

YESHAYAHU LEIBOWITZ

JUDAISM,
HUMAN VALUES,
AND THE
JEWISH STATE

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The Individual and Society in Judaism

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It is doubtful whether any one of the many views from Jewish literary sources concerning the individual and society represents the definitive outlook of Judaism. Each is the perception of certain Jews. Each is held in common by Jews and non-Jews and was not necessarily derived from the authoritative Jewish sources. The problems of values and morality as such are not uniquely Jewish.

There is no specifically Jewish morality, no specifically Jewish politics, no specifically Jewish conception of society. Jews and Gentiles have been equally divided on all these matters, and the dividing line does not separate Jews from Gentiles, but individuals from one another. Controversy between Jews and Gentiles as such had to do only with the issue of serving God through the observance of Torah and Mitzvot. Moreover, it is not even possible to classify the thinkers whose ideas appear in the Jewish sources on the basis of their stand on the question of the individual and society. A thinker associated with a certain approach or conception, or who is thought to represent a distinct trend in Judaism, is likely to change his position for pragmatic and heuristic reasons. He is likely to say something today and the opposite tomorrow with reference to any political, social, or moral problem—each statement appropriate for the needs of the time, the place, and the misguided views of his interlocutors. The one invariant motive governing such shifts in position is the demand to serve God by performance of the Mitzvot.

Consider, for example, the prattle about the prophetic conception of the people of Israel and the national-political aspects of its life. In

truth, prophecy is not at all concerned with these questions. If it were, it would not be sacred but secular. Prophets did, of course, take a stand on these questions because they addressed men who were deeply steeped in the life of nation, state, and politics. But this is not what interested the prophets.

Neither Isaiah nor Jeremiah had a specific political-historical ideology with regard to the Jewish nation and its fate, only the principle to heed the word of God. When conditions and circumstances changed, heeding the word of God demanded different responses to problems of the nation, land, and state. In his historical context Isaiah proposed resistance to a foreign invader, and Jeremiah, in his, proposed that an invader be propitiated. What is true of "the prophets of truth and justice" is also true of all the thinkers in later Judaism, insofar as they represented the thing that constituted the identity of Judaism and enabled it to persist throughout the historical and cultural changes of 3,000 years.

In like manner we may understand the seemingly contradictory attitudes toward the institution of kingship. The contradictions are resolved only if we realize that, for the Torah and prophets, kingship *per se* is irrelevant. Such an institution exists, and under certain conditions may even be required. If it is required and exists, there are Mitzvot which pertain to it. Is this institution mandatory from a religious standpoint? The dispute among the talmudic Sages over this question devolves upon the interpretation of the verse: "You shall appoint over you a King" (Deut. 17:15). Is this a prescription or a permission? The fact that later halakhic authorities, following Maimonides, decided that it is a prescription is not the final word, because many outstanding scholars and thinkers who were familiar with all the talmudic sources rejected this view. Most radical in his rejection of monarchy was Abrahanel.¹ One of the later rabbinic commentators, Hanatzir, states in his commentary on the aforementioned verse that the Torah and prophets appear to indicate that monarchy is not in accord with the spirit and intention of the Torah. However, in certain circumstances it may be required for reasons of national welfare and even the nation's very existence. In such circumstances, establishment of a monarchy becomes a Mitzvah.² The negative attitude toward monarchy must give way to the exigencies of national survival, very much as proscription of work on the Sabbath is overridden by the imperative of saving a human life.

The Halakhah does not, therefore, give an unequivocal answer to the question of the desirable form of rule.

Some would begin the discussion of the problem of the individual and society in Judaism with the story of the creation of man in the image of God. The significance of that creation can be interpreted in very different ways. It can be given a collectivist interpretation, that all of mankind is like one person. It can, of course, be given an individualist interpretation. Moreover, it is not even possible to say that having been created in the image indicates something about the value of man. Man is only the image of God, without intrinsic essence, much as the picture hanging on the wall is only a surface treated with paint and meaningful only as representing something else. If what that picture represents is something I don't recognize, or that, in my opinion, doesn't exist or has no value for me—then the painted surface has no value. In other words, the very fact that man is created in the image of God deprives man of intrinsic value. Man is not divine, but only an image of God. He is not valued as an end-in-himself, and his significance consists only in his position before God. This is in extreme contrast to the view of Kant, for whom man replaces God, and the human individual becomes the highest value.

Those who insist on discovering the authoritative view of Judaism on the problem of the individual and society frequently turn from the Bible and the Halakhah to aggadic Midrashim and sayings of the talmudic Sages. They often cite the words used by the courts in admonishing witnesses, to the effect that, in the beginning, only one individual man was created to indicate that one life (according to one textual reading), or one Jewish life (according to another version) is equivalent to that of a whole world.³ However, citation of isolated statements as authoritative is inadmissible, even if they are very penetrating and expressed with great pathos. We should never forget Maimonides' advice (in a letter to Obadiah the proselyte), that whoever seeks support for a certain view in a single verse among the many in the Bible or in one Aggadah or Midrash or a saying of one of the Sages, "only commits intellectual suicide." Principles and opinions on fundamental matters can be determined only by examination of the total material, and this totality, in Judaism, is represented only by the Halakhah. As for the Halakhah, it is impossible to determine definitively whether it

centers on the individual Jew or on the Jewish community which observes it. The significance of the Halakhah is neither anthropological nor sociological but religious. It is concerned with man as he stands before God, not with man by himself nor with human society. Both are regarded as natural data, not as values.

In the Judaism of Torah and Mitzvoth, one aspect seems to be unambiguously collectivist: the institutionalized worship of God in sacrifice and prayer. The divine worship of Yom Kippur as prescribed in Leviticus, chapter 16, has meaning only as the service of the community and as atonement for the Congregation of Israel, in which every Israelite is included as a member: "and there shall be no man in the Tent of Meeting" except for the High Priest, who, on that occasion, represents and symbolizes the Congregation of Israel. These remarks apply not only to the service on Yom Kippur, but also to the daily sacrifices and the additional sacrifices of the Sabbath and holidays, which were communal and were never contributed by individuals. Similarly, the obligatory prayer instituted to replace the communal sacrifices is communal. Its occasions, forms, and content are prescribed for every individual as part of the praying community. There is no place for the expression of personal feelings and needs arising from the situation and condition of each individual. All this seems to express an extremely collectivist religiosity.

However, in our discussion of Yom Kippur, we are not concerned with archeology but rather with living Judaism. The Day of Atonement—over the past two thousand years a definitive expression of Jewish religiosity, the legitimacy of which has never been questioned—has the Ne'ilah prayer as its climax. The sacrificial service is recalled only as a historic memory in the Mussaf prayer. The essential concern of Ne'ilah, its unique content, is the sin and repentance of each individual. The community is mentioned only in the opening and concluding benedictions, which are the same for all prayers of Yom Kippur. Ne'ilah is the expression *par excellence* of individualistic religiosity, and, in this respect, the contrast between it and the Mussaf prayer of Yom Kippur is most interesting. However, it is meaningless to ask which of these two aspects of Yom Kippur is more acceptable, legitimate, or authentic. There is only one Yom Kippur in Judaism in all the transformations of its history, and nothing severs the Yom Kippur of "there shall be no man in the Tent of Meeting" from the Ne'ilah prayer of each individual

Jew of our present Yom Kippur. The continuity of Judaism and its identity were neither diminished nor undermined when this Yom Kippur was substituted for that. Here, too, we cannot draw any conclusion about individualism or collectivism in Judaism.

An analysis of the prayers of the Days of Awe reveals the same truth. The obligatory prayer of Rosh Hashanah reiterates the motif "We must praise . . . therefore we will hope . . . to see speedily the glory of Your might," and so on.⁴ This prayer does not single out the individual or even the Jewish community. Its content and meaning are universal, almost cosmic; its theme is the Kingdom of God in the world. The individual and his unique personality do not appear in it at all. However, good and worthy Jews who did not have the ability to serve God solely from the aspiration "to see quickly the glory of Your might" composed the prayer *U'netaneh Tokaf*, which expresses anxiety concerning "who will live and who will die," and so on. From a formal standpoint the two prayers must be evaluated quite differently. Only the former is halakhically obligatory, whereas the latter is optional, included by custom in the service of some Jewish communities and omitted in that of others. However, as constituents of living, empirical Jewish religiosity, both are legitimate, and the Jew need not choose one and reject the other. He can say both prayers with intentional devotion (*Kavanah*) despite the contrast between the types of religiosity they represent.⁵

What is true of Halakhah is equally true of every other field which has become an inseparable part of Judaism. We have, on the one hand, the great Mussar literature (devotional morality), ranging from *The Duties of the Heart* of nine hundred years ago to *The Path of the Upright* of two hundred years ago.⁶ These books were greatly popularized by the Mussar movement of recent generations. They are documents of extremely individualistic religiosity. Society, and even the community of the Jewish people, plays no role in this religious life. Moreover, for the author of *The Duties of the Heart*, social reality, with its obligations, tasks, and problems, is a disturbing factor. All these distract a person from "his duty in his world," and he who cares for his soul will avoid them. On the other side is Maimonides, whose work is axial for all attempts to systematize Jewish religious thought. Maimonides, as is his wont, conducts his discussion on two levels. Failure to distinguish them is the source of many misconstructions of Maimonides' philoso-

phy. One level has to do with needs, the other with values. As in every other area, here, too, needs and values are practically antagonistic concepts. Maimonides deals with Judaism from both standpoints, and he does not explicitly distinguish between the two approaches. He confuses them intentionally and shifts from one level to the other without indicating this explicitly, to obscure matters for the reader who is not capable of understanding his teaching. This teaching is intended for the reader whose understanding is sufficiently penetrating to distinguish the two levels.

Maimonides' discussion has a utilitarian and a mystical dimension. On the utilitarian level Maimonides is an extreme collectivist: "It will not be possible that the laws be dependent on changes in the circumstances of the individuals and of the times . . . On the contrary, governance of the Law ought to be absolute and universal, including everyone, even if it is suitable only to certain individuals and not suitable for others, for if it were made to fit individuals, the whole would be corrupted."⁷ In other words, the proper agent of religious behavior is not the individual but the community. Similarly, Maimonides emphasizes the importance of social improvement as a condition for the very possibility of attaining the religious *telos*: "For man cannot know the truth nor perform the Mitzvot when he is sick or hungry or fleeing his enemies"—and, after all, penury and fear, and to a large extent also sickness, are only functions of social conditions. However, on the level of the Torah as that which alone is intrinsically valuable, he describes true human perfection as something which is "yours alone and no strangers' with you" (Prov. 5:17). The individual who has attained perfection wishes to be alone with God and "will regard all people according to their various states with respect to which they are undoubtedly either like domestic beasts or like beasts of prey. If the perfect man who lives in solitude thinks of them at all, he does so only with a view to saving himself from harm . . . or to obtaining an advantage that may be obtained from them."⁸ The purpose of the Torah is not social improvement, and the ultimate ground for the Mitzvot is not concern for man's needs in his social existence; it is for the individual (every individual) to attain perfection by rising above everything that is not an inherent part of this perfection: "Know that all the practices of the worship, such as reading the Torah, prayer and the performance of the other Mitzvot, have only the end of training you to

occupy yourself with His commandments, may He be exalted, rather than with matters pertaining to this world; you should act as if you were occupied with Him, may He be exalted, and not with that which is other than He."⁹ The contradiction between these two approaches of Maimonides is only a seeming one: social organization is indeed necessary, and the Torah regulates it, but social regulation is not a value. It may be compared to health. Digestion and excretion are vital needs, and woe to the man whose digestion or excretion are not functioning properly. Nevertheless, they are not values.

Our subject has a practical aspect relating to the place of the Jewish religion in the state of Israel or—reversing the perspective—the place of the state in the religious life. We must distinguish between the historical exilic existence of the Jewish people and its present existence as possessing political autonomy. Previously, the individual conscious of his Jewish identity could not live his life as a Jew except through complete immersion in the Jewish collective—the religious community. Outside this community there were no institutions for the realization of the Jewish identity. Jewish life was expressed concretely in the synagogue and the cemetery, the *Mikveh* (ritual bath) and the slaughter house, through study of the Torah and the Yeshivah—and above all—in observance of the Sabbath. Our generation has created a framework for Jewish existence which is not religious, which is not conducted by religious institutions, is not committed to religious values, and has no religious meaning. We must examine afresh the significance of religion for a Jewish person and for the Jewish people and its state.

One contemporary approach, widespread is to regard the Jewish religion as a factor in the survival and welfare of the Jewish people, and to evaluate it from the standpoint of its contribution to satisfying the needs and forwarding the interests of the nation and the state. This attitude was shared by the agnostic David Ben-Gurion and the official religious leadership alike. In truth, this approach renders the Jewish religion otiose and even exhibits it as harmful. The state of Israel and the unity of the nation within it are based on nonreligious foundations: the identity card and passport, the service of our children in the IDF (Israel Defense Force), the secular civil and criminal law, which are accepted by the religious community in Israel. The Torah and *Mitzvot*—the Jewish religion—divides us. This is the great crisis of the Jewish people in its state and the great obstacle to national unity and

political consolidation. Therefore only he who does not regard religion as a collective national-political manifestation, but views it as setting personal goals and values, is capable of surmounting the crisis. He will not voice the false claim that "it is good for Jews" to be religious, but will rather urge the claim of the first paragraph of the *Shulhan Arukh* that to be religious is the obligation of a Jewish person in his world, whether it is useful or not to the national, political, or economic interests of the state of Israel and the Jewish people. No nation and no community, no state, not even the Jewish nation and its state are supreme values. All are fictions or human constructs which satisfy man's objective or spiritual needs. But even spiritual needs and human values such as homeland or liberty are only human and of no religious significance. Therefore, if in the exilic history of the Jewish people the collective aspect of the Jewish religion was emphasized, it is our obligation today to emphasize its personal aspect. Religious education and the struggle for dissemination of Jewish religion should concentrate on the personal element.