrontation of this nature often leads to exaggerated spiritual arrogance.

The approach suggested in this essay is not that of a polemical confrontation with the modern world. On the contrary we believe

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that the experiential and intellectual encounter with modern values and insights can help deepen and illuminate one's commitment to the tradition.

It is not accidental that the first aggadah that Maimonides chose to comment on was: "God only has in His world the four cubits of the Halakhah" (T.B. *Berakhot* 8a). A literal understanding of this aggadic statement would suggest that Judaism's approach is one of insulation from other intellectual disciplines. This aggadah is a succinct statement of a world view which would negate any attempt to construct a synthesis between philosophy and Halakhah. In fact, Leo Strauss utilizes this text to show that Judaism has no interest in philosophy.⁴ However, in order to undermine the mistaken notion that Halakhah is intellectually self-sufficient, Maimonides interprets this aggadah as referring to an individual who has mastered both Halakhah and philosophy. The *hasid* who represents the ideal halakhic man is, according to Maimonides, an individual whose halakhic practice has been illuminated by general philosophic knowledge.⁵

Maimonides was not satisfied merely with indicating that philosophy had autonomous value. In the *Mishneh Torah* he showed how the *mitzvah* of *ahavat haShem*, love of God, can only be realized to the extent that one appropriates intellectual disciplines that are not particular to the Jewish tradition.

This God, honored and revered, it is our duty to love and fear; as it is said "Thou shalt love the Lord, thy God" (Deut. 6:5), and it is further said "Thou shalt fear the Lord, thy God (Deut. 6:13).

And what is the way that will lead to the love of Him and the fear of Him? When a person contemplates His great and wondrous works and creatures and from them obtains a glimpse of His wisdom which is incomparable and infinite, he will straightway love Him, praise Him, glorify Him, and long with an exceeding longing to know His great Name; even as David said "My soul thirsteth for God, for the living God" (Ps. 42:3). And when he ponders these matters, he will recoil affrighted, and realize that he is a small creature, lowly and obscure, endowed with slight and slender intelligence, standing in the presence of Him who is perfect in knowledge.⁶

It is known and certain that the love of God does not become closely knit in a man's heart till he is continuously and thoroughly possessed

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by it and gives up everything else in the world for it; as God commanded us, "with all thy heart and with all thy soul" (Deut. 6:5). 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 or much, so will the latter be little or much. A person ought therefore to devote himself to the understanding and comprehension of those sciences and studies which will inform him concerning his Master, as far as it lies in human faculties to understand and comprehend — as indeed we have explained in the Laws of the Foundations of the Torah.⁷

When Maimonides wanted to educate his student to the love of God, he included as part of the curriculum logic, mathematics, astronomy, physics and metaphysics.

In our generation, when Soloveitchik attempts to illuminate the complex dimensions of halakhic experience, he uses the insights and categories of modern religious existentialism. Just as Aristotle aided Maimonides, so does Kierkegaard help Soloveitchik plumb new depths in the halakhic experience. An important aspect of Soloveitchik's article "The Lonely Man of Faith" is his treatment of the implications of halakhic man's confrontation with technology. Although emphasizing that there are dimensions of the religious life that extend beyond the values of technological man, he nonetheless presents a sympathetic religious appreciation of technology. Soloveitchik shows his reader how modern scientific knowledge enlarges the scope of halakhic man's moral responsibility. The dignity of man, a halakhic category, is enriched by the new-found power that technology makes possible.⁸

These are two illustrations of the type of approach that I am suggesting. Such an approach seeks to help students value, and therefore learn from, what is different from them. It encourages the selective integration of other values rather than polemical debate with an enemy.

This essay will argue against the claim that an educational system grounded in total commitment to Halakhah must of necessity educate toward the spiritual isolation of its students from "secularists." We do not deny the existence of many elements in the tradition which appear to validate a separatist philosophy of Jewish education. In fact, one often has difficulty finding support within the tradition for tolerance of non-halakhic positions held

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by Jews!⁹ This essay will suggest, however, that possibilities exist within the tradition to educate toward a sensitivity to other viewpoints and an openness to dialogue. A willingness to confront ideas that are in conflict with one's own tradition, can be nurtured within an educational system committed to Halakhah. Dedication to a particular spiritual system does not require insulation from other intellectual outlooks. Pluralistic sensibility can contain deep particularistic passion.

In our attempt to develop grounds for a shared spiritual language between many sectors in the Jewish community, we will focus upon the following points. First, we will explore the possibility of developing and encouraging spiritual openness within the framework of traditional halakhic education. We will consider how a halakhically committed student can find support within his tradition for the appreciation of values that are not based upon his own sources of authority. We will suggest ways to mitigate the rigidity and harshness that is at times mistakenly identified with the inculcation of passionate love for the Halakhah.

Secondly, we will suggest philosophic approaches to Halakhah and God that may help create a shared universe of discourse between halakhic and non-halakhic Jews. We will try to show that religious language need not create a private world of meaning that prevents men of faith from engaging in dialogue with those who do not share their commitment.¹⁰

Finally, we will argue for an approach to *mitzvot* that stresses the urgency of realizing one's individual spiritual aspirations within the matrix of community. We will show that the halakhic system requires that sensitivity and commitment to the spiritual needs of the community precede and provide the framework for personal fulfillment.

In addressing this essay to all those concerned and involved in traditional religious education, we do not wish to give the impression that the responsibility for carrying on a shared dialogue is to be shouldered by this group alone. The difficulties involved in building bridges of understanding must be faced by all men of good will in our society. All groups within the Jewish people

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must free themselves of stereotyped opinions and be willing to listen to the deepest convictions of the other.¹¹ However, intellectual honesty demands that we begin with ourselves and seek to refine that which we know best.

I

Let us now examine some of the complexities involved in seeking to create a community of meaning among Jews.

Any creative encounter changes all those who are involved. The "other" invades one's sense of self. One's previous position must be reevaluated in the light of new awareness and insights. In his Introduction to *The Guide*, Maimonides is fully conscious of the fact that once his student has encountered other philosophic positions he cannot maintain a vital relationship to the tradition while ignoring the challenges they present to Judaism. Intellectual repression is not conducive to spiritual joy.¹²

In suggesting that students of our traditional educational system engage in dialogue with Jews who follow various life styles, and become intellectually involved with different value systems, we are aware that they will be deeply affected by the encounter. They will not emerge without doubts and questions. They will be forced to rethink previously accepted certainties. Recognizing this, we must help the student overcome his potentially paralyzing doubts, and provide him with tools to sustain him through periods of intellectual struggle.

What educational approach will help the student realize that conflict and doubt can exist within a religiously committed person? What insights does he need in order to turn the turmoil of the encounter with others to creative use? How can we make him aware that his most painful doubts can contain the seeds of new insights to illuminate the untapped depths of the tradition.¹³

First, students must be taught to realize that insulation from differing views and experiences does not, of necessity, characterize the spiritual life of those who ground their faith in the certainty of Revelation. It is essential that the student be shown how religious men in our tradition confronted, and often welcomed, challenges that forced them to rethink their own beliefs and prac-

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tices. Instead of viewing the tradition as immune to novelty, the student must be taught to appreciate the profound dialectic between continuity and change that is present within it. In the form of commentary, masters of the halakhic tradition respectfully expressed their intense loyalty to the past, while exploring the new insights made available by their own generation.

Prof. Gershom Scholem's two essays, "Religious Authority and Mysticism" and "Revelation and Tradition as Religious Categories in Judaism," brilliantly illuminate the orientation of a traditional mind to novelty. These essays reveal that intellectual boldness is not antithetical to acceptance of *Torah mi-Sinai*.¹⁴ A religious education that provides an appreciation of the thought processes of the traditional mind, and focuses on the dynamic tension between continuity and novelty present in our sources, would encourage today's students to continue in the tradition of bold yet loyal *parshanut*.¹⁵

A generation that will have to grapple with significant intellectual challenges and grow spiritually within a society that is often indifferent to its deepest commitments, must be provided with models that exemplify the creative possibilities that can emerge out of doubt and uncertainty. Too frequently in traditional education, men of religious convictions are portrayed as models of dedicated, unquestioning, simple faith. Too seldom do we indicate the dark nights of the soul which often precede the illuminating certainty of faith. Can one, however, imagine Maimonides' *Guide to the Perplexed* written other than by a sensitive spirit who had struggled with profound religious issues? It is inconceivable to think that his *Guide* was written only for others and not for himself. One cannot illuminate the perplexed without having first tasted the pain of doubt oneself.

The price we pay for our neglect to show how religious men struggled with their faith, is heavy indeed. The "drop out" rate among those who move from religious circles into the open and pluralistic society reflects the weakness of an educational approach that does not prepare its students to face and grow from religious confusion.

We must also correct the mistaken perception that religious

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men of the past were of one cloth. We must give due recognition to the variety of religious sensibilities expressed in the tradition. Our students, therefore, should be exposed not only to the formal patterns of halakhic practice, but to the vital, inner spiritual life of halakhic man as well. Our students must be made aware of the variegated approaches to *ta'amei hamitzvot* that are reflected in the tradition. We provide them with an incomplete understanding of the nature of halakhic practice if we divorce the *description* of an action from the *intention* of the actor. The observer who has access only to the external features of an act lacks a proper understanding of what he is observing. In the eyes of the observer, the Kabbalists and Maimonides are performing the same *mitzvah*. However, one who understands their respective approaches to *ta'amei hamitzvot* cannot continue to believe, in the fullest sense, that they are really doing the same thing. To do so is to reduce the observance of *mitzvah* to external, mechanical behaviorism.¹⁶

Exposure to the multiple aggadic approaches to *mitzvot* lends emphasis to the important traditional concept that although the Torah was *given* once, it is *received* differently in each generation.¹⁷ Men who create their own aggadah within the discipline of a common Halakhah give expression to their individual religious sensibilities.

What happens when an educational system emphasizes the variety of spiritual options expressed within the tradition? The student becomes aware that the tradition asks for more than shared practice and behavioral obedience. It also encourages man to bring the fullness of his personality to his practice of Halakhah.

An educational system that encourages its students to confront the variety of rhythms present in modern society will have to face the reality that those it educates will not necessarily be of one cloth. Our educators must present a broad range of authentic religious models with which their students can identify. The multiplicity of models provides breathing space for the variety of psychological sensibilities present among the students.

In an attempt to achieve religious certainty, however, contemporary halakhic education tends to emphasize one model of

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authenticity. It attempts to gloss over and harmonize the teeming variety of religious sensibilities and approaches contained in our tradition. The religious security that a monolithic approach hopes to achieve is often hollow and atrophying. Religious monism often excuses the student committed to Halakhah from developing his own *ta'amei hamitzvot*, a responsibility one must shoulder even in a system that has a detailed *Shulhan Arukh*. An education that ignores the complex emotional dimensions of spiritual man inhibits the growth of a religious personality capable of engaging seriously and totally in the creative adventure of discovering new-yet-old vistas in one's religious life.

When one is exposed to the playful mythic imagination of the mystics, the sober, rational passion of Maimonides, the love of imagery in Halevi, one recognizes that the tradition is able to accommodate many different spiritual sensibilities. In the tradition, aggadic teleology was never normative.¹⁸ A fuller understanding of Judaism must, therefore, contain an appreciation of the interaction between pluralistic aggadot and uniform halakhic practice. It must reflect the interplay between obedience and conformity to imposed authority on the one hand, and a spontaneous, personal, freely-chosen spiritual teleology on the other.

Emphasis upon the subjective elements within Halakhah will help mitigate the monistic harshness that frequently accompanies a well-ordered and objective spiritual system. The mistaken claim that the goal of Halakhah is to provide objective certainty and religious security will be corrected when one realizes that one cannot understand halakhic practice without appreciating the inner experience of the *mitzvah*.¹⁹ The student whose understanding of Halakhah contains an awareness of the variety of *ta'amei hamitzvot* will be educated to find security in his spiritual life even as he recognizes that others will draw meaning for their halakhic practice from different spiritual sources.

Thus far I have suggested how important it is to show that Halakhah never freed the individual from the need to develop his own spiritual world-view. Emphasis on the broad aggadic options available within the tradition may be helpful in developing a pluralistic sensibility; for one who is secure in his approach

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to religious practice while recognizing that there are other perceptions of Halakhah is well on the way to developing an appreciation of religious pluralism. I would now like to indicate briefly how such a sensibility may also be nurtured by the study of the logic of halakhic argumentation.²⁰

What is the relationship of halakhic argumentation to Revelation? What are the logical tools needed to understand the rational basis for legal disagreement in the Talmud? How can two opposing views both be considered “the words of the living God?” What is the cognitive status of minority opinion? Is Divine truth revealed in the opinion of the majority, or is majority rule merely a procedural, juridical principle which in no way claims identification with the truth?

A serious study of these crucial questions may help the student realize that halakhic argumentation never provided the cognitive certainty of a deductive syllogism. Legal decisions are not necessary inferences drawn from premises. Appreciation of the facts and the context in which one wishes to apply the law do not flow necessarily from the law itself. Decision-making in a legal system is not a mechanical process.²¹ The emphasis placed on certain principles, the weight given to specific values, the appreciation of the historical situation and its needs, are all constitutive elements of a halakhic decision. In applying the law to a living situation, the judge gives expression to an entire philosophy of life. Judges, as distinct from logicians, are *responsible* for their decisions.²²

A traditional understanding of *Torah mi-Sinai* cannot be divorced from the way in which talmudic scholars applied Torah to life. The halakhic process clearly shows that there was more than one road that led from belief in a literal Revelation to halakhic decision-making.

One who has a deep appreciation of the logic of the halakhic system can never be certain that his actions represent the only possible cognitive response to the Torah of God. Alternate ways of practice are present in a system that applies *Torah mi-Sinai* to its everyday life. “These and these are the words of the living God” is an enduring description of halakhic thinking. Halakhic masters did not confuse the absoluteness of law grounded in

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Revelation with the claim that halakhic decisions reflect the only logical response to Divine law.²³ In the tradition, the ultimate source of halakhic authority is God; the application of Halakhah to life is multiple and human. *Knesset Yisrael* also was, and will remain, responsible for the way of life it developed.

An awareness that halakhic practice is never based, logically, upon the cognitive claim to certainty, contributes a rational foundation for the development of a pluralistic sensibility. For pluralism, as distinct from tolerance, cannot be achieved unless one's epistemology provides a cognitive basis for validating multiple ways of practice. Both the halakhic and aggadic components of the tradition can help us find support for the possible development of a pluralistic spiritual sensibility. Total commitment and passion for action need not be grounded in an epistemology that provides absolute certainty.

If I had the power, I would ban the teaching of *mitzvot* based upon the *Kitzur Shulhan Arukh*, as it distorts the complexity and richness of the halakhic experience. It is a far-reaching educational mistake to teach laws from a text that does not include different halakhic arguments and a variety of *ta'amei hamitzvot*.²⁴ Learning based on the *Kitzur Shulhan Arukh* has a quality of rote catechism. In contrast to the Talmud, the *Kitzur Shulhan Arukh* is like a bathtub as against an ocean. When one swims in an ocean, multiple strokes and movements in various directions are possible. In a bathtub you immerse yourself and passively soak in water without having much maneuverability. There is a spiritual adventure and diversity in the ocean of Talmud. There is limiting spiritual monism and religious passivity in the study of the *Kitzur Shulhan Arukh*.

We appreciate the concern to educate towards the importance of halakhic practice. However, it should not be achieved at the expense of denying the rich adventure of being exposed to multiple points of view. Students who are encouraged to practice a common Halakhah should use study-texts which inspire them to choose their own aggadah. This is crucial to a religious system that wishes to sustain itself and grow within the complexities of the modern world.

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Let us now consider ways in which a shared language may be achieved between the halakhic and non-halakhic society. Any discussion between two parties requires agreed-upon criteria of meaning, as well as shared values that provide a common universe of discourse. With reference to our discussion, we must explore the question of whether Halakhah and religious faith of necessity create a private world of meaning which is unintelligible to those who do not understand or share the presuppositions of the tradition. Is it possible to translate a way of life based upon belief in Revelation into categories intelligible to one who does not share this belief?

What approach to *ta'amei hamitzvot* can effect such a translation? A mystic, theocentric orientation immediately rules out any common language between a believer and a non-believer. An approach that insists that duty to God's law must be the sole motivation for observance of the commandments similarly creates an insurmountable barrier to dialogue. The statement "I do this solely because I believe" usually blocks discussion between believer and non-believer. However, the tradition provides other approaches to halakhic practice which open up possibilities for a shared language of appreciation between individuals who do not participate in a common Halakhah. One approach is suggested by Maimonides in *The Guide*.

There is a group of human beings who consider it a grievous thing that causes should be given for any law; what would please them most is that the intellect would not find a meaning for the commandments and prohibitions. What compels them to feel thus is a sickness that they find in their souls, a sickness to which they are unable to give utterance and of which they cannot furnish a satisfactory account. For they think that if those laws were useful in this existence and had been given to us for this or that reason, it would be as if they derived from the reflection and the understanding of some intelligent being. If, however, there is a thing for which the intellect could not find any meaning at all and that does not lead to something useful, it indubitably derives from God; for the reflection of man would not lead to such a thing. It is as if, according to these people of weak intellects, man were more perfect than his Maker; for man speaks and acts in a manner that leads to some intended end, whereas the deity does not act thus, but commands us to do things that are not useful to us and forbids us to do things that are not harmful to us. But He is far exalted above this; the contrary is the case — the whole purpose consisting

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in what is useful for us, as we have explained on the basis of its dictum: *For our good always, that He might preserve us alive, as it is at this day. And it says: Which shall hear all these statutes (hukkim) and say: Surely this great community is a wise and understanding people.* Thus it states explicitly that even all the statutes (*hukkim*) will show to all the nations that they have been given *with wisdom and understanding* (*Guide*, III, 31).

In this chapter, Maimonides argues against an approach to the commandments which insists that religious passion must be nurtured by a private language. According to this world-view, *mitzvot must* isolate one cognitively from those who do not believe in Revelation. Without this sense of isolation, one does not appreciate the unique significance of *mitzvot*. The greater the separation of oneself from non-believers, the more deeply does one experience the full meaning of Halakhah.

One may call this religious sensibility the *akedah consciousness*. For an important element of the *akedah* is its total unintelligibility.²⁵ If the *akedah* model symbolizes the highest rung of spiritual development, then those *mitzvot* which make one's actions unintelligible to others will be seen as the supreme expression of one's religious faith. No shared language is possible if the non-rational and the sense of isolation feed the religious passion.

Maimonides sought to correct this religious "sickness." He insisted that belief in Revelation does not require man to dissociate himself from rationally communicating the values of his religious life to others who are not committed to *Torah mi-Sinai*. Maimonides uses the proof-text of "for it is your wisdom and your understanding in the sight of the peoples" (*ki hi hokhmatkhem u'vinatkhem l'eyney ha'amim*) to demonstrate that the Torah informs us that other nations can recognize the wisdom of a way of life which they themselves do not obey. Appreciation by others, however, is only possible if one is able to explain the purpose of one's actions in categories that can be generally comprehended. Maimonides seeks to cast the particularist halakhic Jew into the world, and informs him that he can explain his spiritual life to others. He offers his reader universal criteria for understanding the purpose of the Halakhah.

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Rather things are indubitably as we have mentioned: every commandment from among these six hundred and thirteen commandments exists either with a view to communicating a rule of justice, or to warding off an injustice, or to endowing men with a noble moral quality, or to warning them against an evil moral quality. Thus all (the commandments) are bound up with three things: opinions, moral qualities, and political civic actions (*Guide*, III, 31).

Given these criteria which are universally intelligible, a halakhic Jew can begin to communicate with others. In *Helek*, Maimonides again uses the proof-text quoted above with regard to the cognitive claims of the tradition.²⁶ Here he argues against those who do not subject the truth claims of aggadic teachers to universal criteria of rationality. The knowledge claims of the aggadah and the behavior patterns of Halakhah need not isolate one from participating within a universal culture. To Maimonides, commitment to tradition is not fed only by non-rational leaps of faith. Cognitive isolation need not be the price one pays for commitment to a particular way of life.

The educational implications of Maimonides' orientation to religious experience are of utmost importance. Education in his spirit would not allow the student to *revel* in his distinctiveness and separation from the world. He would be taught to discover *ta'amei hamitzvot* which are grounded in values that can be understood by all men, Jew and non-Jew alike. He would find it valuable and necessary to construct a teleology of his own system that could be appreciated by others. He would be trained to speak intelligibly without having to validate the significance of his actions solely by an appeal to faith. Exclusive reliance on faith, *emunah*, can easily serve as an escape for one who does not want to be troubled to consider the human implications of his way of life.

The comfortable security that habit provides, and the psychological and intellectual support gained from living only with those who think and behave similarly, are shaken when one recognizes the important spiritual orientation that Maimonides applies to the commandments. One must constantly oscillate between two powerful poles, the universal and the particular, always striving to find a way of integrating both claims upon one's life. One must evaluate one's spiritual growth not in terms of the

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akedah model, but in terms of Abraham's passionate prayer for the people of Sodom. Abraham demands that God make Himself intelligible within universal criteria of morality. The model of Abraham at Sodom corrects the one-sided notion that religion creates a private language. At Sodom, God does not demand that Abraham sacrifice his sense of morality.

Mitzvah takes on deeper dimensions when halakhic man is capable of sharing his spiritual life with others. Maimonides' methodological approach to *ta'amei hamitzvot*, filled with a philosophic content that is significant for today, would provide a bridge leading from behavioral separation to cognitive communication.

II

In exploring the possibility of a shared language for believer and non-believer, we must also consider the following serious question. Can the halakhic Jew recognize in non-halakhic behavior those aspirations which his own system is attempting to realize? If he could do so, he could share with non-halakhic Jews a common teleology, even though the ways to implement those aspirations might differ. Again, let us turn to Maimonides.

Before discussing the teleology of many halakhot, Maimonides begins chapter 4 of *Shemonah Perakim* with a discussion of the ethical theory of Aristotle. He indicates the nature of virtue based upon moderation, the relationship between action and the formation of character, and then shows that Halakhah aims at realizing those virtues which are also present in the Aristotelian system. Aristotelian ethics and the halakhic system share a common approach to the nature of virtue. Although the two systems do not have a common Halakhah, Maimonides indicates that, to a great extent, they do share a common teleology.²⁷

We find the same approach in chapter 1 of *Hilkhot De'ot*. Maimonides again follows the pattern he set in *Shemonah Perakim*. He begins by establishing the concept of virtue based upon moderation, but again, he does not derive this approach from any authoritative source of his tradition.

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To cultivate either extreme in any class of dispositions is not the right course nor is it proper for any person to follow or learn it. If a man finds that his nature tends or is disposed to one of these extremes, or if one has acquired and become habituated to it, he should turn back and improve, so as to walk in the way of good people, which is the right way. The right way is the mean in each group of dispositions common to humanity; namely, that disposition which is equally distant from the two extremes in its class, not being nearer to the one than to the other . . . (*Hilkhot De'ot* 1:3, 4).

In *Shemonah Perakim* Maimonides shows how the specific details of Halakhah aim at the formation of healthy character traits. In *Hilkhot De'ot* he identifies God's attributes — being merciful, gracious, etc. — with the virtuous actions of a healthy soul.

We are bidden to walk in the middle paths which are the right and proper ways, as it is said, "and thou shalt walk in His ways" (Deut. 28:9).

In explanation of the text just quoted, the sages taught, "Even as God is called gracious, so be thou gracious; Even as He is called merciful, so be thou merciful; even as He is called Holy, so be thou holy." Thus too the prophets described the Almighty by all the various attributes "long-suffering and abounding in kindness, righteous and upright, perfect, mighty and powerful," and so forth, to teach us, that these qualities are good and right and that a human being should cultivate them, and thus imitate God, as far as he can . . . And as the Creator is called by these attributes, which constitute the middle path in which we are to walk, this path is called the Way of God and this is what the patriarch Abraham taught his children . . . (*Hilkhot De'ot* 2:5-7).

In Judaism, one arrives at the ideal of a healthy soul through halakhic prescription, or by imitating the moral attributes of God.

What is important for our purpose is that both in *Shemonah Perakim* and *Hilkhot De'ot*, Maimonides enables the halakhic student to recognize many similarities between the goals of his religious practices and the teleology of other systems. Halakhah and the imitation of God aim to develop character. These goals are perceived to be religious commandments by the halakhic Jew. But that perception does not prevent Maimonides from making halakhic practice intelligible within categories that are not grounded in Revelation and *mitzvah*.

