HUMAN RESPONSIBILITY
IN THE THOUGHT OF ELIEZER BERKOVITS

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INTRODUCTION

With the hindsight of nearly two decades, we can today look back to the early 1990s as the end of an era in modern Jewish thought. With the passage of thinkers like Joseph Soloviechik, Emanuel Levinas, and Yeshayahu Leibowitz, followed by Emil Fackenheim in 2003, the great wave of European-born Jewish philosophers whose work began a century ago and reached its peak in the middle of the twentieth century, has come to a close. Inspired in large part by the dramatic flowering of general European philosophy in the late nineteenth and first half of the twentieth centuries, and by unparalleled developments in fields of research bearing clear philosophical implications such as quantum physics, sociology, linguistics, and psychology, Jewish philosophy experienced a renaissance unlike anything since the medieval period. Every new area of exploration, it seemed, was joined by Jewish-born thinkers who took leading roles not only in pure philosophy itself—think of names like Edmund Husserl, Henri Bergson, Sigmund Freud, Ludwig
Wittgenstein, Emmanuel Levinas, Jacques Derrida, Karl Popper, Hannah Arendt, Claude Levi-Strauss, or Walter Benjamin—but also in a philosophically inspired exploration of the sources of Judaism, which is more properly called “Jewish philosophy.” Writers like Hermann Cohen, Franz Rosenzweig, Martin Buber, Abraham Joshua Heschel, Mordecai Kaplan, and later, Leibowitz, Fackenheim, and Soloveitchik didn’t just add a philosophical element to their Jewish writings; they offered, each in his own way, engagements with modernity that literally reshaped Judaism itself, inspiring new religious movements, sharpening and deepening existing ones, and giving bold and creative new voice to the Jewish religious spirit.

One of the most fascinating, if least studied, of these figures was Eliezer Berkovits (1908-1992). Over the course of his life, Berkovits wrote no fewer than nineteen books and hundreds of essays, grappling with the entire gamut of Jewish philosophical questions, as well as a wide array of topics affecting Jewish life of his time: Assimilation, the rabbinate, the Holocaust, Zionism, the status of women in Judaism; the emergence of the Eastern-influenced, drug-experimenting counterculture of the 1960s; anti-Semitism in Christian European thought and in modern historiography; and the failure of Israeli utopian movements such as the kibbutzim. He also did battle directly with major Jewish philosophers whom he considered to have distorted Jewish tradition’s central truths, including major critical essays on Cohen, Buber, Rosenzweig, Heschel, and Kaplan.
Yet the core of his writings comprised a series of works that were neither critiques nor social commentary, so much as constructive efforts to articulate the essence of Judaism. His longest work, *Man and God: Studies in Biblical Theology* (1969), takes key biblical terms such as “the name of God,” “justice,” and “holiness,” and tries to construct a philosophical definition and resonance to each of them. His *Faith after the Holocaust*, while addressing both the historical causes of anti-Semitism and the arguments for the death of God coming from the radical theologians, is at its heart an effort to resolve the profound questions of theodicy that date back at least to the time of the Talmud. In *Not in Heaven: The Nature and Function of Halacha* (1983), he attempts to construct a philosophy of Jewish law that describes it not just as a set of rituals but an expression of deeper social values and mutual concern.

One of his first published works, *Towards Historic Judaism*, attempts to critique the “breach between Torah and Life” that in his view began already in medieval times, and calls for a new approach to Judaism as deeply engaged with culture, politics, and questions of society. And at the core of this constructive effort lies a relatively brief, singular work, with the unassuming title of *God, Man, and History*, in which Berkovits attempts to present a comprehensive Jewish philosophy that begins from first principles and goes on to cover his essential thoughts about Judaism’s approach to theology, morality, and nationhood.
While each of these was written in some sense as a response to developments that became especially acute in his lifetime, all of them reflect a fervent desire on Berkovits’ part to construct a whole philosophy of Judaism, a coherent and developed affirmation of something very important that, in his view, had been lost not only among Jewish philosophers, but also among the Orthodox rabbinate in which he grew up, and throughout the Jewish world. The central aim of this dissertation will be to examine this constructive effort, to explore and critique it, and offer a preliminary evaluation as to whether Berkovits does not, as a result, deserve a far more central place in the pantheon of modern Jewish philosophy.

Berkovits’ Life

Eliezer Berkovits was born in the bustling Jewish community of Oradea, Transylvania (now Romania) in 1908. The Jewish community, described by one source as “the most active both commercially and culturally in the Austro-Hungarian Empire,”\(^1\) hosted major synagogues of both Orthodox and Neolog (Reform) varieties, and doubtless gave Berkovits early exposure to a variety of Jewish religious expressions. He received his Orthodox rabbinical training at the yeshiva of Pressburg and, beginning in the

1930s, at the “Hildesheimer” Rabbinical Seminary of Berlin, where he also
functioned as a congregational rabbi. During his Berlin period, he also studied
philosophy at the University of Berlin, earning a Ph.D. After escaping
Germany in 1939, Berkovits served as a communal rabbi in Leeds (where his
riveting wartime sermons were captured in the book *Between Yesterday and
Tomorrow*), Sydney, and Boston before assuming the chair of the philosophy
department at the Hebrew Theological College in Chicago in 1958, where he
taught until 1975. In Chicago he also helped found, and served as the
unofficial rabbi of, the Or Torah synagogue in Skokie, Illinois. In 1975, at the
age of 67, Berkovits relocated to Jerusalem, where he lived and worked until

One of the features of Berkovits’ life that sets him apart from most
modern Jewish philosophers was the impact of his extensive rabbinic training
in forming, and formulating, his philosophy. Given the creative impulse and
religious passion that drove much of twentieth-century Jewish philosophy, it
is surprising to note how few prominent Jewish thinkers actually were
educated in a traditional rabbinic setting. While the areas of Jewish literature
and poetry benefited greatly from the exposure of some of its key figures to
the world of the Eastern-European-style yeshiva (think of S.Y. Agnon, Chaim
Nahman Bialik, Chaim Grade, Isaac Bashevis Singer, and Chaim Potok),
Jewish philosophy was written mostly without such direct exposure. Cohen,
Rosenzweig, Buber, Fackenheim, Borowitz, and others—none of them were
raised within the tradition of classic rabbinic study. Indeed, with a few exceptions, it is fair to say that Jewish philosophy emerged in the twentieth century to a surprising degree in the absence of intimate acquaintance with classic rabbinic thought. For his part, Berkovits (like Soloveitchik) spent his entire career not only surrounding himself with rabbinic texts and holding positions in rabbinic academies and Orthodox pulpits, but gaining from the influence of, and continued exposure to, classic rabbinic tradition. This lends his writings a certain intimate Jewish authoritativeness, comprehensiveness, and above all accessibility to a wide variety of rabbinic sources of all ages, that is often missing in the efforts of other modern Jewish philosophers to give a modern rendering to the deepest themes of classic Jewish tradition.

At the same time, a word about the language of his writings may also shed some light on his aims. Though he was raised in a world that spoke Hungarian, Romanian, and later Yiddish, his published works were written in the vernacular language of his primary audiences in the countries in which he lived: His first published work, *What is the Talmud?* written during his Berlin period, was written in German, as was his doctoral dissertation; his philosophical and social-criticism books were written in English, including *Towards Historic Judaism* which appeared just four years after his emigration to England; his three yeshiva-targeted works of halachic scholarship were written in a rabbinic-laden Hebrew, and his one book about Israeli society (*Crisis of Judaism in the Jewish State;* 1987), was written in modern Hebrew after
his immigration to Israel. In every case, Berkovits knew his audience and deployed his considerable lingual facility in expressing himself for that audience; and in the great majority of cases, he was writing for a Jewish audience that had thoroughly immersed itself in the modern world in the countries in which he lived. At every turn, Berkovits wrote for impact—a stylistic approach that matched, as we will see, a philosophy in which consequences and concern for others stood took center stage.

Berkovits’ Methodology and Aims

The task of Jewish philosophy is a curious one. On the one hand, it assumes an audience not only familiar with but also at least somewhat persuaded by the effort to understand the deepest truths through reason. On the other hand, its aims rarely appear as the simple, unfettered and unprejudiced search for philosophical truth, so much as the articulation of, and argument for, an approach to such truths through the sources of Judaism, which themselves are religious and therefore, it is presumed, find their source to no small measure in revelation. Like many other writers of the genre, Berkovits saw the task of Jewish philosophy to “make Judaism a significant philosophy of life in the intellectual climate of our age,” and to show how Judaism may be “a significant form of living which takes due cognizance of the moral predicaments of our days. We must equip it with the truth of God
in relationship to the vital issues of present-day human existence.” The result is that not only are the answers to the deepest questions of man’s existence informed and (from the general philosopher’s perspective) often prejudiced by the religion being explored, but the questions themselves are also frequently driven by the writer’s perception of the agenda of religion itself, as embodied both in its foundational texts and its exegetical and philosophical traditions.

In both medieval and modern Jewish philosophy, this effort tends to divide into two camps with regard to the relation between philosophical reason and revelation. Some thinkers, such as Maimonides and Hermann Cohen, attempted to establish a fusion between philosophy and revelation, a place where ultimately they are discovered to be one and the same. In Maimonides’ case, this is made clear not only in his Laws of the Foundations of the Torah that open his Mishneh Torah, but especially in his account of the levels of prophecy and the Active Intellect in the Guide for the Perplexed. In Cohen’s case, Judaism is considered both the source and the prime example of the Religion of Reason, in which all aspects of religion that contradict philosophical speculation were left behind, in favor of a new and universal religion of which Judaism, properly understood, is the greatest example or forebear among the existing religions.

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The second camp accepted the irreconcilability of revelation and philosophy, and attempted to establish the legitimacy of revelation in light of the boundaries of philosophy—a rational argument for the irrational as a source of truth. For Judah Halevi’s famous dialogue in the *Kuzari*, for example, the “philosopher” is not an ideal but rather a foil, against whom the wiser comments of the dialogue’s hero, the rabbi, are contrasted. Berkovits saw himself as a kind of disciple of Halevi in this regard. In his introduction to *God, Man, and History*, he invokes Halevi explicitly, and declares his own aim “to continue on a path that was pioneered by ‘that most Jewish of Jewish philosophers,’ Judah Halevi.” In Berkovits’ view, Halevi has remained the solitary figure among Jewish philosophers of religion who succeeded in recognizing the independence of the religious realm, while nevertheless maintaining a healthy respect for the faculty of reason in its own domain. He clearly saw the difference between philosophical thought concerning God and the reality of religion as manifest in attachment to God. Revelation and reason do not conflict in

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3 Unfortunately the term “philosophy” in both the present discussion and Berkovits’ own writings on the subject carries two separate and often conflicting meanings. In the broad sense it refers to thought and writing, such as in the term “Jewish philosophy.” In the more narrow sense it refers to arriving at conclusions based on reason, as opposed to revelation or tradition. Only through an awareness of these two different uses of the term can we make sense of Berkovits’ statement, for example that Halevi “clearly saw the difference between *philosophical* thought concerning God and the reality of religion as manifest in attachment to God. Revelation and reason do not conflict in Halevi’s *philosophy*…” in the quotation below.
Halevi’s philosophy; but neither has reason a chance to absorb revelation, nor need revelation defame the intellectual faculty of man—or denigrate human nature—in order to establish its own validity.⁴

Berkovits, in other words, places himself distinctly in the second camp, pitting religion against philosophy on a playing field of reasonable discourse. Like others in this camp, he was driven by a simultaneous respect for philosophy and an acute awareness of its limitations—and by the sense that those limitations hold the key to offering an extra-philosophical, yet reasoned, groundwork for the acceptance of Jewish religious thinking. In his *God, Man, and History*, Berkovits follows Hasdai Crescas in criticizing the central medieval philosophers of Judaism, such as Saadia and Maimonides, for trying to ground religion within reason rather than standing outside it, and traces their influence on the Hegelian Nachman Krochmal and, later, Hermann Cohen.

In this, his effort is comparable to that of his Berlin classmate Soloveitchik, whose *The Halakhic Mind* is a sustained effort to demonstrate how the intellectual gap between science and philosophy that emerged with Einsteinian relativity and Heisenberg’s uncertainty principle demonstrates the limitations of both science and philosophy, opening the door to a

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revisitation of the validity of revelatory epistemology as an alternative.\(^5\) Yet unlike Soloveitchik, Berkovits finds these limitations not in the scientific developments of his time, so much as in the limits of philosophy as demonstrated a century and a half earlier, in the thought of Immanuel Kant and, especially, David Hume. His doctoral dissertation, *Hume and Deism* (1933), explores the way that Hume’s rejection of the deistic effort to base religion on philosophical metaphysics effectively heralds philosophy’s humble stepping aside when it comes to dealing with the central claims of religion.\(^6\) Thus if Soloveitchik, whose intellectual predilections led him to towards the structured and absolute, found the moment of religious possibility in the latest advances in quantum mechanics, which in his view struck a death blow to the dominance of philosophy in establishing truth, for Berkovits this was achieved long ago, and its current demonstration found, for example, in more humane sciences such as psychology.

But if religion begins outside of philosophy, this does not mean it can be simply asserted, especially in an era when the simple assertions of faith may be so easily dismissed as dogma. Like many other Jewish philosophers of his time, Berkovits’ aim is not to offer logical or philosophical proof for the main tenets of Judaism as against the secular philosophy of his time, so much as to demonstrate their plausibility and reasonableness given the failure of

philosophy to seal off the religious option from human reason. For this, however, an alternative epistemology must be found, and it must be grounded not just in the empirical realm, but specifically in the experience of human things.

The details of his argument are sketched out in *God, Man, and History*, which opens with an extended discussion of the relationship between philosophy and religion. In particular, Berkovits focuses on two main efforts by religious thinkers over the centuries, especially in the medieval era, to make religion fit within philosophy—efforts that Berkovits concludes have utterly failed.

One is the multiple and various efforts to prove the existence of God. Throughout the medieval era and continuing even until today, theologians have asserted that by demonstrating logically the necessity or truth of God’s existence, they can provide for grounding religion within philosophy. As opposed to these efforts, Berkovits accepts the dismissal of proofs for God’s existence, citing Kant’s discussion in the *Critique of Pure Reason* as the definitive statement on the matter, and adding that “Kant showed conclusively that the existence of God cannot be proved by speculative reasoning.”7 From Berkovits’ perspective, this failure is less an indictment of religion than a necessary product of the limits of reason, limits that are

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themselves, he writes, “the concern of reason, not of religion.” If pointing out that the Bible itself offers no such proofs, he goes on to suggest that “whether God’s existence may be proved is of little interest to religion.” If medieval philosophers of religion saw fit to focus on such proofs, it was largely to the debt they felt towards Aristotle and Plato, who both believed that it was only from an understanding of the nature and necessity of God that proper religion could flow. Again relying on the argument of Halevi, and in particular his representation of the philosophical position as embodied in the figure of the philosopher in The Kuzari, Berkovits points out that such proofs do little to bring us towards the essence of religion: “Halevi shows us convincingly that it is possible for man to entertain extremely exalted philosophical opinions concerning God, and yet—precisely because of such opinions—reject religion proper.”

The second effort, related in both its aims and its reasons for failure, is the attempt to describe God in terms that are philosophically coherent—to describe the essence of the divine. This found its most famous expression, perhaps, in the doctrine of the “negative attributes” of God as articulated by Maimonides. Whereas medieval Jewish thinkers prior to Maimonides attempted to describe divine attributes such as God’s unity, wisdom, mercy, and justice, Maimonides pointed out that because God is infinite and human

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8 Berkovits, God, Man, and History, p. 13.
9 Berkovits, God, Man, and History, p. 13.
10 Berkovits, God, Man, and History, p. 15.
reason finite, one cannot ever really grasp his essence. Instead, even as the Bible appears to describe God as just and merciful, all descriptions of God, in order to make sense at all, must really be referring either to his actions or to the negation of what he is not.\textsuperscript{11}

Maimonides’ effort, Berkovits writes, was not the product of anything truly inherent to philosophy or religion themselves, but rather to the difficult problem religion necessarily finds itself in the moment it is viewed as subordinate to philosophy. For while philosophy (or as Berkovits calls it here, “metaphysics”) insists on concepts that are everywhere understandable, religion cannot do without a God who is just, wise, and merciful—even if these cannot be fully grasped by the human mind. In Berkovits’ view, the negative attributes are a transparent attempt to fit these concepts into the procrustean bed of metaphysics, and the result is a “logical fallacy” that could not stand very long. Following the lead of Crescas, Berkovits points out that every negation contains an implicit affirmation of its opposite. “The negation of an imperfection of God is itself an affirmation…” he writes. “All negation takes place on the basis of some affirmation. For example, only if I am familiar with the positive principles of arithmetic am I able to deny that five plus seven equals fourteen. What is more, such a denial must also imply the possibility of a further statement the proposition five plus seven, one which is

\textsuperscript{11} Maimonides, \textit{Guide for the Perplexed} 1:58.
The transparent falseness of the negative-attributes claim was “overlooked under the pressure of practical necessity,” one that flowed from the impossible position created by the very attempt to describe religion through the terms of strict metaphysical inquiry.

But the real problem with proofs of God’s existence or negative attributes, in Berkovits’ mind, is not their philosophical futility so much as their religious inadequacy. In his view, such efforts, however successful they may be, miss the entire point of religion, which is not predicated on God’s existence or description, so much as his concern for human affairs and the moral imperatives that such a concern implies for mankind. Here as elsewhere, Berkovits adopts the perspective of the religious human being rather than the philosopher: From the perspective of religion, religious inadequacy is even more decisive a refutation of claims about God than is philosophical inadequacy. “No doubt,” he writes, “the familiar proofs for God’s existence may suggest a Supreme Being as a likely metaphysical hypothesis. But can a man pray to a hypothesis, let alone trust and have faith in it?”

For Berkovits, the questions that should most deeply drive us as religious beings are human questions, questions concerning the interpersonal realm in the real world, and the relationship with God that flows from such

12 Berkovits, God, Man, and History, pp. 7-8.
13 Berkovits, God, Man, and History, p. 13.
questions—much more than the descriptions of God’s omnipotence or other attributes. The failure of philosophy to demonstrate these does not inherently point to their falseness, for the very effort to grasp the infinite was never really possible for finite man. On the contrary, Berkovits repeatedly expresses his willingness to accept the truth of an Absolute, an Unmoved Mover, or a Supreme Being, in the various formulations proposed by neo-Aristotelian and neo-Platonic religious writers in the medieval era. Philosophically, all of these remain both unproven and undisproven. For Berkovits, the problem is not that these are false so much as irrelevant—for philosophy they offer little in the way of truth, and for religion they utterly miss the point of what religion is all about. “Biblical religion knows of no speculative proofs for God’s existence,” he writes. “It is indeed one of the surprising features of the Bible that nowhere does it attempt to prove rationally that there is a God. This remarkable fact should be ascribed not to any naïve piety on the part of the biblical narrative… but to the very essence of religion. Even if such a proof were irrefutable, it still could not provide a basis for religion.”

In Berkovits’ view, these classic philosophical-theological efforts were grounded in an error that plagued both religious and ethical philosophy over the centuries: The assumption that moral precepts may be convincingly demonstrated by first establishing the descriptive axioms of existence—by showing that there is a God, all-powerful and all-knowing, it was assumed, it

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should not be difficult to conclude that we ought to follow him, or that following him should take the forms that religion has classically prescribed.

Yet here philosophy has run aground on what is often known as the “is/ought problem,” or the impossibility of successfully deducing norms from facts. Instead of attempting such a deduction, religion begins in the normative realm, or more precisely, in both the normative and descriptive realms simultaneously, its founding axioms containing both together. As he writes in *God, Man, and History*:

> The foundation of religion is not the affirmation that God is, but that God is concerned with man and the world; that, having created this world, he has not abandoned it, leaving it to its own devices; that he cares about his creation.  

Like any system of thought, religion too has its axioms. Yet as opposed to the classical efforts to base religion on first principles of God’s existence, and in descriptions of his nature, Berkovits insists that religion’s axioms start in the ethical-normative realm, of which the descriptions of God are in some sense ancillary and coeval with the normative realm, which is the real point of it all. There is no is-ought problem when our first principles begin with oughts.

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15 Berkovits, *God, Man, and History*, p. 15.
Yet if concern is the primary truth about God, then so is the implication that man, having been created in God’s image and being the true focus of religion, must also care about others and the world more broadly. Just as we can understand God’s concern for the world first of all through the analogy of human relationships, Berkovits writes, so too does this logic work in the opposite direction: God’s caring for man suffuses our whole world of interhuman relationships with this primordial posture of concern and caring. He writes:

The paradigm of all encounters is man’s encounter with God. God meets the other with concern and care. The manner of God’s involvement in the world is the eternal example for meeting the other. Nothing that man may meet within this world can be as strange to him as he himself is to God. Yet God elevates man to “fellowship” with himself. Meeting the other, in the image of the paradigm of all encounters, is an act of creative fellowship through caring involvement. It is the essence of the religious way of life.\(^{16}\)

To understand religion, we must begin with the evidentiary realities that life presents us: We begin with the question of the encounter with other human beings—and find that religion, too, begins by presenting God as the “paradigm of all encounters.”

\(^{16}\) Berkovits, *God, Man, and History*, p. 87.
The result of all this is that Berkovits shifts the first focus of religion from faith to what is often called “ethics”—that is to say, to the realm of interpersonal relations. In this regard, Berkovits follows the main thrust of modern Jewish philosophers.17 Yet as we will see later on, it is a very specific type of ethics, one based not so much on the purity of one’s intentions or precise adherence to a set of specific rules of conduct, so much as an acute awareness of the situation of other people, and a sense of responsibility towards improving their plight. As we will see, this is very much like what has been called an “ethic of responsibility,” a term coined by Max Weber to describe the moral obligations placed on political leaders to see to it that people are taken care of, policies implemented, and results achieved, as opposed to traditional ethics, which refer to rules of conduct. This view was taken by a number of Jewish thinkers—notably Hans Jonas and, more recently, Jonathan Sacks—to describe Jewish ethics more broadly. Although Berkovits rarely uses the term explicitly, it becomes clear that this is his primary approach to human ethics as explained in Judaism beginning with the Bible. He refers repeatedly to “concern and care” as the core not only of God’s revelation but, consequently, of man’s relationship to the world.

Here we are reminded, to some degree, not of Soloveitchik but of another contemporary, Emmanuel Levinas. Like another contemporary Hans

Jonas, Levinas rebelled against the self-focused philosophical teachings of Soren Kierkegaard and, in his own day, Edmund Husserl, under whom he studied in Freiberg, as well as of Martin Heidegger, whom he met also at Freiburg at about the same time that Berkovits was in Berlin. Each in his own way, Kierkegaard, Husserl, and Heidegger responded to the failure of metaphysics by presenting the essence of philosophy as rooted in the enclosed being of the individual self, who can never break outside of himself and who, for that reason, is left with nothing other than a search for his own inner, authentic truth. For Levinas, however, the most fundamental truth is not within ourselves but comes from others—or more precisely, in the ethical imperatives that derive from encountering the “face of the other,” who calls out to us and in so doing provides the basis not only for all morals, but for a privileged kind of thought that is prior and superior to theoretical exploration.

Berkovits, too, looks outside the self for the primary moment of thought, rejecting the search for the self as the be-all of religion beginning with Kierkegaard. As he writes:

Subjectivity is truth, said Kierkegaard, and, of course, he was right. Without vital involvement of the whole human being in it, without living commitment to it, truth is meaningless. Yet, at the same time the principle that subjectivity is truth may also be very wrong.
Kierkegaard’s main concern was the “how” of man’s involvement in truth. He was rather indifferent toward the “what” of truth. He believed that if only the “how” were right, the “what” of truth would follow automatically. In fact, however, personal involvement is not enough. One may be most truly committed to something that is utterly untrue and false. Kierkegaard’s indifference toward objectivity may prove disastrous. Martin Heidegger, in his pursuit of authentic being, ended up in the Nazi camp. The existentialist emphasis on the individual and the personal is important, but it is not enough. Objectivity, too, is needed.\(^\text{18}\)

By “objectivity,” however, Berkovits is not reverting to the speculation of medieval metaphysicians so much as the reality that is outside ourselves, a more empirical or evidentiary objectivity that contains within it a moral truth that must be found without mere recourse to the “authentic” self. All moral action, he writes, “takes place in the midst of people. If one desired to live, one must take cognizance of the nonindividual, the nonpersonal, the other…. Here existentialism is up against something purely objective—the objective givenness of other people….\(^\text{19}\)


\(^{19}\) Berkovits, Major Themes in Modern Philosophies of Judaism, p. 142.
Berkovits, in other words, rejects both the extremes of objectivity and subjectivity, both the preoccupation with theological speculation about religion that dominated religious philosophy for centuries before the modern era, and the preoccupation with the phenomenology of human experience that was modern philosophy’s principal response to it in the twentieth century. As against both of these, Berkovits positions Jewish philosophy in the realm of the encounter between man and his fellow, an encounter modeled after the encounter between God and man, which religion presents as the “paradigm” for the former, a guide and model and source of truth. By zeroing in on the encounter as the starting point of religion, Berkovits sets the stage for a broad exploration of Jewish religion focused primarily on neither inner exploration nor theology, so much as an axiomatic assertion of responsibility and concern for others, one that itself cannot and, from religion’s perspective, need not be proven.

The Present Study

The aim of this dissertation is to explore how this idea of human responsibility finds expression in Berkovits’ philosophy of Judaism. At no point, it is to be stressed, does Berkovits offer a precise and encompassing definition of responsibility. Nor does he deploy the term rigorously or consistently. Yet what emerges from a review of his corpus is an undeniable emphasis on a single, primary fact about Judaism as he understood it, one
that sets him apart repeatedly from other Jewish and non-Jewish thinkers, as we shall see: That regardless of whether we are talking about ethics, theology, phenomenology, law, politics, or simple biblical and Talmudic exegesis, the inner message of Judaism according to Berkovits points always in a direction of improving the human world, alleviating suffering, encouraging life—as opposed to focusing exclusively on the psychological, mystical, or logical realms. At times this inclination is expressed in terms of responsibility or accountability; at others as caring or concern; at still others as a reference to history—but not history in an abstract or metaphysical or Hegelian sense as much as a simple reference to what happens in the real world, and an insistence that man’s role is to advance life and prevent suffering in it.

To this end, the following discussion will focus on three specific areas of his thought, on which he wrote extensively, and whose deepest and most portentous arguments seem to turn on this very concept: (i) morality and halacha; (ii) the purpose of a sovereign state in Jewish collective life; and (iii) theodicy, evil, and the meaning of the Holocaust. In writing multiple books and key essays on each of these subjects, Berkovits sought to address some of the most important historical developments of his time—the creation of the State of Israel, the Holocaust, and the dramatic abandonment of traditional Jewish law by the majority of Jews—developments that not only had a powerful impact on Jewish life, but also triggered extensive debates among Jewish philosophers.
At the same time, these three foci of his writing do not seem to have been chosen solely in response to the events of his day. They are, to a large extent, representative of what he saw as the three central pillars of Judaism itself, including unique approaches to man (morality, ethics, and law); history (exile and the re-establishment of a Jewish state); and God (theodicy, evil, and the Holocaust). It is no coincidence that, in a different order, these three pillars constitute both the organizing principle and the title of his central work, *God, Man, and History*, in which he attempts for the first time to present a comprehensive philosophy of Judaism. In this, he may well be borrowing from the introduction to Franz Rosenzweig’s *Star of Redemption*, which similarly attempted to present a comprehensive view of Judaism as based on three pillars of God, World, and Man. Like Rosenzweig, Berkovits saw in Judaism an alternative to the prevailing trends in philosophy of his day. Berkovits, however, in addition to providing a very different set of answers from those of Rosenzweig, also comes from a radically different intellectual context—that of prevailing Orthodox rabbinic tradition, against which he was, at many points, arguing.

As the present study will show, Berkovits’ main goal was to construct a philosophy of Judaism, grounded in an intuitive and authentic grasp of Judaism’s essential messages as expressed in both biblical and rabbinic texts, that could provide an adequate response both to the traditional rabbinic world in which he was raised and to the prevailing trends in modern
philosophy. “To understand the true nature of religion,” he writes, “we shall look into religion itself. We shall ask Judaism to teach us Judaism.”

To this end, the core idea of human responsibility takes on a crucial vitality, driving his arguments at every turn. In his exploration of Jewish law and morality, we discover an argument that puts the emphasis of Judaism on the consequences of our actions, rather than their intentions, to a degree uncommon in religious philosophy: Morality, we learn, is itself an expression of our sense of caring and concern, according to which we are judged far more by the extent to which we succeed in taking care of others than our success in following a strict set of rules defined solely by faith. In his exploration of Zionism, Jewish sovereignty is understood first of all as not so much a symbol of God’s intervention in human affairs or heralding of the messianic era as a biblically-mandated means through which the Jew is to take care of the overall life of his people. And in his understanding of evil and the Holocaust, we discover a definition of evil that focuses on humanity’s duty to take care of itself in history—his most famous expression of this being his assertion that the first question the religious thinker must ask about radical historical evil is not “Where was God?” but “Where was man?”

What is important to understand in reading Berkovits was that he saw this view not simply as a novel interpretation, or even one that finds modern

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20 Berkovits, God, Man, and History, p. 11.
21 Berkovits, Faith After the Holocaust, p. 7.
resonance, but as a true, authentic, and loyal reading of the biblical and rabbinic tradition. In *Man and God: Studies in Biblical Theology* (1969), Berkovits sets out to explore the true meaning of a range of religious terms, such as “holiness,” “justice,” and the “name of God,” by offering a survey of the use of these terms in the Hebrew Bible, and inducing meaningful definitions of each. What emerges is a whole new approach to central ideas of the Bible, one that focuses heavily on responsibility, history, and the effort to improve the lot of mankind. Therefore we find, for example, that “holiness,” in radical contradistinction to the view presented in Rudolf Otto’s *The Idea of the Holy*, is found not so much in the “mysterium tremendum” of the divine—that is, its radical distance and differentiation from the real world—but in the exact opposite, in those very aspects of the real world in which God is in some sense present, such as the Sabbath, the Temple, and so forth. Similarly “justice” appears in Berkovits’ rendering not so much as an adherence to divinely-asserted rules of equity, so much as “an orderliness, an appropriateness, and a balanced relatedness of all things in nature without which life is not possible... an appropriateness, determined not by abstract consideration, but by the reality of man’s condition and subserving the meaningful preservation of human life.”22 Each of these definitions is not so much asserted as arrived at, after a thoroughgoing examination of the way

these terms are used in the Bible itself—the implication being that they reflect
the true intention of the Hebrew Bible, and therefore the true values of
Judaism.

Jewish tradition is vast and variegated—so much so that terms such as
“authentic,” “true,” or “loyal” sometimes seem difficult to accept as legitimate
categories. This is especially the case in the modern era, when thinkers whom
we rightly describe as “Jewish” nonetheless openly broke with the past in
areas of Judaism that once seemed decisive, especially the area of religious
practice. Such writers drew new conclusions from old sources, knowingly
diverging from tradition both in response to the radical changes that
modernity brought, and in an effort to contribute to those changes
themselves. For his part, Berkovits shunned any effort to declare a radical
break from classical Jewish axioms of faith—even as he occasionally made
such breaks himself, as we will see in the discussion of post-Holocaust
theology. He is not, of course, the first “Orthodox” thinker to make such
breaks; it is not his actual opinions about (for example) personal providence
or Jewish sovereignty that make him Orthodox, so much as the sincere,
consistent, and mostly convincing efforts he makes to portray them as part of
an unbroken tradition.

Questions of authenticity and loyalty are not new; indeed, even among
the books of the Bible, not to speak of the rabbinic tradition, we find frequent
disagreement as to what God wants of us, and what is or is not part of his
message as taught to Moses and the prophets—disagreements that often end up being portrayed solely from the victor’s perspective. Therefore, in what follows, we will not attempt an evaluation of the “authenticity” of his beliefs—not only because it would take us too far from our path to focus on his notion of human responsibility, but because such an evaluation would arguably take us out of scholarship and into crafting religious philosophy itself.

For our purposes in this work, therefore, the issue of authenticity is addressed only insofar as it helps us understand both Berkovits’ beliefs and his argumentative tactics in exposing the role that human responsibility plays in Judaism. Both because of his goals in constructing an “authentic” philosophy of Judaism and his prioritizing of human responsibility and its impact on the real world within that rubric, we discover that even when the results of his views coincided with those of other philosophers or streams of thought to which he is often compared, the core claim of responsibility as the central, authentic theme of revelation often sets him apart, creating a logic that drives his writings in a way that creates fine but decisive distinctions in his thinking. Again, we find this dynamic at play in each of the three areas of our inquiry: In morality and law, Berkovits advocates for the flexibility and evolution of Jewish law in line with changing circumstances; yet whereas other modernizers of Jewish law, such as the Conservative thinker Robert Gordis, looked to modern, enlightenment values as the basis for such change,
Berkovits insisted that the values according to which halacha must adjust itself be found within the biblical and rabbinic traditions, themselves flowing from the same original revelatory content—and thereby keeping Judaism true to itself. In addressing Zionism and the meaning of Jewish exile, Berkovits affirmed Jewish statehood as a crucial and positive development in Jewish religious life, but rejected both the messianic, Hegelian-influenced view of the inexorability of Jewish national redemption propounded by the followers of Tzvi Yehuda Kook, as well as the view of Zionism as a solution to the Jews’ physical plight in exile as offered by the Mizrahi movement, a powerful political movement that emerged as a religious offshoot of Theodor Herzl’s Zionist Organization. For Berkovits, sovereignty provides not the fulfillment of Judaism but rather the conditions necessary (though perhaps not sufficient) for Judaism to begin to be fulfilled as the locus of human responsibility: Only when the Jewish people has full control of its physical, political, and economic life, may they begin to address their purpose as a “holy nation,” an exemplary people through which the world may learn how to live. And in his theological exploration of evil and the Holocaust, Berkovits advocates an answer to the problem of theodicy that looks much like what is known as the “Free Will Defense”—the belief that God allows evil because man cannot be considered free without the possibility of evil—except that while other theologians implicitly place freedom as the core affirmation of humanity, Berkovits sees freedom as itself little more than a necessary condition for something greater
still—human responsibility, which he places as the central purpose not only of human life but of all Creation.

Influences on His Thought

Although this dissertation will focus primarily on an exploration of his ideas as expressed in his writings, and in contradistinction to the Jewish philosophers of his time, a few words about the direct influences on his thought are in order. We may divide these according to rabbinic and philosophical influences.

Berkovits is most widely known as the leading disciple of Rabbi Yechiel Yaakov Weinberg, who was the leading Orthodox rabbi of Germany in the final years prior to the Holocaust and head of the Rabbinical Seminary of Berlin, also known as the Hildesheimer seminary. Berkovits referred to Weinberg as “the Rabbi of my life,” and indeed, of all his teachers, Weinberg is the only one Berkovits consistently referred to, and with whom he maintained contact long after World War II. Through Weinberg, Berkovits learned what he saw as the keys to the proper study of rabbinic tradition and halacha. Specifically, he cites Weinberg’s dedication to conceptual clarity, to grounding his opinions in classic Jewish sources, and his strict dedication to
truth.\textsuperscript{23} Weinberg also showed him the ways in which halacha could change over time in the light of changing circumstances.\textsuperscript{24}

Yet he had other teachers, as well, whose influence was no less evident than Weinberg’s, even if he does not tell us as much explicitly. Of these, probably the most decisive was Rabbi Akiva Glasner, under whom he studied and received rabbinic ordination during his years in Pressburg, and who officiated at Berkovits’ wedding—a traditional symbol of reverence and, presumably, influence. And though Glasner himself left little record of his views regarding the subjects Berkovits wrote about, we do know that he shared a close affinity with his father, Rabbi Moshe Shmuel Glasner, even succeeding him as chief rabbi of Klausenberg. The elder Glasner was renowned for two controversial beliefs in his time—beliefs that find powerful expression in Berkovits’ writings, and which do not have seemed to be emphasized in those of Weinberg, and which, knowing what we know about how rabbinic dynasties tend to function, are likely to have infused Akiva Glasner’s teachings as well and reached Berkovits through him.

One of these is the significance of the Oral Law in understanding Jewish law. Glasner broke with the majority of his contemporaries among the Hungarian rabbinate when he described the Oral Law as inherently designed

\textsuperscript{23} Eliezer Berkovits, “Rabbi Yechiel Yakob Weinberg: My Teacher and Master,” in \textit{Tradition} 8:2, Summer 1966, pp. 5-14.

to enable change in Jewish law in accordance with changing circumstances.

“Thus you see clearly,” he writes in his introduction to the tractate Hullin,

that although the Oral Torah was given over to Moses at Sinai, since it
was not given word for word but only the contents [were given], and it
was not permitted to be written down, this indicates that the will of the
One Who commanded, may He be blessed, was not to make the
interpretation of Torah unchanging, in order that there should not
appear an open contradiction between life and the Torah... so have we
been commanded by Him, may He be blessed, that we ‘should not
depart from the thing (the sages of that generation) tell us either to the
right or left’ --even if they uproot that which was agreed upon until
now.\textsuperscript{25}

Glasner’s words find a clear echo in Berkovits’ own description of the
“breach between Torah and Life” that he saw as the core problem facing
Judaism in our day.\textsuperscript{26} Like Glasner, Berkovits points to the medieval period as
the turning point in the history of Jewish law, when the emergence of written
codes of law rendered Jewish law stiff and unresponsive to the dramatic
changes in Jewish life. “Orthodoxy is, in a sense, halacha in a straitjacket,” he

\textsuperscript{25} Moshe Shmuel Glasner, \textit{Dor Revi’i}, translated by Yaakov Elman, \textit{at}
http://www.math.psu.edu/glasner/Dor4/elman.html

\textsuperscript{26} Berkovits, \textit{Towards Historic Judaism} (Oxford: East and West Library, 1943),
ch. III: “Galut, or the Breach Between Torah and Life—the Real Problem,” pp.
25-36.
wrote in 1974. “Having had to transform the Oral Tora into a new written one, we have become Karaites of this new Written Tora… It was part of the spiritual tragedy of the exile that exactly what halacha in its original vitality and wisdom intended to protect us from has happened.”

These changes, and the extremity of the problem of the breach between Torah and Life that result, reached their peak in the modern era, with the Jewish national revival that would culminate in the establishment of the State of Israel. Here again, Glasner broke ranks with most Hungarian rabbis in embracing Zionism, going as far as attending and speaking at the Zionist Congress in Carlsbad in 1921. In his essay “Zionism in the Light of Faith,” Glasner cites the writings of Nahmanides in his vigorous defense of the Zionist enterprise, not merely as a source of hope for both the relief of Jewish suffering or the coming of the Messiah, but principally as an opportunity and necessary condition for Judaism to find its true expression. He writes:

> It is, therefore, certainly a great and awesome tenet of faith to believe that we will return to the land of our fathers, for only there in the capacity of a free nation [of] inhabitants of the land shall we be able to

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develop and to become a wise and understanding people and a kingdom of priests and holy nation.\textsuperscript{28}

Such a statement reflects a very specific approach not only to Zionism but to Judaism as a whole, in which the fundamental goal of Jewish faith and practice is depicted as the establishment of an exemplary way of life under sovereign conditions. As we will see further on, this unique attitude towards Judaism finds highly developed expression in Berkovits’ writings, and particularly in his discussion of the biblical idea of a “holy nation.” Indeed, while the “Rabbi of [his] life,” Weinberg, was himself a Zionist, Marc B. Shapiro has pointed out that Weinberg’s Zionism tended to be of the more mystical and messianic variety reminiscent of the followers of Kook, and that while Berkovits may have adopted some elements of Weinberg’s Zionism,\textsuperscript{29} it is clear from his writings that he saw a very specific and not especially messianic, if nonetheless religiously earth-shaking, version of Zionism more appealing.\textsuperscript{30}

\textsuperscript{29} Such as, for existence, Weinberg’s refusal to accept the liquidation of the diaspora, as well his as his objection to the immediate re-establishment of the Sanhedrin. On Weinberg’s Zionism, see Marc B. Shapiro, \textit{Between the Yeshiva World and Modern Orthodoxy: The Life and Works of Rabbi Jehiel Jacob Weinberg, 1884-1966} (London: Littman Library, 1999), pp. 177-178.
\textsuperscript{30} See discussion on pp. 121-125 below.
Another possible influence can be found in the thought of Rabbi Hayyim Hirschensohn (1857-1935). Although Berkovits does not quote him, Hirschensohn wrote extensively about the nature of Torah and the possibilities inherent both in the rapid changes brought about by modernity, and in the possibility of re-establishing a Jewish sovereign presence in the land of Israel, in ways that suggest a common discourse and, quite possibly, direct influence. Of particular interest to Hirschensohn was precisely the gap between “Torah and Life” that Berkovits would later see as the most significant obstacle to a reinvigoration and proper understanding of the true teachings of the Torah. As Hirschensohn writes:

For many years people have believed that religion contradicted life, and peace could not be made between them without each of them compromising what was important: the Haredim demanded that life compromise itself for the sake of religion, and the Maskilim demanded that religion compromise itself for life... But in truth, the religion of Israel and life are like twins from birth... The contradictions between Torah and life are seen only by those who did not understand either of them...  

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Hirschensohn focuses the bulk of his efforts to establish Torah as a teaching for life, and as a consequence, something that should continually reapply itself to changing times—especially in an era of potential national sovereignty, in which rabbis would have to learn to apply Jewish law to questions of economics, security, technology, and politics—in contradistinction to the ultra-Orthodox (whom he saw as sacrificing life for religion) and the Maskilim (whom he saw as sacrificing religion for life). But while both thinkers evoke a similar terminology to describe the deepest problems plaguing Judaism, and both of them point to the establishment of a Jewish state as one of the main methods of resolving those problems there seem to be significant differences of emphasis: for Berkovits, for example, the rupture between the two is a problem that has plagued Judaism not just since the emergence of the modern era, but for more than a millennium, dating back as early as the sixth century C.E., when the Talmud was sealed and ceased to be a living document, continually reapplying itself to human life in all its myriad manifestations. As we shall see later on, for Berkovits every branch of Judaism has suffered, in one way or another, from this breach, and in our day faces an unparalleled crisis that is directly traceable to this failure—and which can be resolved only through the re-establishment of a Jewish sovereign homeland, and the reinvigoration of Judaism not merely as a legal system but also as a spiritual, cultural, and moral endeavor.
On the philosophical side, direct influences are less glaring, yet detectable nonetheless. His dissertation, *Hume and Deism*, discussed above, was written under the tutelage of Heinrich Maier, a scholar of Neo-Kantian thought whose expertise included the philosophy of Hermann Cohen, and whose students included Joseph B. Soloveitchik. Although the dissertation does not make explicit reference to Cohen, one cannot escape the sense that Cohen looms large in his motivation to write it. Although Cohen was not a deist, his *Religion of Reason out of the Sources of Judaism* was a bold, far-reaching attempt to demonstrate not only that the kind of “religion of reason” propounded by Hume’s deist opponents was possible, but that Judaism provided the best source of understanding it. Cohen’s work appeared in 1919, and it was reaching the height of its influence just as Berkovits was studying philosophy in Berlin. Indeed, Berkovits’ series of critiques of Jewish philosophers of his time, published in the volume *Major Themes in Modern Philosophies of Judaism* (1974), opens with his extensive assault on Cohen’s philosophy. By writing on Hume’s rejection of the Deists under the aegis of an expert on neo-Kantianism, Berkovits may well have been laying the groundwork for his own refutation of Cohen’s central thesis: Just like the deists in Hume’s time, and like Maimonides and, in Berkovits’ understanding, Saadia, Cohen too sought to demonstrate that true religion is a Religion of Reason, developed within and subsumed under philosophy.
His second adviser was Wolfgang Kohler, one of the key founders and theorists of the Gestalt movement in psychology, who was a member of the philosophy department in the University of Berlin when Berkovits studied there and until Kohler’s opposition to Hitler resulted in his fleeing Germany for the United States in 1934. Unlike the behaviorist and psychoanalytic schools of psychology, Gestalt theory gave primacy to the human experience of psychological realities, and attempted to describe them in their totality rather than reducing them to mechanical causes and effects, isolated phenomena, or self-contained speculation. Although this field seems to have little bearing on Berkovits’ philosophy at first glance, it is important to note that a key element in his epistemology of religion is in the human experience of caring and being cared for, which he applies, at first by analogy and then, further, through the biblical “record of the encounter,” to God’s care for humanity—upon which his entire philosophy of Judaism rests. Although he does not explicate this, by giving such a comprehensive a human experience as “care and concern” the status of a primary datum in understanding religion, in contradistinction to the mechanistic and deductive flow of philosophy, Berkovits was, perhaps, enacting a kind of Gestalt revolution of his own, but as applied to Jewish theology rather than understanding the human psyche.

Looking beyond his immediate teachers and the subjects of his research, we can identify philosophical influences that may shed some
additional light on his writings. Not surprisingly, Berkovits took an interest in philosophical schools that recognized both the limits of reason and affirmed aspects of our humanity that lay outside it—not just David Hume, but also the *leibensphilosophes* such as Friedrich Nietzsche and Henri Bergson. He also drew a connection between the all-encompassing belief in reason and pantheism—because if all truth is contained in reason, then all the universe is united under it—and found himself writing at length against a whole range of thinkers, from John Dewey to Timothy Leary and Aldous Huxley, whom he accused of bringing what he saw as a Buddhistic pantheism into Western religious thought through the back door of philosophy.

Yet to be sure, no discussion of the direct and indirect influences on Berkovits’ thought, will give an adequate account of either the nature or the ambitions entailed in his efforts, which in many cases went far beyond those of his predecessors, and of which only a small, if central, part will be addressed in the present study. We now turn to the first part of our exploration on responsibility, which is perhaps the most glaring from the perspective of modern Jewish philosophy: The field of ethics.
PART 1

MORALITY AND LAW

Introduction: Jewish Law in a Modern World

For nearly two centuries, the institution of Jewish law, or halacha, has sustained withering criticism from religious thinkers who have argued that in submitting to a legalistic outlook, Judaism has abandoned the moral truths that were at the core of the ancient biblical teaching. Following Spinoza, these writers have argued that while the law may once have been necessary for the establishment of the ancient Jewish people, it was already showing signs of wear by the time of the prophets such as Isaiah and Jeremiah, and is certainly not relevant as law today; rather, it is the moral spirit expressed by these prophets that is the eternal message of Judaism. Thus according to Martin Buber, a leading spokesman for this approach, the central problem with the traditional view is that it “transforms the law into a heap of petty formulas and allows man’s decision for right and wrong action to degenerate into

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hairsplitting casuistry,” with the result that “religion no longer shapes but enslaves religiosity.”

Views similar to Buber’s can be said to have reached the height of their influence during the first half of the twentieth century, at a time when modernist beliefs had become so accepted among Jewish religious thinkers that many openly doubted whether Jewish law would even survive the coming generations. In our day, however, a reaction against such extreme positions can be felt throughout the spectrum of Jewish religious belief, a striking example being the platform adopted by the Reform movement in 1999, which broke with its century-long opposition to the application of Jewish law when it called for the “ongoing study of the whole array of mitzvot,” and the renewed observance of classical practices previously abjured by many of the movement’s leaders. As a result, the question of the


importance of the Jewish law, or halacha, has again become relevant in circles well beyond its traditional constituency, necessitating the reconsideration of fundamental questions concerning the nature and function of this law: If an approach to Jewish life based on law is not inherently at odds with the moral demands of the prophets, as some have argued, then what, if anything, is its moral value? Is it possible that the law, properly understood, could itself play an important role in creating the moral personality, and even that most elusive of aims, the moral society?

With such questions in the air, it is well worth a renewed consideration of Berkovits’ writings; he is perhaps the one modern thinker who addressed these questions most directly and systematically, and who for this reason may prove to be the most significant Jewish moral theorist of the last generation.

array of mitzvot and to the fulfillment of those that address us as individuals and as a community. Some of these mitzvot, sacred obligations, have long been observed by Reform Jews; others, both ancient and modern, demand renewed attention as the result of the unique context of our own times.” According to R. Richard Levy, one of the statement’s principal proponents, the use of the term mitzva is a deliberate break with the Reform movement’s past, reflecting a new consensus among Reform rabbis in favor of a more traditional approach to Jewish practice: “The Centenary Perspective [the Reform platform adopted in 1976] would not use the Hebrew word mitzva but only the English word ‘obligation,’ whereas most Reform rabbis and laypeople are trying nowadays to build more and more mitzvot into their lives.” According to Levy, “Reform Jews are much more willing today to rethink Jewish practices that have been taboo for a hundred years.” An earlier draft of the statement also called for a rediscovery of specific practices of kashrut and ritual immersion in a mikveh. Richard Levy, “Is It Time to Chart a New Course for Reform Judaism?” Reform Judaism, Winter 1998, pp. 10-22, 54.
Indeed, his exploration of the nature of Jewish morality spanned half a dozen books and many essays, and offered a comprehensive approach to Jewish faith that includes both respect for the traditional law as a binding norm and a belief in the normative supremacy of the values and vision articulated by the prophets.

This he achieved through a careful examination of the rabbinic and biblical literature, which led him to reach three important conclusions about Jewish morality, each of which will be addressed in turn: (i) That the halacha as presented in the Bible and Talmud is primarily about moral values rather than rules, and that any attempt to reduce it to a fixed set of rules violates its essence; (ii) that Jewish morality, as expressed by the prophets and as impressed upon the halacha, is concerned primarily with the consequences of one’s actions and only secondarily with the quality of one’s reasoning or intention; and (iii) that Judaism understands morality not only as a discipline of man’s intellect or spirit, but no less as an effort which must be incorporated into the habits of his physical being, through the vehicle of law, if it is to achieve its goal of advancing mankind in history.

Perhaps there is no need to say that if Berkovits’ description of Jewish morality is correct, then much of the fire and brimstone poured upon the halacha over many years may have been misguided, and the road may in fact be open for a serious reconsideration of the justifications and desirability of a law-observing Judaism in our own time. But perhaps of equal interest is the
light which Berkovits’ arguments shed on the defense of the law mounted by many of its staunchest adherents in recent years, which the central claims of his philosophy do much to call into question as well. In what follows, we will examine each of these central tenets of Berkovits’ worldview concerning the relationship between Jewish morality and the traditional law—with the hope of showing that, taken together, they may constitute one of the most potentially fruitful philosophies of Jewish morality in recent times; and to suggest that this effort may offer a path towards a more coherent understanding of the Jewish normative tradition.

I. Values in Halacha

In the decades that followed the Second World War, much of Orthodox culture underwent a transformation that the sociologist Menachem Friedman has described as a shift from “life tradition” to “book tradition,” or from a popular religion based on deeply rooted traditional values and norms, in which the scholar was generally limited in his ability to determine practice, to one centered on rules made explicit in the codes of law and in the interpretations of those codes by the rabbis of the yeshivot.36 This shift had its roots in the rabbinical seminaries of Central and Eastern Europe in the early

nineteenth century, but became a dominant social trend only after the Holocaust; at that time, the disruption of centuries of communal life prompted Orthodox leaders to encourage massive yeshiva enrollment, in the hope of rebuilding part of the vast world of Torah scholarship that had been lost. The result was that by the 1970s and 1980s, Orthodoxy had come to be characterized not only by a changed institutional structure, but also by a new normative ethos, based far more on the authority of the written halachic codes and their interpreters.

Although this shift was by no means uniform throughout Orthodoxy, a few general points have been observed in describing it. The first is that authority in determining Jewish practice, once given principally to family and communal traditions and only secondarily to the learned elites of the yeshivot, shifted decisively in favor of texts, particularly codes of law, and therefore to the yeshivot where they are studied. The second was a new tendency towards stringency in halachic ruling—what Judaic scholar Lawrence Kaplan has described as an “ethos of humra” (i.e., an ethos of stringency), predicated on the asceticism characteristic of yeshiva life, as well as a belief in strictness as a kind of moral training. Third, Jewish practice to a great degree lost its internal hierarchy of values, which was displaced by a

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new tendency to view all halacha, down to the most minor of prohibitions, as possessing equal importance. As a result of these changes, a new Orthodox norm has emerged that is quite different from what prevailed a century ago, in which value distinctions within the halacha have largely collapsed, and the rule of texts has, for the most part, prevailed.

Berkovits’ writings represent the first and most concerted attempt by an Orthodox writer to resist these trends. The thrust of his argument is that the halacha, although a legal system, is nonetheless a fluid one governed by a fixed set of moral values; accordingly, it has always evolved, allowing change whenever particular rules, including biblical prohibitions, were understood to be in conflict with Judaism’s own larger goals. To demonstrate this, Berkovits

38 Cf. Michael K. Silber, “The Emergence of Ultra-Orthodoxy: The Invention of a Tradition,” in Wertheimer, Uses of Tradition, pp. 49f. This leveling effect may be seen as a response to the perceived threat of the non-Orthodox movements, whose allure may have been seen as particularly strong at a time when large, uprooted Jewish populations were coming ashore to a New World in which these movements had established a successful base; since the threat came from those who rejected the binding nature of halacha, many Orthodox leaders responded by making adherence to halacha per se, rather than a complex of traditional value judgments, the overriding value.

39 The most important account of the change is that of the historian Haym Soloveitchik, whose essay “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy” created a minor tempest in Orthodox circles when it first appeared. The essay was published in Tradition 28:4, Summer 1994, pp. 64-130. In addition to this as well as the sources cited above by Friedman, Kaplan, and Silber, see Menachem Friedman, “The Lost Kiddush Cup: Changes in Ashkenazic Haredi Culture—A Tradition in Crisis,” in Wertheimer, Uses of Tradition, pp. 175-186; Jack Wertheimer, A People Divided: Judaism in Contemporary America (New York: Basic Books, 1993), pp. 114-233.
wrote a number of works on the nature of Jewish law, the best known of which is *Not in Heaven: The Nature and Function of Halacha* (1983). In this work he describes what he calls the “priority of the ethical” in halacha, by which he means a flexibility built into the law to allow for the fulfillment of higher moral principles. One such principle is that of human dignity (*kevod habriot*), the application of which ranges from preserving the physical modesty of men and women to protecting the honor of the disadvantaged. According to the Talmud, the preservation of human dignity overrides all rabbinical regulations, as well as some biblical commands. Moreover, Berkovits cites a number of cases in which the principle of human dignity inspired legal innovation. The Talmud cites the ordinances concerning funeral rites, in which rabbinic leaders obligated wealthy families to adopt the standards of the poor, who could not afford fancy coffins and shrouds, in order to allay the latter’s shame. Another such value is the “ways of peace” (*darkei shalom*), the desire to prevent needless conflict both within the Jewish community and between Jews and gentiles. While the principle of the “ways of peace” is not

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given the same legal weight as human dignity, the rabbis nonetheless felt it to be a fundamental principle, as expressed by the late amoraic statement that “the Torah in its entirety exists for the sake of the ways of peace.” Berkovits cites additional principles which drive and at times override provisions of the halacha, including economic efficiency, public safety and common sense (sevara). The concern for such overarching values afforded the rabbis a remarkable degree of exegetical freedom, which—at least at some stages during the development of the halacha—permitted them to alter or even abrogate the practice of certain laws specified in the Bible. Occasionally this was done through technical innovations to circumvent the law, such as the institution of prozbul, a rabbinic writ enabling the extension of monetary loans beyond the sabbatical year despite a biblical injunction to the contrary.

43 See Mishna Gitin 5:8, and the discussion in Gitin 59b. The Tosefta relates that “because of the ways of peace,” Jews are obligated to support the poor of the non-Jewish communities, to visit their sick, and to bury their dead “as one buries the dead among Jews.” Tosefta Gitin 3:18. Berkovits, Not in Heaven, pp. 25-26.

44 Berkovits, Not in Heaven, pp. 3-32.

45 The question of whether the cancellation of loans was still considered to have biblical status at the time of Hillel is debated in the Talmud. According to the opinion of Abaye, which was later accepted as halacha, Hillel acted under the assumption of the position of R. Yehuda Hanasi (who lived about two hundred years after Hillel), according to which the cancellation of loans no longer was considered a biblical commandment. This was somewhat difficult, since R. Yehuda Hanasi’s position was itself a minority opinion when he held it, and thus for Abaye’s claim to be historically accurate would
frequently, however, we find the plain intention of the biblical institution ignored. Berkovits cites a number of laws which, while explicit in both letter and spirit in the Torah, were either restricted beyond applicability or simply excised from the practical halacha: The case of the “stubborn and rebellious son” who, because of his vile and uncontrolled ways, is seen as deserving of death; the “city led astray” which is to be destroyed utterly because it has fallen to the temptation of public idolatry; or the “forty lashes” which the Torah prescribes as punishment for certain crimes, but which under the rabbinical interpretation are never to be carried out in full. In these and similar cases, what Berkovits calls the “halachic conscience” has been called in to amend the law for the sake of a higher moral principle. In some instances the rabbis explicitly cite the general moral verses of the Bible, such as “And

require that the prozbul have been a matter of contention for at least two centuries, a dispute of which we would expect to have some record. For this reason, perhaps, Abaye’s position is disputed by Rava, who holds that Hillel was empowered to act even in contravention of a biblical institution. Gitin 36a-36b; see Rashi ad loc.

Two latter-day parallels to this are controversial, yet widely accepted: The heter iska, which enables Jewish-owned banks to lend and borrow money at interest despite a strict biblical prohibition on charging or paying interest; and the heter mechira, which allows Jewish farmers in Israel to circumvent the prohibition on farming during the sabbatical year by allowing them to temporarily transfer ownership of the land to non-Jews.

46 Berkovits, Not in Heaven, pp. 21-22, 30-32.
you shall do that which is right and good in the eyes of the Eternal your God.”

In others, no source was considered necessary to justify such steps.

Why did the rabbis allow themselves such a degree of flexibility in interpreting the law, if it is divinely revealed? According to Berkovits, such flexibility is central to the nature of the oral tradition. As he writes in *Crisis and Faith* (1976):

> Every written law is somewhat “inhuman.” As a code laid down for generations, it must express a general idea and an abstract principle of what is right, of what is desired by the lawgiver. But every human situation is specific and not general or abstract…. The uniqueness of the situation will often call for additional attention by some other principle which has its validity within the system.

According to Berkovits, the written Torah cannot and does not advertise itself as an exhaustive handbook of Jewish living. Rather, it presents laws together with moral values, and then depends on an oral tradition to derive, express and apply these principles to the realities of human life. The role of the scholar is to internalize these values and translate them into functional rabbinic precedent, through what Berkovits calls the “creative boldness of application of the comprehensive ethos of the Torah to the case.”

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47 Deuteronomy 6:18.
Through a living oral tradition, the scholar of Torah gives the written law its applicability, makes it relevant for the life of his generation, and thereby redeems it from irrelevance and inhumaness: “The written law longs for this, its redemption, by the oral Torah.”\(^{48}\)

For this reason, in ancient times it was strictly forbidden to put the oral teachings into fixed, written form—a prohibition breached only reluctantly in the second century with the redaction of the Mishna by R. Yehuda Hanasi, when conditions of exile endangered the continued transmission of the oral law. However, as the exile deepened over the centuries, the need for increasingly concrete written representations of the halacha was felt, and the precedent set by the Mishna was repeated and expanded until, during the medieval period, the oral law was for the first time translated into the systematized written codes which are now understood to form the core of practical halacha. Today, codes of Jewish law have become central to yeshiva study; most rabbinical programs focus not on study of the Bible or Talmud, which contain mostly literary material or non-decisive legal discussions, but on the perusal of codes of law such as R. Jacob ben Asher’s *Arba’a Turim* and R. Joseph Karo’s *Shulhan Aruch*, and commentaries on these codes such as Karo’s *Beit Yosef* and R. Yisrael Meir Kagan’s *Mishna Brura*—the assumption being that through these will the student learn how to render proper halachic

decisions when called upon.\footnote{49 By “codes” I am referring to lists of rules such as those composed beginning in the medieval period. This is as opposed to works of the oral law which are not codes: The Talmud and its commentaries comprise a collection of discussions and disputes; in general, the study of Talmud in the yeshiva is frequently understood to be a separate subject of study from “halacha,” which focuses mostly on the legal rulings beginning with the Arba’a Turim and continuing through the centuries to our own day. While both subjects are considered crucial for the aspiring talmid hacham, it is the study of halacha which constitutes the immediate basis on which rabbis are to make their decisions.} Thus the recent shift in Orthodoxy towards an emphasis on “book learning” can be seen, in a way, as the extension of a trend that has spanned many centuries.

In Crisis and Faith, Berkovits reviews this history with no small measure of discomfort. In his view, this gradual transformation of the oral tradition into a written one was a “calamity,” representing a “violation of the essence of halacha.”\footnote{50 Eliezer Berkovits, “The Concrete Situation and Halacha,” in Berkovits, Crisis and Faith, pp. 93-96. The essay originally appeared as part of an essay on the subject of conversion in Jewish law. Eliezer Berkovits, “Conversion ‘According to Halacha’—What Is It?” Judaism 23, 1974, pp. 467-478.} While he admits that owing to the Jews’ historical predicament, there may not have been any alternative (as some of the codifiers maintained in their own defense), Berkovits nonetheless views the codification of the oral law as a blow to the traditional goals of Jewish law itself. Echoing the criticism leveled against the codes when they first appeared in medieval times, Berkovits sees them as violating the purpose of an oral tradition by reducing what is supposed to be a system of values, the
application of which necessarily eludes precise and permanent delineation, to a set of rules. What was once “halacha”—literally, a *way* of living—became a complex code which circumscribes life but cannot capture its most essential contents. The kind of approach to Jewish life that emerged as a result, and became dominant in Orthodoxy in Berkovits’ lifetime, was the shadow of what had once been a dynamic, creative approach to life.

Berkovits does not argue for the abolition of the *Shulhan Aruch*. He accepts the premise that the halacha is a binding system of law, and that, as with any legal system, one must for the sake of the integrity and stability of the law be willing to preserve time-worn precedents. In this regard, Berkovits is no revolutionary. But by reviving the debate over the effect of the legal codes, he is nonetheless raising the banner for a reconsideration of the way halacha is understood. If the codification of the halacha was a necessary response to the trials of destruction and exile, then the law books which have come to be identified so fully with Orthodoxy are in some important sense alien to the law. Even if they are helpful in assisting a student to review or to organize the halacha, they are of limited value in allowing him to understand, internalize, and ultimately live the values that are the law’s essence. For this reason, Berkovits called for a revision of the way Orthodox rabbis are

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51 In his proposal for the creation of a new type of rabbinical education, Berkovits includes the study of codes of Jewish law, which he understood as binding in nature. Eliezer Berkovits, “A Contemporary Rabbinical School for Orthodox Jewry,” *Tradition* 12:2, Fall 1971, pp. 5-20.
educated, in order to foster a rabbinic type that would more closely resemble the creative, erudite thinkers of the Talmud. This, he hoped, would lead to a regeneration of the vital and dynamic character of the law.\textsuperscript{52}

Berkovits is not the only scholar of halacha to insist on the flexibility of the law. Such efforts have become especially popular in recent years, particularly among scholars of the Conservative movement; indeed, some of their arguments resemble Berkovits’ quite closely.\textsuperscript{53} Yet there is a significant difference between Berkovits’ effort and that of these other scholars, which concerns the nature of the values which justify change. Underlying much of the argument of non-Orthodox scholars is an effort to justify change as part of

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\textsuperscript{53} Louis Jacobs, for example, a leading thinker of the Conservative stream in Judaism, dedicates a chapter of his \textit{A Tree of Life} to cataloguing instances in which the talmudic rabbis altered the import of the biblical law, in a discussion reminiscent of Berkovits’ opening chapters in \textit{Not in Heaven}. Jacobs also writes that “Change is never engaged for its own sake, and there is a proper appreciation of the great caution that is required if continuity is to be preserved. But where halacha as it is at present practiced results in the kind of injustice that reasonable persons would see as detrimental to Judaism itself, frank avowal that there must be changes in the law is called for.” With the possible exception of Jacobs’ “reasonable persons” test, this is a statement with which Berkovits might wholeheartedly agree—even if they may disagree on how this would be carried out in practice. Louis Jacobs, \textit{A Tree of Life: Diversity, Flexibility, and Creativity in Jewish Law} (London: Littman Library, 2000), pp. 34-41, 220-221. Other examples are: Moshe Zemer, \textit{Evolving Halacha: A Progressive Approach to Traditional Jewish Law} (Woodstock, Vt.: Jewish Lights, 1999); Robert Gordis, \textit{The Dynamics of Judaism: A Study of Jewish Law} (Bloomington: University of Indiana, 1990). In all these cases, the demonstration of the evolution of halacha over time at the initiative of the rabbinic establishment is taken to be proof of halachic flexibility.
an ongoing evolutionary process resulting from the continuous encounter between tradition and the evolving needs of the individual or society. In the words of Louis Jacobs, a prominent Conservative thinker: “The ultimate authority for determining which observances are binding upon the faithful Jew is the historical experience of the people of Israel”—meaning that history brings new situations before the Jewish people, and halacha must evolve accordingly.\textsuperscript{54} Robert Gordis, another leading scholar of the Conservative movement, expresses a similar belief when he writes that “tradition constitutes the thesis, contemporary life is the antithesis, and the resultant of these two factors becomes the new synthesis. The synthesis of one age then becomes the thesis of the next; the newly formulated content of tradition becomes the point of departure for the next stage.”\textsuperscript{55} In these and similar writings, the emphasis is upon change as a response to new challenges posed by the flow of history, with little attempt to spell out exactly what are the eternal values, if any, that the openness to change is ultimately intended to preserve. Change is a product of the fluid encounter between the Jewish

\textsuperscript{54} Jacobs, \textit{Tree of Life}, p. 230. Jacobs’ \textit{A Tree of Life} is a well-researched study on the flexibility of halacha in the face of many different types of considerations: Ethical, historical, philosophical. What is missing, however, is any effort to develop a theory which unites these extra-halachic factors—in other words, which can serve as the basis for a coherent theory governing the development of halacha. As such, \textit{A Tree of Life} is typical of the historical school which he represents, and which Berkovits rejects.

people and history, and therefore it does not follow any clear pattern; it is as variegated as history itself. As a result, it often becomes difficult to tell from these writings whether the need for change is determined through reference to principles that are themselves found within the Jewish tradition, or whether it is derived from somewhere else.\textsuperscript{56}

From Berkovits’ standpoint, this view is hard to reconcile with the moral message of the prophetic texts. These were clearly meant to deliver a message whose importance rested not in its success as a “synthesis” between the traditional and the contemporary, but precisely in its ability to transcend the changing attitudes of history. Indeed, according to the Talmud it was the criterion of eternal validity that determined whether a given text was included in the biblical canon in the first place.\textsuperscript{57} Instead, Berkovits understands change in halacha to reflect the careful, incremental adjustment of legal means to further moral ends that are themselves intrinsic to Judaism and unchanging. These moral ends are not an external “antithesis” with which the tradition must come to terms by changing its internal content in keeping with them; they are themselves the moral core of the same revealed message from which the law receives its authority. Commenting on the statement of the medieval Jewish thinker Judah Halevi that “God forbid that

\textsuperscript{56} See, for example, Zemer, \textit{Evolving Halacha}, pp. 44-57.

\textsuperscript{57} Megila 14a.
there should be anything in the Torah that contradicts reason,” Berkovits writes:

The rabbis in the Talmud were guided by the insight: God forbid that there should be anything in the application of the Torah to the actual life situation that is contrary to the principles of ethics. What are those principles? They are Torah principles, like: “And you shall do that which is right and good in the eyes of the Eternal”; or “Her ways are ways of pleasantness, and all her paths are peace”… or “That you may walk in the way of good men, and keep the paths of the righteous”….

While the law may change, the values which underlie it do not; on the contrary, the purpose of change is to permit the continued advancement of the Bible’s eternally valid moral teaching under new conditions.

This difference is felt in the way in which Berkovits levels his criticism of prevailing halachic practice. Berkovits believed that the halacha had ossified to the point of inflicting real damage on some of its own moral ends—two significant examples being the status of women in Orthodox life.

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58 Berkovits, Not in Heaven, p. 19. The verses cited are Deuteronomy 6:18, Proverbs 3:17, and Proverbs 2:20. Cf. Zemer, Evolving Halacha, p. 49; Zemer cites only the first part of Berkovits’ statement, that halacha may not contradict “ethics,” but leaves out the continuation in which he describes the ethical principles as based within the Torah itself. For a more faithful representation of Berkovits’ position, see Jonathan Sacks, Crisis and Covenant: Jewish Thought After the Holocaust (Manchester: Manchester, 1992), pp. 162-167.
(particularly with respect to marriage and divorce law), to which he dedicated two full books; and the question of conversion standards, the increasing stringency of which was, in his mind, contributing to the dissolution of the unified Jewish people.\textsuperscript{59} At the same time, however, the values Berkovits invokes are consistently those found in the biblical and rabbinic literature. When calling for a reconsideration of the status of women in Jewish law, for example, Berkovits shies away from Enlightenment concepts such as liberty and equality, and instead invokes classical Jewish concepts such as human dignity, the protection of the innocent, and the covenantal symbolism which the institution of marriage is supposed to entail, in order to conclude that “we have reached a juncture at which the comprehensive ethos of the Torah itself strains against its formulation in specific laws.”\textsuperscript{60} In his theological writings, as well, Berkovits assumes that the Jewish tradition is driven by a set of moral values inherent to and derived solely from within that tradition. His Man and God: Studies in Biblical Theology is an extensive and meticulous work dedicated


\textsuperscript{60} Berkovits, Crisis and Faith, p. 121.
to teasing out the essential moral principles of the Bible by analyzing its use of
terms such as “holiness,” “justice,” and “truth.”

Berkovits’ emphasis on values rather than rules, and the kinds of change which such an approach implies, earned him no small amount of criticism from an Orthodox establishment that was, and continues to be, in the midst of a dramatic shift in the opposite direction. Yet his account of the oral tradition resolves a number of difficulties which the more conventional accounts are at pains to address. For example, a salient feature of the Talmud is its interweaving of legal discussions into a single text with the anecdotal and legendary materials known as agada. From the structure of the Talmud, it appears as though the halacha and agada were originally studied together, as a single subject. But if the halacha is essentially a set of rules rather than values, there is no obvious reason why the Talmud (or the Torah, for that matter) should ever have mixed together two essentially unrelated literary forms. Indeed, the logic of separating them is sufficiently compelling that Maimonides and the other codifiers found no difficulty in doing away almost entirely with the agada in composing their legal works; similarly, it is common practice in most yeshivot today to skip over the agadic passages of


62 See, for example, Jonathan Sacks, Crisis and Covenant, p. 167. Sacks does not present a justification for his opinion.
the Talmud, on the assumption that they have no important bearing upon the halachic discussion.

Yet if, as Berkovits insists, the rules of the halacha are merely one reflection of a set of higher moral principles, and the rules alone cannot suffice to provide the content of these values, then the interspersion of agadic material becomes reasonable, for it is in the tales and aphorisms of the rabbis that these moral principles are presented as part of an actual life full of unique situations; it is these stories that permit the student of halacha to study the application of values in complex, living circumstances, in a way that the study of a cut-and-dry legal code never can. If the institutions of Sabbath and prayer, to take two examples, are not merely about following a particular set of rules, but in fact aim at creating a certain type of devotional experience of which the rules are only a part, then the many agadot which appear in the talmudic tractates of Shabbat and Brachot, and which are rich in theological statements about the nature of these institutions, constitute a crucial alternative path for understanding how to live them.⁶³

Another difficulty which Berkovits’ model addresses is the relation between the prophetic and halachic texts. It is no secret that inasmuch as the halacha, narrowly understood, has become the focus of the yeshiva world, it has been at the expense of study of the Bible, particularly the books of the prophets. Like the agada, the biblical stories and prophetic teachings appear to add little to one’s understanding of a rule-driven law; in several places the Talmud even prohibits the deduction of laws from prophetic texts. Yet from the standpoint of the tradition taken as a whole, the reduction of the prophets’ status on the part of the Orthodox is a difficult pill to swallow: The rabbis of the Talmud not only possessed an encyclopedic grasp of the prophetic writings, as is evidenced by their extensive citation of them; they also underscored the importance of the prophetic books through various halachot aimed at preserving their sanctity (such as the public reading of the haftara on

Berkovits is not the only modern Jewish thinker to declare the essential nature of the agadic passages of the Talmud. However, usually this claim is made by those who do not accept the binding nature of the halacha, and therefore do not view the central purpose of the agada as contributing to the integrity of the system of halachic values, but to an overall understanding of Jewish morality independent of halacha. See, for example, Abraham Joshua Heschel, God in Search of Man (New York: Noonday, 1996), pp. 336-337; there Heschel describes the agada as necessary for giving man his ultimate direction, whereas halacha provides a specific, non-legal norm. (Indeed, one may see in the entire emergence of liberal Judaism beginning in the nineteenth century little else than a broad affirmation of the prophets and agada, at the expense of the halacha.)

64 “We do not learn out words of Torah [i.e., halacha] from words of the received [i.e., prophetic] tradition.” Baba Kama 2b; cf. Rashi ad loc., s.v. divrei kabala; Hagiga 10b; Nida 23a.
the Sabbath, or the declaration that scrolls containing books of the Bible “defile the hands”), as well as through detailed midrashic commentaries on many passages throughout the Prophets and Writings. The deepest secrets of the Torah are understood by the rabbis to be contained within the opening chapters of the book of Ezekiel, whereas the book of Esther is said to contain the key to understanding the Jews’ covenant with God. If the teachings of the prophets are so irrelevant to living a proper Jewish life, as may be inferred from their place in the yeshiva curriculum, why were the rabbis of the Talmud so concerned with them?

From the perspective suggested by Berkovits, there is no necessary separation between “prophetic” and “rabbinic” Judaism, for the thrust of both is moral. The rabbis were no less concerned with the cause of morality than were the prophets, and Berkovits is not exaggerating when he casts them as

65 The rabbis decreed that biblical texts, but not apocryphal or post-biblical ones, had the status of “defiling the hands,” i.e., causing ritual impurity. The purpose of this seemingly counterintuitive law was more practical than symbolic: To prevent the storage of these texts together with the food of the Priests, which had to be eaten in purity, and thereby to protect the scrolls from the rodents which tended to roam in areas where food was stored. Nonetheless, a debate ensued over which of the biblical books defile the hands and which do not, a discussion clearly meant to establish the relative sanctity of the different books. Shabbat 13b; cf. Mishna Yadaim 3:4; Tosefta Yadaim 2:14; Megila 7a.

the prophets’ moral heirs. If there is a great difference between prophetic and rabbinic texts, it is due not to a diminution of the status of morality, but to its incorporation into an oral law charged with fashioning a formal normative system for a people living in dispersion. This does not mean that there were no real differences between the way the prophets understood the normative content of the Jewish law and the way it was understood by the rabbis. What it does mean is that the popular view of the rabbis as dedicated principally to the preservation and process of ritual laws, and only secondarily to moral principles, is the reverse of the truth; and that there need be no contradiction between a commitment to the halacha as a binding law and a belief in the primacy of morality in determining the content of that law. The moral realm is not only a part of the halachic tradition. It is its driving spirit.

II. Consequences vs. Intentions

Nowhere in his writings did Eliezer Berkovits offer us a systematic treatise on the nature of Jewish morality, as considered separately from halacha. Yet his writings are infused with a distinctive set of assumptions that amount to a systematic rejection of the Kantian style in ethics, which, with its nearly exclusive focus on purity of intention, has characterized the thought of

Berkovits, Towards Historic Judaism, p. 102.
almost every major writer on Jewish morality of the last century. The Jewish perspective, according to Berkovits, is not concerned with the attempt to identify absolute principles which should inform our intentions, for it is not primarily concerned with intentions at all. From Berkovits’ perspective, what is important is not intentions, or even “actions” as such, as much as the consequences of action. The moral values which stand behind the writings of the prophets and the rabbis are, in other words, an attempt to describe a desired state of human affairs within the world, the achievement of which is the aim of moral behavior.

This belief plays an especially prominent role in his halachic writings. One of Berkovits’ goals in writing Not in Heaven is to demonstrate that the halacha not only accepts the priority of the moral, but also, as a consequence, constantly concerns itself with what he calls the “wisdom of the feasible” — the willingness to accept change in the legal order when this is necessary in order to avert undesirable social consequences such as shame, injustice, waste, physical danger, or communal strife. Citing the talmudic dictum “what is possible is possible, what is impossible is impossible,” Berkovits brings a number of cases in which the Jewish norm is determined not according to a strict application of abstract principle, but according to the “possible”: That which can be reasonably expected to bear successful application, as measured by its consequences.
One example is the talmudic principle of “the end was permitted on account of the beginning,” according to which emergency personnel, who are permitted to travel on the Sabbath in order to save lives, are allowed to return home on the Sabbath as well, even after the risk to life has passed, when in principle they should be required to remain where they are. Because of the concern that doctors, midwives, or firefighters would hesitate to take the steps necessary to save lives because of the prospect of being stranded until nightfall, the rabbis allowed continued travel even after the mission had been completed, in order to achieve the desired result of saving lives. Another example concerns the willingness of the rabbis to add an extra month to the Jewish calendar—with the consequence of delaying the observance of biblically prescribed holy days—for the purely practical reason of avoiding the difficulties of conducting Passover too soon after the winter rains. Flexibility in halacha is displayed primarily in an effort to bring about desirable social results, or to prevent undesirable ones.

Similarly, Berkovits’ theological writings consistently emphasize the consequential side of prophetic morality. In the essays of Man and God, not only are overtly moral terms such as righteousness (tzedek) and charity

68 Mishna Rosh Hashana 2:5; Beitza 11b; Berkovits, Not in Heaven, p. 12.

69 “Because of the roads, because of the bridges, because of the ovens for roasting a paschal lamb, and because of the Jews who left their homes in Exile but have not arrived yet.” Sanhedrin 11a; Berkovits, Not in Heaven, pp. 12-13.
(tzedaka) understood to be addressing the actual achievement of good, as opposed to one’s intentions with respect to others; even terms which relate principally to the divine realm, such as the “spirit” of God or the notion of “holiness” (kedusha), are shown, convincingly, to refer to God’s actions or representation as they are reflected in their consequences within the historical world. Not surprisingly, this position is most vividly spelled out in Berkovits’ explanation of the biblical idea of “justice” (mishpat). Berkovits’ reading of the biblical text presents justice as concerned primarily with the bringing about of a just state of affairs, rather than possessing “just” intentions or adhering to “just” maxims; conversely, when justice is not done, it reflects not a violation of an absolute rule, but a betrayal of the actual widow, orphan, or oppressed, whose relative powerlessness has made them incapable of defending their righteousness.  

Through a careful analysis of the biblical applications of the term mishpat and its cognates, Berkovits develops a larger understanding of justice built not on absolute ideals but on a divinely sanctioned notion of “an orderliness, an appropriateness, and a balanced relatedness of all things in nature without which life is not possible.” The prophetic demand for justice is

70 As Berkovits points out, there are even cases in which the word mishpat leans so heavily to the side of consequences that it cannot even be reasonably translated as “justice” at all, but rather as “deliverance” — as in the verse “The Eternal therefore judge, and give sentence between me and you, and see and plead my cause, and deliver me (v’yishp’teni) out of your hand.” I Samuel 24:16, quoted in Berkovits, Man and God: Studies in Biblical Theology, pp. 232-233.
thus understood as a call for the establishment of a just order within the
world. Justice is, in Berkovits’ words, “an appropriateness, determined not by
abstract consideration, but by the reality of man’s condition and subserving
the meaningful preservation of human life…. Justice is done not that justice
prevail, but that life prevail; it is done out of concern with a concrete situation,
in which life is endangered and calls for its salvation.”71

To understand the significance of Berkovits’ approach, it is instructive
to contrast it with the powerful existentialist movement that had come to
dominate Jewish philosophy by Berkovits’ time, and which continues to set
the tone for much of Jewish philosophy today. Inspired by the iconoclastic
thought of Soren Kierkegaard and Franz Rosenzweig, many Jewish thinkers
in interwar Germany turned away from the abstract ideals which were the
focus of earlier German thought and instead turned their attention to the
examination of the individual consciousness, out of the belief that only
through such an “empirical” approach could they achieve a reliable
philosophical understanding. In discussing the religious experience, thinkers
such as Martin Buber and Abraham Joshua Heschel employed the classical
Jewish sources with the aim of studying the religious experience of the
individual, such as prophecy or mystic ecstasy.72 When dealing with ethics,


72 Martin Buber, one of the outstanding examples of this approach, undertook
an extensive study of Hasidic thought to demonstrate the religious truths
they tended to translate the moral teachings of the Jewish texts into an
emphasis on “deeds” — ethical actions which derive their obligatory nature
from one’s consciousness of God and of other people. However, while their
appreciation for the concrete over the abstract brought them to an emphasis
on actions, it is a natural result of their subjectivistic outlook that the “deed”
was seen and judged primarily from the inside, as something which draws its
importance and relevance principally from its place in the world of the acting
subject: Either as a tool for the development of desirable qualities within the
individual, or as part of a desirable pattern of individual living. The result is
that while the existentialists paid greater attention to the importance of
actions than did their German-idealist predecessors, they retained the latter’s
rejection of consequences as a valid consideration in determining whether an
action is moral. On the contrary, the weighing of consequences was
understood to be a violation of the purity of intentions, which continued to be
viewed as the essence of morality.

inherent in the movement’s spiritual approach. Abraham Joshua Heschel and
Joseph B. Soloveitchik used similar means to spell out the experience of the
prophetic type (Heschel), or of the “halachic man” (Soloveitchik), a type
whose perception of the world is seen through the prism of the law. Cf.
Martin Buber’s many Hasidic works, notably Martin Buber, Hasidism and
and Martin Buber, The Origin and Meaning of Hasidism, trans. Maurice
Friedman (Atlantic Highlands, N.J.: Humanities, 1988); Abraham Joshua
Heschel, The Prophets (New York: Harper Torchbooks, 1962); Joseph B.
Soloveitchik, Halachic Man, trans. Lawrence Kaplan (Philadelphia: Jewish
Publication Society, 1983).
An extreme example of this position is found in Buber’s ethical writings. In a collection of his early essays entitled *On Judaism*, Buber argues that morality in Judaism, like ethics according to Kant, is predicated on the idea of “unconditionality”: That moral actions must be taken with the perfect intention of doing what is right, without regard for external consequence:

Not the matter of a deed determines its truth but the manner in which it is carried out: In human conditionality, or in divine unconditionality. Whether a deed will peter out in the outer courtyard, in the realm of things, or whether it will penetrate into the Holy of Holies is determined not by its content but by the power of decision which brought it about, and by the sanctity of intent that dwells in it…. Unconditionality is the specific religious content of Judaism.\(^{73}\)

Deeds that are performed in “conditionality”—that is, with regard for their consequences—are in Buber’s mind impure, sullied in the “lowlands of causality.”\(^{74}\) While actions certainly have consequences, these consequences

\(^{73}\) Buber, *On Judaism*, p. 87.

\(^{74}\) Buber, *On Judaism*, p. 114. Buber is aware of how difficult a goal this is. In his essay “The Holy Way,” Buber bemoans the difficulty of preserving the purity of the deed, and of creating a community based on unconditional deeds:

It is its [the deed’s] nature to point beyond itself. No matter how free its intention, how pure its manifestation, it is at the mercy of its own consequences; and even the most sublime deed, which does not waste so much as a glance at the lowlands of causality, is dragged into the
are so intricately woven within the vast fabric of causality that man cannot hope to fathom them. However, when man purifies his intentions and ignores the conditions of the world, his actions “affect deeply the world’s destiny.” It is the goal of the Jew, therefore, to work to purify his intentions, so that he may perform that which is right purely because it is so. A similar position is offered in Buber’s 1952 essay “Religion and Ethics,” where he defines ethics to mean

mud as soon as it enters the world and becomes visible. And the deed concerned with the growth of the true community especially has everything lined up against it: The rigorism of the habitual traditionalists and the indolence of the slaves of the moment, yet equally a rash doctrinairism and irresponsible disputatiousness; miserly egotism and untractable vanity, yet also hysterical self-effacement and disoriented flurry; the cult of the so-called pure idea, hand in hand with the cult of so-called realpolitik. In addition, it is opposed by all the established forces that do not wish to be disturbed in the exercise of their power. All these forces rage in a clouded and beclouding whirlwind around the lonely and dedicated individual who boldly assumes the task of building a true community—and with what materials! There is no undefilable perfection here; everywhere the impure challenges the pure, dragging it down and distorting it; all about him gloating derision apprises the heroic victim of his futility, and the abyss pronounces its inexorable sentence on the dying to whom victory is denied. (Buber, On Judaism, p. 114)

75 “It is Judaism’s basic tenet,” Buber writes, “that the deed as an act of decision is an absolute value. On the surface it may seem that the deed is inescapably set into the unyielding structure of causality, whose rules determine its impact; in fact, however,… when it remembers its divine goal, when it extricates itself from all conditionality and walks by its own light—that is, the light of God—it is free and powerful…. Buber, On Judaism, p. 67.
the “yes” or “no” which man gives to the conduct and actions possible to him, the radical distinction between them which affirms or denies them not according to their usefulness or harmfulness for individuals and society, but according to their intrinsic value and disvalue. We find the ethical in its purity only there where the human person confronts himself with his own potentiality and distinguishes and decides in this confrontation without asking anything other than what is right and what is wrong in his own situation.76

Similar sentiments are found in the writings of Abraham Joshua Heschel, despite his many differences with Buber. Like Buber, Heschel emphasizes the importance of ethical action taken in purity of intention as the focus of religious life. Heschel’s ethical vision is guided not by the careful weighing of consequences, but by an ideal of “piety” which focuses on

76 Martin Buber, “Religion and Ethics,” in Martin Buber, The Eclipse of God: Studies in the Relation Between Religion and Philosophy (Amherst, N.Y.: Humanity, 1999), p. 95. An example of the slight but noticeable moderation of his position is found in an essay entitled “The Silent Question” (1952), where Buber allows that “inward truth must become real life, otherwise it does not remain truth. A drop of Messianic consummation must be mingled with every hour; otherwise the hour is godless, despite all piety and devoutness.” Yet even here, it is still not clear whether by “real life” he actually means actions taken in purity, or a consideration for their consequences. Buber, On Judaism, p. 209. Cf. Buber, Hasidism and Modern Man, p. 99, where he asserts, in the context of the Hasidic concept of intentionality (kavana), that “there are no goals, only the goal. There is only one goal that does not lie, that becomes entangled in no new way, only one into which all ways flow, before which no byway can forever flee: Redemption.” [emphasis in original]
intentions rather than results as the touchstone of moral validity. Piety is “the orientation of human inwardness toward the holy,” an orientation which is ahistorical, recognizing that “life takes place under wide horizons, horizons that range beyond the span of an individual life or even the life of a nation, of a generation or even of an era.” 77 Quoting the rabbinical dictum that “it matters not whether one does much or little, if only he directs his heart to heaven,” 78 Heschel describes what he believes to be the true end of good actions according to Judaism:

We exalt the deed; we do not idolize external performance. The outward performance is but an aspect of the totality of a deed. Jewish literature dilates on the idea that every act of man hinges and rests on the intention and hidden sentiments of the heart. 79

The significance of deeds, according to Heschel, is not in what they are capable of achieving in the outside world, but for the attainment of what he calls “spiritual ends”—that is, ends that relate to the spiritual state or level of the individual actor. 80 “The purpose of performance,” he writes in God in

78 Brachot 17a; cited in Heschel, God in Search of Man, p. 309.
79 Heschel, God in Search of Man, p. 308.
80 Cf. Heschel, God in Search of Man, p. 311: “Deeds are outpourings, not the essence of the self. They may reflect or refine the self, but they remain the
Search of Man, “is to transform the performer; the purpose of observance is to train us in achieving spiritual ends…. Ultimately, then, the goal of religious life is quality rather than quantity, not only what is done, but how it is done.”\textsuperscript{81} Thus while Heschel does call for a “leap of action,” a decision to act that is more important than a leap of faith because it has a greater impact on one’s soul, the goal of such a leap is not the direct improvement of the state of things in the world, but to be “ushered into the presence of spiritual meaning. Through the ecstasy of deeds he [i.e., the Jew] learns to be certain of the hereness of God. Right living is a way to right thinking.”\textsuperscript{82}

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\textsuperscript{81} Heschel, \textit{God in Search of Man}, pp. 337-338.

\textsuperscript{82} Heschel, \textit{God in Search of Man}, p. 283. A similar downplaying of the importance of consequences is evident in the thought of other Jewish writers of this tradition, such as the Orthodox thinker Joseph B. Soloveitchik. The entirety of \textit{Halachic Man} is dedicated to the implications of the halachic norm from the individual’s own subjective perspective, rather than within the historical world. In some respects, Soloveitchik’s perspective is more extreme than even Buber’s, as when he declares that the “halachic man” is concerned more with the decision to undertake an action than with the carrying out of the action itself. Soloveitchik, \textit{Halachic Man}, pp. 63-64. It is telling that of all the religious types articulated in Soloveitchik’s writings, the only one that is fully dedicated to a concern for the consequences of action is “Adam the first” from \textit{Lonely Man of Faith}—a figure who is not considered by Soloveitchik to
Berkovits also places a premium on “deeds,” yet it is clear that when he uses this term, he has something different in mind. While he agrees that actions have an invaluable impact upon character, for him the most important perspective from which to view deeds is from the “outside,” from a perspective that is historical and public rather than subjective and personal—and which therefore necessarily views consequences as essential. As he writes in *God, Man, and History* (1959):

> The deed… is essentially social; and in order to be, it must find its place in the external world of man. It is social because it is always expressive of a relationship…. The deed, directed to the outside, is always in relationship to “an other.” This “other” may be the world, a neighbor, or God. However, in order to be, the deed must be effective; and it must be so in the place where it belongs—in the external world, in history. In fact, the deed is the stuff of which history is made.\(^8\)

To understand morality purely from within the framework of the individual psyche, Berkovits argues, is inadequate to the nature of the Jewish care for good or evil: “Adam the first is always an esthete, whether engaged in an intellectual or in an ethical performance. His conscience is energized not by the idea of the good, but by that of the beautiful. His mind is questing not for the true, but for the pleasant and functional, which are rooted in the esthetical, not the noetic-ethical, sphere.” Joseph B. Soloveitchik, *The Lonely Man of Faith* (New York: Doubleday, 1992), p. 19.

norm, which is focused primarily upon one’s relationship to “the world, a
neighbor, or God.” This focus on the external means that deeds are not simply
connected with the outside world, but entirely dependent on it “in order to
be.” A deed that is not “effective,” that does not achieve desired
consequences, is not morally significant.

Understood more broadly, morality must consider consequences in
history, because it is for the sake of history—the improvement of the
condition of man and his eventual redemption—that morality exists.
Berkovits explicitly deduces the nature of morality from the belief in an
eventual redemption of mankind in history. “Man in all his creaturely
existence is to be redeemed. Redemption is an event in history. This world is
to be established as the kingdom of God. The deed, man’s daily life in space
and time, must find its place in the kingdom; it builds the kingdom…. The
deed, being the stuff out of which history is made, is never private; it is
always public, as history itself.” Morality does not concern merely the
individual’s adherence to the divine command, but is the individual’s way of
contributing to the biblical vision of redemption. In the moral deed, man takes
responsibility for history.

In this, Berkovits’ understanding of morality resembles Max Weber’s
“ethic of responsibility” governing the conduct of politics. In Weber’s view,

the moral political figure acts in full consideration of consequences because he is acting for the furtherance of certain results, and is held to account principally for his success or failure to bring them about.85 Under such a system, right and wrong take on a different kind of meaning than under an approach based on the purity of intention, and require a different sort of discipline. Confronted with a situation that is unjust or dangerous to the public, the individual asks not which rules he is obligated to follow based on a theoretical ethics, but begins by asking what a just situation, or one which eliminated the danger, would look like; only then does he ask what is necessary in order to bring about such a state of affairs. The political figure described by Weber is motivated by a general sense of responsibility for outcomes, and is guided by his own understanding of what results are desirable. Moreover, because he is interested primarily in achievement rather than the correspondence of his actions to a set of rules, the kind of knowledge necessary for proper moral decisionmaking is vastly different under an ethic of responsibility than under an intention-driven ethics. If one must account for results, then one’s understanding must include a due appreciation of all those things upon which results depend, beyond one’s own intentions: Historical and cultural factors, the proclivities of political actors, human nature, and so forth.

It is such an ethic of responsibility that Berkovits sees being demanded by the Jewish understanding of the deed, which is “always public, as history itself.” He finds in Judaism a moral perspective according to which our actions are determined out of a sense of responsibility for the attainment of certain results, be they on an interpersonal or on a communal level. This is not to say that Berkovits advocates the abandonment of the weighty rules of behavior which we ordinarily associate with morality. On the contrary, precepts such as the avoidance of lying, killing, and violating the property of others are essential elements in the creation of a society of the sort envisioned in the Bible, and it is for this reason that in addition to its articulation of a larger vision, the Bible provides a collection of strong precepts which are intended to contribute to its realization. But there is a crucial difference between the rules appearing under an ethic of responsibility and the moral law as understood by Kant’s Jewish followers: Because the rules are derivative of a larger vision of society, they are also subordinate to that vision—that is, they are not “absolute” laws at all, but general principles which ought to be followed under most conditions, but which should not be binding in cases where their application clearly does more harm to that vision than does their neglect. The result is that even such clear-cut biblical precepts as the avoidance of shedding blood and infringing on the property of others are found—in the killing and expropriation experienced in wartime, for example—to be limited in their applicability when the greater good is truly at
stake; and many other, often less weighty, biblical laws are affected in much
the same manner. Moreover, the purity of intentions, which Kant posed as a
minimal condition for moral behavior,\(^8\) takes on secondary importance under
an ethic of responsibility, in which intentions are only important insofar as
they affect outcomes. And finally, as far as intellectual faculties are concerned,
an ethic of responsibility places a far greater emphasis on one’s ability to
judge the weight of rules against the consequences of behavior in a given case
than on one’s ability to formulate a pure intention. Soundness of judgment,
rather than purity of thinking, becomes the decisive element in the
composition of the just soul.\(^7\)

Ellington (Indianapolis: Hackett, 1981), p. 3; there Kant determines that “in
the case of what is to be morally good, that it conforms to the moral law is not
enough; it must also be done for the sake of the moral law.”

\(^7\) Put another way, the moral reasoning inherent in an ethic of responsibility
calls into question another of the basic assumptions of ethical philosophy in
the Kantian tradition: That all morality can or should be reduced to
formulated rules of action. According to Kant, the aim of ethical thought is to
make order out of our vague and conflicting values and intuitions by
translating them into clear principles based in reason—in his words, to move
“from popular [moral] philosophy, which goes no further than it can get by
groping about with the help of examples, to metaphysics... which, inasmuch
as it must survey the whole extent of rational knowledge of this kind, goes
right up to ideas....”Kant, *Grounding*, p. 23; cf. Kant, *Grounding*, pp. 21f. In an
ethic of responsibility, however, the flexibility and “impurity” of common-
sense morality reflect not an insufficient degree of understanding, but the
non-delineated nature of moral values that are geared toward advancing a
state of affairs.

This is a crucial point in distinguishing between Berkovits’ moral approach
and that of the “consequentialist” movement in ethical thought. Like
By introducing morality as an ethic of responsibility, Berkovits’ understanding of Judaism avoids two common pitfalls of modern moral discourse. On the one hand, because rules governing right and wrong are not absolute, but are instead subordinated to outcomes, moral valuations cannot ignore the specific situation in which the individual finds himself and upon which outcomes depend; in no case are we left concluding that he has done something that is on some level “wrong” even though it was the best of all available options—a conclusion which follows easily from a morality based on absolute rules, but which violates our basic understanding that right and wrong are intimately linked to free will. On the other hand, because the biblical vision is an eternally binding one, the source of moral understanding is objective and external, so that man is not left groping for moral guidance solely from within the confines of his own immediate reality—a belief in the primacy of the “situation” which flows naturally from the existentialist Berkovits, consequentialists view consequences as crucial; however, they accept the Kantian approach which reduces morality to the effort to articulate a single, absolute formula for predetermining morality—as in the phrasing of Samuel Scheffler, who defines consequentialism as the belief that “the right act in any given situation is the one that will produce the best overall outcome, as judged from an impersonal standpoint which gives equal weight to the interests of everyone.” Samuel Scheffler, ed., *Consequentialism and Its Critics* (Oxford: Oxford, 1988), p. 1. While there are different schools of consequentialist thought, each offering its own formulations, what they all have in common is the Kantian reductionism of searching for a categorical imperative as the test of moral behavior. Such an effort is notably absent in Berkovits, as it is in Weber as well.
enterprise, but which ultimately produces a morality that is hopelessly subjective and relativistic.88

In Judaism as understood by Berkovits, the moral actor adheres to the heteronomous precepts which the Bible and the tradition provide, but always keeps before his eyes the redemptive state of affairs which they are meant to bring about, and therefore understands that he must ultimately exercise his own judgment in determining where the applicability of a given moral precept reaches its limit. Morality for Berkovits is, like politics, an “art of the possible,” the aim of which is not mere adherence to a code, but the advancement of a vision of reality through the application of the consequence-driven values articulated by the prophets and their heirs in the rabbinic tradition.

III. Body vs. Spirit

Berkovits’ argument with Kantian moral thought and its Jewish adherents is, however, predicated on a deeper critique of much of Western moral thought since pre-Christian times. This tradition has consistently sought to portray morality as a set of ideas which, once grasped and accepted by man’s non-physical side (that is, his intellect or spirit or soul), will bring

about a commensurate change in the behavior of his physical element. Thus for Plato the good is identified with knowledge; for the Christian with faith; for Kant with reason. What unites this tradition is its fundamental dismissal of the body as a significant factor of the good, the assumption being that once man’s non-physical element is properly directed, the physical side will surely follow.⁸⁹

However, as Berkovits points out, the physical side does not surely follow—and therefore it cannot be left out of the moral equation. Morality is distinct from other areas of philosophy in that it is about performance, which means that it cannot exist without the cooperation of the body. As he writes:

The spirit itself is powerless; it may act only in union with the vital or “material” forces in the cosmos. No one has ever accomplished anything merely by contemplating an idea. All conscious action is the result of some form of cooperation between the mind and the body. Matter—whatever its ultimate secret—without the mind is inanity; mind without matter is, at best, noble impotence…. The material world can be saved from the idiocy of mere being by the direction that it may receive from the spirit; the spirit can be redeemed from the prison of its

⁸⁹ Obviously this does not exhaust the shades of Western ethical thought, and Berkovits himself cites three thinkers (Spinoza, Marx, and Bergson) who understood on some level the problem with ignoring the body. Eliezer Berkovits, *Essential Essays on Judaism*, ed. David Hazony (Jerusalem: Shalem, 2001), pp. 11-12, 19-20.
impotence by the amount of cooperation that it may be able to derive from the material world.⁹⁰

Here Berkovits confronts the Platonic-Christian moral tradition, which sets itself against the body and the material world it inhabits, with what he understands to be the traditional Jewish account of man’s nature as comprising spiritual and material elements, both of which must be engaged and tutored if he is to redeem himself and his world.⁹¹ In learning to act morally, man faces a dual task befitting his dual nature: His conscious self must learn to identify and desire the good, and his material side must learn how to carry it out. Because the material is no less intrinsic to morality than the spiritual, any moral system which does not account for both will necessarily fail to maintain its applicability for actual, physical man—and without applicability, morality can have no meaning.


⁹¹ One example appears in Genesis Raba 8:11: “R. Tafdai said in the name of R. Aha: The higher things (*ha’elyonim*) were created in the likeness and image of God, but cannot be fruitful and multiply; the lower things (*hatahtonim*) can be fruitful and multiply, but were not created in the likeness and image of God. Said the Holy One, ‘I will make him [i.e., man] in the likeness and image, with the higher things, and able to be fruitful and multiply, with the lower things.’ R. Tafdai further said in the name of R. Aha: Said the Holy One, ‘If I make him of the higher things, he will live and not die; if I make him of the lower things, he will die and not live. Therefore, I will make him from both the higher and the lower things. If he sin, he will die; if he does not sin, he will live.’” See also Genesis Raba 14:4. For additional sources, cf. Ephraim E. Urbach, *The Sages: The World and Wisdom of the Rabbis of the Talmud* (Cambridge: Harvard, 1979), pp. 221f.
Man’s physical side, however, is notoriously unresponsive to the edicts of reason. The body is a cauldron of material energies, complex and conflicting forces which are, in Berkovits’ words, “unaware of the existence of any moral code.” The behaviors of the human body are guided by its needs and appetites, which have no innate knowledge of or care for the demands of moral behavior. The matter of securing the body’s “cooperation” therefore becomes a central problem. “Only now are we able to appreciate the seriousness of man’s ethical predicament,” Berkovits writes. “On the one hand, the mind of man, the custodian of all spiritual and ethical values, is by itself incapable of action; on the other, the life forces and all the sources of material energy, without whose instrumentality no ethical action is possible, are by their very essence completely indifferent to ethical or spiritual concepts…. The human body, the tool of individual moral conduct, is essentially amoral.” Moral behavior therefore requires full coordination between man’s understanding of the good and his behavior as a physical being—a coordination which is itself no small achievement, and therefore which no discussion of morality can afford to ignore.

The mistaken belief that man can be made good solely through preparation of the mind is, in Berkovits’ view, the salient tragedy of Western


civilization. The Greeks understood, to varying degrees, the nature of the problem. But beginning with Christianity, which decisively parted from its Hebrew biblical tradition when it wrote off the body as part of an incorrigibly sinful world, Western man as represented by European thought has associated the question of morality almost exclusively with the question of what a truncated, spiritualized actor, possessing only reason or faith, ought to do. The question of how, once right action has been determined, one is to overcome inner obstacles to taking the proper action is understood, when it is considered at all, to be a separate issue, relating to other realms such as psychology or education. “Since the days of antiquity,” Berkovits writes, “Western civilization has mistakenly believed that it is possible to convince the body by reasoning with it…. And so it hoped in vain for effective ethical conduct through education. At its best, Western civilization was talking to the mind and never really reached the body.”

The result was that despite centuries of moral teaching, Western man was never able to overcome the intrinsic amorality of his material element. The rise of murderous regimes in the heart of the most philosophically developed civilization stood for Berkovits as testimony to the West’s failure to

94 Berkovits, Essential Essays, p. 19. In particular, Berkovits points to Aristotle, whose understanding of practical wisdom demands an appreciation of the ethical significance of emotions and appetites.

95 Berkovits, Essential Essays, p. 21.
grasp the nature of morality. “In this respect, there seems to be little difference between ages of greater or lesser enlightenment; except that, in times of greater intellectual advancement, as knowledge increases, man grows in power proportionately and becomes correspondingly more dangerous…. Notwithstanding enlightenment, man seems to remain an essentially unethical being.” Thus by focusing exclusively on the training of his reason, and leaving aside the very practical and consequentialistic question of how the body may be trained to follow the commands of the intellect, Western man was never adequately prepared to act decisively in the face of evil.

As opposed to this tradition, Berkovits argues that Judaism has consistently maintained the centrality of the question of the physical. The rabbinic tradition is deeply occupied with man’s composite nature as it pertains to his moral behavior. In the midrashic literature, man is consistently described as dual, combining both the “upper” and “lower” realms, resembling both the angels and the animals. Commensurately, he possesses a “good inclination” which must be trained to outwit and overcome the “evil inclination,” a naturally more powerful immoral urge associated with man’s animal side. In later times, as well, much of Jewish moral literature focused


97See note 59 above.
not on the derivation of correct beliefs but on the discipline required to bring
about moral behavior.\textsuperscript{98}

According to Berkovits, Judaism addresses the problem of the human
body by creating a comprehensive normative system that relates to the
material on its own terms. Unlike the mind, the body cannot be taught
through logical persuasion, for its “knowledge” does not take the form of
words, arguments, or even primarily emotions. Rather, it “understands”
through habits, and through what Berkovits refers to as the “bodily
awareness” —that is, through acquired, reflexive reactions to circumstances
within the world. To train the body to be moral, an appropriate method must
be introduced:

The body is not accessible to logical reasoning. One can only teach it by
making it do things. One does not learn to swim by reading books on

\textsuperscript{98} Cf., most notably, R. Jonah Gerondi’s thirteenth-century work \textit{The Gates of Repentance}, as well as the writings of the musar movement of the late
nineteenth century, which had a decisive influence on much of the Lithuanian
yeshiva world. Berkovits’ description of Judaism foreshadowed in no small
measure the emergence of the idea of “Carnal Israel,” a belief popularized by
Daniel Boyarin’s \textit{Carnal Israel: Reading Sex in Talmudic Culture} (Berkeley:
University of California, 1993). The central theme of Boyarin’s argument is
that whereas the ancient Greeks viewed man as essentially a soul and the
body as its vessel, rabbinic Judaism assumed the reverse, that man is
essentially a body animated by a soul. Berkovits does not go as far as Boyarin,
instead placing the body on equal footing with the soul, or more accurately,
pointing out their moral interdependence and their great differences in
nature. Berkovits’ view fits better with the midrashic material cited in note 59
above.
swimming technique, nor does one become a painter merely by
contemplating the styles of different schools. One learns to swim by
swimming, to paint by painting, to act by acting…. This applies
nowhere more strictly than in the realm of ethical action.99

Morality, like any other performative skill, requires actual physical
training. If man is to live a moral life, rather than merely to think moral
thoughts, it is not enough that he study the nature of the good or the right; he
must also educate his physical element through its habituation to moral
behavior, which requires a regime no less demanding than what is required
for other areas of life in which performance is the measure of success.

To illustrate what such training might be like, and why it is essential
for morality, Berkovits draws an analogy to military training: Just as it is
potentially catastrophic for a soldier to learn to fight only in the context of an
actual war, without advance preparation, so too is it perilous to ask a person
to inhibit his powerful, amoral tendencies in the face of a moral challenge if
he has not had advance preparation. Just as training for war means subjecting
soldiers to a regimen of rehearsed fighting as if there were an actual enemy,
so too does the Jewish tradition recognize the need for a method of moral
rehearsal even in the absence of an actual moral challenge. This it achieves
through the system of ritual laws, which discipline man’s material side to

99 Berkovits, Essential Essays, pp. 21-22.
disregard its own desires and act instead according to the prescriptions of the mind, as if there were an actual moral challenge being faced.\textsuperscript{100}

Thus for Berkovits, even the “ritual” aspects of Jewish law which are devoid of obvious moral worth are nonetheless crucial for the moral training they provide. The dietary laws, for example, can be understood as preparation for a situation in which proper moral conduct may come into conflict with a specific physical urge, in this case the appetite for food. Through the continual, controlled inhibition of this appetite for the sake of a higher law, man learns to limit the influence of this urge upon his actions. When combined with similar training with regard to other physical inclinations, man’s physical side as a whole becomes conditioned to responding correctly and accurately whenever emotions or inclinations conflict with moral demands:

The aim is to teach… a new “awareness,” one which is foreign to the entire organic component of the human personality. It is the awareness… of an order of being as well as of meaning different from that of organic egocentricity. The purpose of the inhibitive rules is to practice saying “no” to self-centered demands; whereas the fulfillment

of the positive commands is the exercise of saying “yes” in consideration of an order different from one’s own.\footnote{Berkovits, \textit{Essential Essays}, pp. 24-25.}

This does not, of course, mean that the ritual laws have no meaning beyond their utility. Berkovits is careful to avoid casting Jewish ritual solely in an instrumental light, at the expense of the symbolic, devotional or historical meaning the rituals entail. He dedicates an entire chapter of \textit{God, Man, and History} to showing how these commandments direct our composite selves not only toward moral behavior, but also toward a proper relationship between the individual and God.\footnote{Berkovits, \textit{God, Man, and History}, pp. 115-130. Cf. Berkovits, \textit{Essential Essays}, pp. 26-38.} What it does mean, however, is that the lattice of Jewish practices could not have simply been a collection of independently derived, socially encouraged devotional rituals, but needed to be a comprehensive system of law, if it were to fulfill its educational mission. Law, in the sense that it is meant here, means acting out of obligation, even in contravention of momentary desires. It means forcing our material side to act according to principle rather than inclination. Considered independently, symbolic rituals do not need to be “laws”; they can be undertaken on an individual basis, out of one’s appreciation for their esthetic virtues, and perpetuated through convention. By presenting rituals as law, Judaism

\textit{God, Man, and History}
demands of man that he impose a discipline on his own material self throughout his life. In this way, the tradition trains him as a moral being in a way that no amount of discourse can.

It is this appreciation of physical performance which leads Berkovits to argue that there is a value, albeit a diminished one, even in the performance of commandments by “rote,” without proper intention. The obligation of prayer offers an important case in point. Prayer is fundamentally a matter of devotion; through it, man expresses his most intimate thoughts and feelings to his creator. The intentions behind one’s prayer are, perhaps more so than in any other religious act, essential to its nature. Thus Joseph B. Soloveitchik, a leading Orthodox thinker of the Kantian tradition, insisted that intention constitutes the entirety and essence of prayer, whereas the physical recitation of prayers is merely “the technique of implementation of prayer and not prayer itself.”¹⁰³ Heschel, too, was stating what appeared obvious to him when he wrote that “to pray with kavana (inner devotion) may be difficult; to pray without it is ludicrous.”¹⁰⁴


Yet by including prayer within a system of legal obligation, the halacha requires the Jew to pray at fixed times and in accordance with a fixed liturgy, with the result that many Jews often find themselves praying in the absence of proper intention. Seen solely from the perspective of the individual’s spiritual connection with God, such prayer may indeed be empty and meaningless. Yet from the standpoint of man’s material element, as Berkovits points out, the action is defensible, and even praiseworthy, because it both signifies and reinforces the body’s subjugation to the conscious decision to pray, even if the mind has not fully succeeded in following suit. As he writes:

Such, of course, is not the ideal form of prayer; at the same time, it is no small achievement to have taught the lips to “pray” on their own, without the conscious participation of the heart and mind. It shows that the human organism, from whose own nature hardly anything could be further removed than the wish to pray, has actually submitted to direction by the will to prayer.... Automatically “praying” lips may count for little in comparison with kavana, the directedness of the praying soul toward God in ecstatic submission; yet, they too represent a form of submission of the organic self to the will to pray.105

105 Berkovits, Essential Essays, p. 25. Berkovits cites a passage in the Talmud in which the automatic, habituated bowing which the body undertakes during the modim blessing in prayer, even in the absence of proper intention, should be a cause for our gratitude. Jerusalem Brachot 2:10
Thus the halacha is, for Berkovits, not a set of seemingly arbitrary rules dictated by God and the rabbis, but rather a necessary response to man’s fundamental dualism—an approach to morality which views the body as no less significant than the mind, and which forms a part of a larger, normative Judaism spanning both the moral and legal realms. This is something which other Jewish philosophers have in some ways attempted. Both Buber and Heschel, for example, insist that their philosophies of Judaism address, in Buber’s words, “the whole man, body and spirit together.” For this reason we find them not infrequently making statements similar to those of Berkovits concerning the importance of the body’s involvement in moral actions. Yet they fail to articulate any kind of method for preparing the body for moral action, under the assumption that where the mind determines to lead, the body will simply follow. Their moral teaching, it often seems, tacitly assumes that the human body is what the mind that inhabits it wishes it to be, rather than what it actually is.

The failure of so much of Western ethics to address the body as a moral question has a great deal to do with its emphasis on moral intention at the expense of the actual outcome of human actions. For if results are unimportant, then actions, however important, are so only insofar as they are adequate.

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a reflection of one’s intentions. Moral failings are necessarily perceived as failures of the conscious mind, and therefore the only redress is a further purification of intent. The inevitable result of this approach, however, is a disjunction between the demands of morality and the hopes of redemption: By detaching morality from consequences, these thinkers must also detach it from any reasoned hope that moral behavior will, in any clear way, bring about the betterment of mankind in history. If there is to be any causal link, no matter how distant, between morality and redemption—a basic tenet of Judaism which no major Jewish thinker has yet attempted to do without—then an intention-based morality must relegate it to the realm of the incomprehensible and obscure, and make of it a matter for faith alone; which is precisely what many of these thinkers, adopting a mystical approach to history, advocate.\textsuperscript{107} If, however, as Berkovits argues, morality is in its essence meant to bring about an actual improvement in the affairs of mankind, then one must view outcomes as the principal target of moral behavior, and the body as a central challenge to morality, since it is the agent of all moral outcomes.

\textsuperscript{107} It is central to Buber’s neo-Hasidic approach that redemption is the result of man’s inner repair, reflected in the purification of his own intentions and its reflection in his relations with others, and that only through such repair will the world, somehow, be redeemed. Buber, \textit{Hasidism and Modern Man}, pp. 98-108; Buber, \textit{On Judaism}, pp. 83-87.
Conclusions

The Jewish moral tradition brings together three distinct elements: A system of law incorporating both moral and ritual obligations; a set of moral values emphasized in the teachings of the prophets and in the rabbinic tradition; and a vision of the improvement of man’s lot in history, which adherence to the Jewish normative system is meant to assist in bringing about. Because of the difficulty of maintaining a balance among all three elements—law, values, and vision—contemporary Jewish thinkers are often found attempting to escape the central role bequeathed to one or another of them by Jewish tradition. For some, traditional values such as kevod habriot, human dignity, are downplayed in the effort to transform the more concrete precepts of Jewish law into the central imperative of religion; among others, it is the law that is undermined in the pursuit of distilled moral values which, while possessing great appeal in their simplest form, frequently fall short in their ability to give clear guidance for moral action when confronted with the complexity of real life; and in many cases as well, the improvement of man’s condition within history is relegated to the status of a wishful, mystical outcome resulting from one’s devotion to either laws or ethical principles that are themselves derived without reference to their consequences in history, and so no longer seem to have any discernible purpose that reaches beyond the bounds of the subjective mind.
Of Jewish thinkers in the last century, it was Eliezer Berkovits who most successfully combined these diverse elements of the tradition, preserving for each a proper place within a balanced system of Jewish morality grounded in human responsibility: For Berkovits, it is the values of Judaism which constitute its eternal moral fabric, which underlie the law and which dictate the extent of change in the law over time; it is the prophetic vision which establishes morality as a vehicle for the advancement of man, and thereby determines the consequentialist, responsibility-driven character of these values; and it is the law—as law, not merely as traditional practice—which is needed to address the fundamental problem of man’s corporeality, a problem that must be overcome if moral beliefs are to be translated reliably into moral outcomes and responsibility is to become a decisive factor in human life. Taken together, these elements form a comprehensive approach to morality which seems to offer the possibility of a Judaism that is capable of holding fast before the tides of revolution, while at the same time safeguarding our humanity and offering us the hope of genuine improvement of our condition within history.

By incorporating all three elements into a single moral system, Berkovits poses a significant challenge to those Jewish thinkers who read the tradition as making compliance with halachic codes the sole test of religious behavior. No less important, however, is the challenge he poses towards those of the opposite inclination, who have for so long assailed Jewish law as a
stumbling-block for moral behavior. For as the events of the past century demonstrate, all the mind’s moral principles may come to naught if the concrete society which they are supposed to benefit lacks the practical discipline necessary to put them into practice—and this is a discipline that only law can teach. The renewed interest in Jewish law in recent years seems to reflect a disillusionment with the dominant assumption of twentieth-century Jewish thought: The belief that the Jewish people can successfully offer a moral example to the world while denying its tradition of heteronomous law. Eliezer Berkovits offers a compelling theoretical basis for rejecting that assumption.

Thus Berkovits provides a coherent alternative to both of these reductionist approaches, by suggesting that morality is ultimately about neither adherence to law nor proper intent, and that neither may therefore be understood as absolute; rather, morality is firstly a method or tool for taking responsibility for human realities. While cogently arguing for the very real significance of each of these alternative approaches for the emergence of a moral society, Berkovits reminds us that this does not mean that one should, for the sake of conceptual simplicity, forget their contingent nature. Only a rediscovery of the idea that morality is inspired by, and ultimately subordinate to, a vision of the improvement of mankind—and a conscientious application of that vision to reality in the form of our moral understanding and practice—can permit morality to emerge as a factor in human history.
Yet if morality is not just about the purity of our intentions as individuals, but rather the effects of our behavior on our world, then we quickly begin to recognize that our self-definition as collectives and communities, which are often decisive in determining how our lives are led, holds no small stake in our moral standing. To explore how collective identity, peoplehood, and nationhood play in Berkovits’ understanding of human responsibility in Judaism, we turn to our next section.
Introduction: Zionism in Jewish Religious Thinking

Many Jews around the world are active, even vocal advocates of a Jewish state. Yet their support for Israel is rarely identified as deriving from their Judaism. Zionism is often considered to follow not from any specific religious belief, but from a concern for the well-being of one’s fellow Jews. The Jews were persecuted for centuries, it is said, and the State of Israel is the remedy. But whether such a Zionism is an aspect of one’s Judaism, understood as a faith, remains unclear.

This ambiguous relationship between Judaism and political Zionism is most in evidence when one considers the attitude of the great Jewish theologians writing after the emergence of the Zionist movement at the end of the nineteenth century. Most Reform thinkers, for example, opposed the idea of a Jewish nation state, its theologians arguing for decades that Zionism

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\[109\] For the purpose of this opening discussion, “Zionism” should be taken in its current usage—that is, referring to support for a sovereign Jewish state.
contradicted Judaism’s universalist ethic. For leading Orthodox thinkers as well, Zionism was taken to be an affront to the messianic ideal, according to which it is God—and not secular Zionists—who will redeem the Jews in the end of days. While there were noteworthy exceptions, it is fair to say that the energies Jews brought to the Zionist enterprise in the pre-state period were largely despite, rather than because of, Jewish theological reflection.

A great deal changed, of course, with the rise of Nazism, the Holocaust, and the establishment of the State of Israel. The Reform movement abandoned its opposition to Zionism, as did the great majority of Orthodox Jews. Jewish theologians of virtually all persuasions began to speak of the Jewish state mainly in positive terms. Yet it would be a mistake to conclude that the idea of sovereignty came to play in Jewish philosophy anything like the central role that it assumed in Jewish communal life. Joseph B. Soloveitchik, the leading interpreter of Judaism within modern Orthodoxy in North America, endorsed the Jewish state in 1956 as a divine “knock on the door,” a wake-up call for Jews to the possibility of redemption and repentance; yet Soloveitchik himself chose to remain in the diaspora, and

110 A striking example of this appears in the 1885 Pittsburgh Platform, which delineated the core beliefs of the Reform movement at the time: “We consider ourselves no longer a nation, but a religious community, and, therefore, expect neither a return to Palestine… nor the restoration of any of the laws concerning the Jewish state.”

111 Joseph B. Soloveitchik, Fate and Destiny: From the Holocaust to the State of Israel (Hoboken, N.J.: Ktav, 2000).
the thrust of his philosophical efforts continued to be the ethos of the
individual living under Jewish law, or halacha. Similarly, the Reform
theologian Eugene B. Borowitz, whose enthusiasm for Israel is reflected in his
hope that the Jewish state will help Jews “sanctify social existence” in a
manner impossible under conditions of exile, nonetheless continues to place
the pursuit of the ethical and the development of the “Jewish self” at the
center of his theology—a challenge that in his view is best met in the
diaspora.¹¹² In his landmark work Renewing the Covenant (1991), Borowitz
distanced himself from the biblical ideal of Jewish sovereignty, emphasizing
the failure of ancient Israelite rulers to meet the ethical standards established
at Sinai:

Being human, the [Israelite] kings demonstrate the will-to-do-evil;
being rulers, they do so on a grand scale…. The incongruity of Israel’s
political behavior in the light of its covenant ideals prompts the
theological wonder that God did not choose another social form for
them rather than subject them to the awesome risks of collective
power…. God makes Abraham’s family a nation in history in order to
show that collective power can be sanctified through subordination to
God’s rule. This does not, however, require Israel to fulfill its

covenantal responsibilities through political autonomy or any other
given social structure.\textsuperscript{113}

What emerges from all this is a remarkable disjunction between Jewish
philosophy and Jewish communal life. While the Jewish people has
collectively placed Israel at the center of its public agenda, to the point that it
has become one of the few causes that unite the great majority of Jews,
Orthodox and liberal Jewish thinkers alike have remained occupied
principally with the faith and works of the individual. Jews continue to love
Israel, but when asked whether Judaism \textit{needs} Zionism, most will simply
shrug their shoulders or speak of the needs and history of the Jewish people.

(There was, of course, an effort among some Jewish thinkers of the
twentieth century to justify the re-establishment of Jewish sovereignty on
religious grounds—the most famous of whom included Rabbi Abraham Isaac
Kook, as well as lesser-known “religious Zionists” such as Isaac Jacob Reines
and Hayyim Hirschensonh. As we will see later on, these writers were writing
almost exclusively from within the rabbinic tradition and had little use for, or
recourse to, the Western philosophical discourse of which Berkovits was a
part—and their writings rarely made it out of the Hebrew language as a
result—yet nonetheless provide a crucial background for Berkovits’ efforts to

\textsuperscript{113} Borowitz, \textit{Renewing the Covenant}, p. 231.
establish a Zionism that is both grounded in ancient Judaism and applicable within the context of his overall philosophy of Judaism.)

Berkovits wrote extensively on the meaning of sovereignty and nationhood in Judaism. In his view, both modern philosophers of Judaism and rabbinic writers on the subject have misunderstood the importance of nationhood—and in particular its expression in the form of an independent state—in interpreting the biblical faith and its talmudic expansion. While most modern Jewish thinkers, under the influence of Kant, tended to view the classic Jewish affirmation of nationhood and sovereignty as at best secondary to Judaism’s ethical or legal core, Berkovits offered an approach to morality and nationhood that understood the creation and maintenance of a sovereign Jewish polity to be essential to the fulfillment of Judaism as a teaching of human responsibility in history.

In Berkovits’ view, the exile of the Jewish people at the dawn of the Christian era represented more than a physical and political tragedy for Jews. It was a calamity for Judaism itself, which would henceforth be incapable of fulfilling its central mission, that of creating an exemplary people in its own sovereign state. Following the eradication of Jewish national life in the second century c.e., Judaism entered a period of preservation, during which its wellsprings of creativity grew dry and its adaptive capacity withered, until the modern era arrived, offering Jews an alternative vision for which the keepers of the tradition were largely unprepared. The opportunity to re-
establish the Jewish state in our own era, therefore, signified for Berkovits not only the protection of Jewish lives from the arbitrariness of nations—a tremendous achievement in its own right—but also the reconstitution of Judaism under sovereign conditions. “The creation of an autonomous Jewish body corporate,” Berkovits wrote in 1943, five years before Israel’s independence, “is the sine qua non for the regeneration of Jewish religion and culture. Without it, further development of Judaism is impossible; without it Judaism can hardly be saved in the present circumstances.”

According to Berkovits, therefore, Judaism does need Zionism, and emphatically so. This fact places him among a handful of major Jewish theologians of the past century for whom Judaism and Zionism are effectively inseparable, forming a unified whole. Of these, however, Berkovits’ exposition is probably the most developed philosophically, and the most compelling in its refutation of competing approaches in both general and Jewish thought.

In this section, I will explore Berkovits’ philosophical Zionism, with particular attention to three of his claims: First, that the Jewish collective identity is not merely a fact of history, but a prerequisite for the fulfillment of the Jewish moral vision; second, that the centrality of the collective translates into a demand for national sovereignty, not only today but as a permanent

requirement of Judaism; and finally, that the resultant understanding of Jewish history, the predicament of exile, and the problem of enlightenment makes the Jewish state a precondition for the success and even survival of Judaism in the modern era. Together, these arguments offer a coherent and powerful account of the Jewish state as an integral aspect of Jewish faith.

I. Collective identity in Judaism

There are good reasons why Jewish philosophy has tended to view morality and collective identity as subjects that are better off addressed under separate cover. The realm of ethics, which has been perceived in Western thought as a product of reason and therefore universal, has always seemed at odds with the needs and aspirations of human collectives. The latter have often been seen as reflecting particular interests and sustained by irrational sentiments. For Berkovits, however, morality and community are philosophically linked. Not only is there a moral demand placed on human communities and not just individuals; but morality itself is dependent on the concept of the collective. According to this view, the Jewish people is a central component of Jewish morality.

To understand why this is so, it is important to consider Berkovits’ approach to the nature of morality in Judaism. In the first part of this study, I argued that he developed an approach to Jewish morality that may be seen as
an alternative to the main threads of Western reasoning. While many of the leading philosophers of that tradition emphasized adherence to abstract ethical rules and the purity of human intentions, Judaism is seen by Berkovits as emphasizing the effectiveness of one’s actions in history. As he wrote in *God, Man and History*:

Judaism is not an “idealistic” or “spiritual” religion, but a human one. It is a religion for the whole of man. It aims at relating life in its entirety to God. It is not, therefore, so much a religion of creed as it is the religion of the deed on earth. The intellect or the soul may be satisfied with the creed; the whole man, however, may serve God only through the deed…. However, in order to be, the deed must be effective; and it must be so in the place where it belongs—in the external world, in history.¹¹⁵

Thus the yardstick of morality in Judaism, according to Berkovits, is not our adherence to a set of ideas or beliefs, but the results of our actions—and, by extension, the kind of society we help create.

Two important consequences follow from this view. The first, which was discussed more thoroughly above, has to do with our own moral education: If morality is fundamentally about results rather than rules, then

the way we learn how to behave morally will more closely resemble the way other result-oriented skills are learned, through models of emulation rather than doctrine. Because morality is learned from the example of others, a significant part of transmitting morality to others consists in dedicating the totality of one’s life to the creation and implementation of a higher moral order, and thereby making oneself into a moral example.

The second, which will be our main concern in this section, is that if morality is principally about results rather than intentions or adherence to rules, then the radical individualism upon which most modern ethical thought is based must be reconsidered. Since Kant, the question of whether an act is considered to be ethical in the view of most modern philosophers has turned on the quality of the autonomous decision of the individual actor: Whether it is taken in purity of intention, and according to the appropriate abstract principles of right. But the moment results, rather than intentions and principles, are the focus, it becomes evident that collectives are also the cause of good or ill effects in history. While it is obviously true that any collective is made up of individuals, it is also the case that the conditions created by the character of communities, peoples, and nations have an impact on people that is far more real and powerful than can be accounted for by looking purely at the deeds of individuals acting alone.116 If morality has to do with the

116 In a sermon he delivered in Leeds in September 1942, Berkovits put the point as follows: “A man may be a perfect tzadik with nothing but good deeds
establishment of a good society, then our moral thinking must take into account human behavior at the level of communities, alongside our consideration of the individual.

These consequences led Berkovits to conclude that if we are to hope for the moral advancement of mankind, such hope will rest not on the emergence of a new moral doctrine, but on a moral exemplar on the level of the human community. “For the deed to be effective,” he writes in God, Man and History, “it must not remain the act of an individual, but must become that of a community. The deed makes history if it is the materialization of the desire and will of a community of people joined together in a common cause.... Even the purely religious aspects of the Jewish deed are most intimately interwoven with community existence.”¹¹⁷ Man’s moral achievements are, more than anything else, the realities he creates on the interpersonal and collective level—that is, the quality of the community’s norms, and its success or failure in establishing a code of behavior, caring for the poor, and educating healthy and righteous individuals and families.

¹¹⁷ Berkovits, God, Man and History, p. 137.
For this reason, Berkovits argues, Judaism has always understood its central mission to be the creation of an exemplary community, and not just exemplary individuals. Such a community dedicates its entire public existence, as well as the efforts of the individuals who live in it, towards a higher, divinely guided order. In the biblical view, the life of the Jews as a people is to play a central role in the establishment of human morality. Man’s improvement requires a living example. But “man” as we find him is not a detached individual, but part of a society, with its own distinct habits, values, and cultural dynamic. Not the education of holy individuals, but the goal of establishing a holy people, constitutes Judaism’s central contribution to effecting morality in the world.

This understanding of Judaism finds expression throughout Berkovits’ writings. In his extensive works on Jewish law, for example, he argues that the law must be understood not just as a code for individual piety, but also as a system which seamlessly combines the devotional with the political, and is addressed to the life of the community no less than that of the individual. The Talmud is not merely an ethical code, but the constitutive document for a living people—“the most successful experiment in the history of national constitutions,” which alone “preserved a whole nation against the continuously stupid and wicked enmity of the entire world.”\(^{118}\) Accordingly,

Jewish law resembles far more closely the code of conduct governing a living community than the regimen for piety which is offered by most religions.

One example is Judaism’s approach to economic affairs. While the idea of individual property rights is deeply embedded in Jewish law and tradition—perhaps even constituting a fundamental element of the Jewish concept of man in the world—the halacha considered the proper functioning of the economy as a whole to be of decisive importance, justifying the enactment of a “market regulation” (takanat hashuk) which overrode the strict application of individual rights. Berkovits cites a ruling of the Mishna in a case in which goods are stolen and then sold to a third party. When the original owner confronts the purchaser, demanding that his belongings be returned, there emerges a clear conflict between individual rights and the economic good: If the concept of property rights were to be strictly applied, the original owner should be allowed to reclaim his property without having to compensate the buyer. The former had never given up his rights to the object, whereas the latter had incorrectly believed he was purchasing rights that the seller (i.e., the thief) never possessed in the first place. However, the rabbis ruled that while the original owner does have a right to the property, he may only exercise that right by compensating the buyer for the amount he paid for it. Berkovits cites a rabbinic explanation for this: “Since the buyer bought in the open market… if the original owner would not return to him the price he paid, no one would dare buy anything for fear that it was stolen.
Thus, all business would come to a standstill.”¹¹⁹ Such a regulation may seem perfectly ordinary when dealing with a system of laws intended for a living community. What is interesting, however, is the fact that Judaism is such a system: Not a faith alone, but a normative system which embraces the political and legal spheres—because one cannot understand the moral good without reference to a vision of a just society.

This recognition of the collective, societal realm extends in Berkovits’ view even to the way Jews pray. In his 1962 monograph Prayer, Berkovits emphasizes the significance Judaism always attached to communal prayer, above and beyond the free expression of the individual. The very fact that Jewish prayer has traditionally been centered on the recital of obligatory texts is, in his view, a direct consequence of this approach. “Free prayer is always individual prayer, even when practiced in a congregational assembly…,” he writes. “Obligatory prayer, being independent of any contingent individual occasion, is based on the existential situation of the Jew in relationship to God. It is not the prayer of one Jew in one situation; it is the prayer for all Jews at all times. Therefore, even when prayed by an individual in solitude, it remains in its essence communal prayer.”¹²⁰ For prayer to have meaning, it must be a true reflection of the Jewish community’s standing with respect to


Individual prayer, though not without its place, is nonetheless “problematic because of the insufficiency of the subjective experience of the individual alone.” Though he does not deny the value of the words of an individual pouring out his heart to God, Berkovits argues that in focusing a person’s energies purely on self-expression, individual prayer “may amount to outright selfishness” and as such it can even become “unethical.” Berkovits cites numerous laws and principles from the Jewish tradition to support his claim—such as the idea that “the prayer of the community is never despised,” or the suggestion that if one has to pray alone, it is best to do so at the time when the community is praying. He concludes:

The concept [of communal prayer] derives directly from the specific nature of Judaism. Judaism is not a religion of individual souls but that of a people.... In Judaism it is not only the individual who confronts God; the people as a people is committed to living in such confrontation. As it lives as a people in the presence of God, so it turns to God in prayer as a people.

In an age so conscious of the “self,” Berkovits’ words strike an unusual note. Prayer is first a representation of the community’s relationship with


God, and only secondarily a means of addressing the spiritual needs of the individual. Thus even the most intimate moment of contact between man and God is framed in the context of the larger community; it is the community that prays to God for redemption, just as it is the community that is ultimately redeemed. “Judaism’s concern,” he wrote in *Unity in Judaism* (1986), “is not primarily the salvation of individual souls but the comprehensive spiritual, socio-ethical, economic, and political reality of human existence. Thus Judaism is best characterized not as a religion, but as the covenantal civilization of a people.”

This approach, while well grounded in the biblical and rabbinic texts, nonetheless represents a striking rejoinder to the major streams of Jewish philosophy in the first half of the twentieth century. While thinkers like Hermann Cohen, Martin Buber, and Franz Rosenzweig did not reject the biblical vision of the moral improvement of all peoples, they nonetheless followed the Kantian tradition in pinning their hopes on the thoughts, intentions, or emotions of the individual as the starting point for serious moral discussion. In their view, this emphasis was the natural outcome of Judaism’s universal spirit. If the world is to be redeemed through a universal morality, then we must begin with that which unites mankind, namely, the capacity of individuals for reason or compassion. It was through the

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individual—at the expense of communities, peoples, or nations—that mankind as a whole would find redemption.

This sentiment is found most vividly in the writings of Hermann Cohen. “What, after all, is social morality, if it is not founded upon the individual?” he wrote in his great work, *Religion of Reason Out of the Sources of Judaism.* “Is not individual morality the precondition for social morality, without which the latter remains an abstraction, from which it cannot be freed even through the relation of man to the state?”125 In Cohen’s view, morality begins with the individual’s recognition that he is part of a single mankind, united under the rubric of ethics guided by reason—a recognition which must ultimately result in the dissolution of peoples into a collective, universal ideal:

Finally it is a consequence of the ethical rigor that *national* limitations are abandoned for the sake of messianism…. If one disregards the fundamental historical meaning, that through the election the national consciousness was to be substituted for the religious calling, then the election of Israel has only a symbolic significance. From the very outset this higher symbolism presaged Israel’s messianic call, its *elevation into one mankind.*126

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Cohen’s vision of the unification of humanity through the individual’s “ethical rigor,” leading to the dissolution of distinct communities, had a profound impact on the way Jewish philosophy developed in the twentieth century. This effect has been described by Eugene Borowitz, who writes in *Renewing the Covenant*, “All modernist theories of Judaism uphold the principle of autonomy, that authority ultimately is vested in the individual mind and will.” This view, according to Borowitz, was even more pronounced among existentialist thinkers, such as Martin Buber and Franz Rosenzweig, for whom the individual experience was the starting point for all religious or ethical experience. “Buber and Rosenzweig both considered the [individual’s] relationship with God to be the unchanging core of Judaism…. Like any love, it commanded one only when the self willingly responded to it….“ According to Borowitz, for all that thinkers such as these may have disagreed with the rationalism of Cohen, “the existentialists nonetheless shared an important precept of modernity: That all authority, whether exercised in terms of one’s rationality, ethnicity, or relationships, finally resides in the individual self.”

Such a view, Berkovits countered, misunderstands the nature of human morals. For if the goal of morality is not just to fashion righteous teachings but to bring into being a better human reality, morality must begin

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127Borowitz, *Renewing the Covenant*, pp. 16-17.
with man as he really is: Both an individual and part of a larger collective. And any reasonable evaluation of history will show that for most people most of the time, it is the collective which establishes and reinforces the norms that govern the ethical behavior of individuals. Therefore, if Jewish morality contains within it a vision for mankind—a position Berkovits embraces wholeheartedly—then its realization will depend not on the hope that people will abandon their particular allegiances, but rather on the emergence of a living people that may be “history-making” in its representation of a moral ideal. “The goal of Judaism is accomplished when it is reached by all mankind,” he wrote. “Since, however, the goal is not essentially the teaching of noble ideals—which would indeed be rather easy, and ineffective—but rather their realization in history, one has to start with the smallest unit of living reality within which the deed of Judaism may become history-making; and such a unit is the nation. Individuals may teach; a people is needed in order to do effectively.”

II. National Sovereignty

How would such a holy community be constituted? In Berkovits’ view, the limited autonomy granted Jewish communities in foreign lands cannot meet the fundamental demands that the Bible places on the Jews. The

128Berkovits, God, Man and History, p. 142, emphasis added.
effectiveness of the model community requires not simply congregations, or an international association joined by a common religion, but rather the creation of a “holy nation.”

Basing himself on the verse in Exodus, “And you shall be to me a kingdom of priests and a holy nation,” 129 Berkovits articulates a philosophy of Judaism according to which only on the national level does man possess sufficient independence of spirit and action to have the possibility of representing the divine on earth in the fullest way possible. This idea is expressed by the very term “holy nation.” Holiness (kedusha) means, literally, dedication; Judaism’s concern cannot be restricted to the home, synagogue, house of study, or community center. Holiness means dedicating the whole of our lives to God. But if this is the case, then any Jewish community which is dependent on others in crucial areas of life is forever prevented from fulfilling its task. An exemplary people must first be an independent, fully responsible people. It must have that which distinguishes independent nations from other forms of community. That is, it must be sovereign.

At this stage a crucial distinction must be drawn. While Berkovits insisted on sovereignty as a minimal condition for the fulfillment of Judaism, he did not advocate any sort of totalist ideal, in which every aspect of life is

\[\text{Exodus 19:6.}\]
given over to the authority of human rulers. “This kingdom of priests is not a society in which a priestly caste rules over an unpriestly populace in the name of some god,” Berkovits writes. “A holy nation is a realm in which all are priests. But where all are priests, all are servants—and God alone rules.” The point of sovereignty is not to fashion a state that will become the principal conduit of sanctity, but to give the nation sufficient responsibility for its own affairs as to allow it to constitute a viable example for other nations. “A ‘kingdom of priests and a holy nation,’” he writes, “is thus not a theocracy, but a God-centered republic.”

Berkovits expands on the question of sovereignty in a variety of contexts. In *Faith After the Holocaust* (1973), he concludes his major statement on the destruction of European Jewry with a discussion of Jewish statehood. While most Zionist writers based their arguments for statehood on a plea for justice or for the necessity of self-defense after centuries of persecution, Berkovits depicts sovereignty as a permanent need, inherent in Judaism’s moral outlook:

> While by faith alone a soul may be saved, perhaps, the deed’s *raison d’etre* is to be effective in the world. For the sake of its effectiveness, the deed will seek for its realization a group that is motivated by a

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130 Berkovits, *God, Man and History*, pp. 140-141.
common faith and united by a common cause. The extent of the group depends on the area within which the deed is to be enacted.

But what if the fruition of the idea as the deed encompasses the whole of human existence? If the faith seeks realization in economics, morals, politics, in every manifestation of human life? In that case, the group ought to be all-comprehensive. Such a group should be mankind. But mankind is not a group; it is not a historical entity. Mankind itself is an idea, an ideal. The comprehensive group to be created to suit the comprehensive deed as a historical reality is a people in sovereign control of the major areas of its life. The faith of Judaism requires such a comprehensive deed. Realization through and within the all-comprehensive collective, mankind, is the ideal; the instrument of its realization in history is the people.\footnote{Eliezer Berkovits, *Faith After the Holocaust* (New York: Ktav, 1973), p. 149, emphasis added.}

The fallacy of political universalism, according to Berkovits, is not its wish for the improvement of mankind, but its belief that mankind as such exists at all, as a human association capable of acting in history. Collectives can be real things, inasmuch as they are made up of individuals acting in concert and united in a common cause; “humanity” may be a useful mental construct, but it does not exist as an actual human collective, so long as all mankind has not united under a common identity or goal. Universal
brotherhood is at best a dream; only extant human associations can actually move history, and the form of association most suited to the aims of Judaism is the sovereign nation, which alone contains within it the full contents of human life.

The centrality of sovereignty to Judaism according to Berkovits can thus be explained in two ways. First, it is a necessary product of Judaism’s insistence on reorienting the length and breadth of human life towards a divine order. If an exilic Jewish community is without control over such far-reaching, genuinely existential concerns as defense and economics, it has assuredly been rendered flatter, less representative of the human condition, and therefore less capable of fulfilling the central aims of a holy nation. It is, literally, less holy.

Many Jews, of course, may see this as a good thing, arguing that it is precisely by delegating to others the “lower” aspects of public life, filled with power and violence, that Jews have been able to offer a superior kind of community. And yet the problem is revealed the moment one takes the argument further. One may choose to live in a monastery, in which wide areas of “profane” concern are removed from the monk’s immediate attention, and call this holiness. Yet by hiding wealth and war and procreation from the monk, one does not make them disappear. The viability of monastic life continues to depend on such questions as before—just that these areas are now left to others. Holiness is not achieved, in Berkovits’ view,
by ignoring profanity and celebrating its absence, but by focusing all the areas of public and private life on that which is “right and good in the eyes of the Eternal.” And what holds for the monastery is no less true for exilic Judaism: It has not removed the need for righteousness in crucial areas such as security and economics; it has merely delegated them to others, and its own holiness is thereby made limited, even superficial.

Second, sovereignty is central to Judaism’s aspiration to create an exemplary community. For it seems clear that few nations will look to the Jews for moral wisdom so long as they are exempt from addressing the hardest questions that come with sovereignty—questions upon which all communal life ultimately depends. Sovereign peoples are certainly capable of learning a great deal from the successes and failures of other nations, for they often face similar challenges. But how is any nation, daily charged with the task of attending to its defense and prosperity, to learn about morality from a people in exile? Put another way, if moral dilemmas increase in proportion to the power wielded by the actor, why would the powerful ever have cause to learn from the powerless, who simply do not face the same kinds of questions? A weaker country will have little to teach stronger ones about how and when to use overwhelming force to achieve just ends, for example, for it has little comparable experience; how much more so for a people with no means of self-defense at all?
To understand just how unusual was Berkovits’ approach in modern Jewish thinking, it is instructive to contrast it with the ideas advanced by other major religious-Zionist thinkers. Among these, two themes are heard most frequently. On the one hand, redemptive determinists like Abraham Isaac Kook and his son, Tzvi Yehuda Kook, identified the rise of Zionism with the messianic era, brought about by divine command through the instrumentality of the Zionist movement. For these thinkers, the end of days was everywhere in evidence, and the only question was whether the Jewish people understood and acted on its implications. As the elder Kook wrote in 1920:

From the lowliest level we are recreated as in days past.... We are invited to a new world full of supernal splendor, to a new era that will surpass in strength all the great eras that preceded it. The entire people believes that there will be no more exile after the redemption that is presently commencing, and this profound belief is itself the secret of its existence, the mystery of God revealed in its historical saga, and the ancient tradition attests to the light of its soul that recognizes itself and the entire genealogy of events until the last generation, a generation longing for imminent salvation.\(^\text{132}\)

Kook’s son, who became the preeminent leader of the religious-Zionist community in Israel in the period following the Six Day War, put it more directly. “How is it that some religious spokesmen even withheld their support for Zionism and the movement for redemption?” he asked. “They failed to recognize that it was not that we mortals were forcing the end, but rather that the Master of the House, the Lord of the Universe, was forcing our hand….” 

On the other hand, pragmatic nationalists like Isaac Jacob Reines, and the religious-Zionist Mizrahi movement he helped found in the early twentieth century, advocated statehood primarily as a remedy for the tragic conditions of exile. The greatest threats to the Jewish people, they argued, are assimilation and persecution, and only Jewish nationalism, and ultimately statehood, could save the Jews. According to this approach, redemption and the improvement of mankind were irrelevant to the Zionist enterprise, and any effort to connect it with eternal Jewish ideals, rather than simply the pragmatic improvement of the condition of the Jews, was in error. “Zionist ideology is devoid of any trace of the idea of redemption…,” he wrote approvingly in 1899. “In none of the Zionists’ acts or aspirations is there the slightest allusion to future redemption. Their sole intention is to improve Israel’s...”

situation, to raise their stature and accustom them to a life of happiness…..

How can one compare this idea with the idea of redemption?”

Berkovits did not deny the philosophical legitimacy of these approaches. In the wake of the Holocaust and the Israeli victories in 1948

\[\text{\small\[134\] Isaac Jacob Reines, \textit{Gates of Light and Happiness} (Vilna, 1899), pp. 12-13 [Hebrew], emphasis added; cited in Ravitzky, \textit{Messianism}, pp. 33-34. Ravitzky also cites a letter published in 1900 by a number of rabbis under Reines' leadership, in support of the Zionist movement. They write:}\]

Anyone who thinks the Zionist idea is somehow associated with future redemption and the coming of the Messiah and who therefore regards it as undermining our holy faith is clearly in error. [Zionism] has nothing whatsoever to do with the question of redemption. The entire point of this idea is merely the improvement of the condition of our wretched brethren. In recent years our situation has deteriorated disastrously, and many of our brethren are scattered in every direction, to the seven seas, in places where the fear of assimilation is hardly remote. [The Zionists] saw that the only fitting place for our brethren to settle would be in the Holy Land…. And if some preachers, while speaking of Zion, also mention redemption and the coming of the Messiah and thus let the abominable thought enter people’s minds that this idea encroaches upon the territory of true redemption, only they themselves are to blame, for it is their own wrong opinion they express.

Letter in \textit{Hamelitz} 78 (1900); cited in Ravitzky, \textit{Messianism}, p. 34.

\[\text{\small\[135\] It is important to note that the thinkers of religious Zionism tended to offer a range of justifications for their support of the movement, of which the above-mentioned themes are merely the central thrust of their arguments. For example, both Kook and the more pragmatic Rabbi Hayyim Hirschensohn declared “nationalism” to be central to the Jewish idea, in which that term is meant to denote the centrality of political sovereignty to the Torah’s application. Cf. David Zohar, \textit{Jewish Commitment in a Modern World: R. Hayyim Hirschensohn and His Attitude Towards the Modern Era} (Jerusalem: Shalom Hartman Institute, 2003), p. 93.}\]
and 1967, he joined many Jews in interpreting these events as revealing some kind of “messianic moment, in which the unexpected fruits of human endeavor reveal themselves as the mysterious expression of a divine guidance which the heart always knew would come.”

Nor could he gainsay the

136 Berkovits, Essential Essays, p. 188. This passage, which originally appeared in Faith After the Holocaust, appears in a broader discussion of “messianic history” in Judaism and the significance of Israel and especially the Six Day War in that context—a discussion that appears at first glance to undermine Berkovits’ placement of human responsibility as the central principle. “In a human condition in which history is altogether manmade,” he writes, “the historical Israel is an impossibility. Yet, Israel is real. It can be real only because history is enacted on a twofold level: it is manmade, the Kingdom is man’s responsibility; it is God-planned, because the Kingdom of God on earth is man’s responsibility it may be delayed by crematoria and death-camps, yet come it must… Israel is the only people that as a nation lives on both levels.” (Faith, p. 153). Earlier he defines messianic history as “the faith in the inevitable triumph of the divine purpose in history that in the course of its unfolding would cause Israel to return to the holy land and there, in the fullness of its public life embody Judaism. (p. 151.)

Yet in almost the same breath, Berkovits quickly returns to the emphasis on human responsibility. “Israel’s strength,” he writes, “must come from the same resources from which the survival power of the Jew came in the past—from within the Jewish people, from the spirit within the Jew, from his heart and mind.” (Faith, p. 164) Notably missing is the assertion that Israel’s history is solely, or most importantly, a matter of divine determination.

We may suggest two approaches to the apparent contradiction. The first is philosophical: As we point out later on, Berkovits does reinterpret divine providence away from the traditional view of God’s controlling our fate as individuals, and even in peoplehood He intervenes only minimally, when the entire Jewish people, or the entire world, is endangered. But even this minimal intervention demands both faith and a philosophical explanation. Second, we may choose to read Berkovits here in a non-philosophical way; that is, that he is describing the phenomena of Jewish faith rather than
pragmatic value of the state in defending Jewish lives and stemming assimilation. At the same time, these approaches share the weakness of being constructed on what is effectively a historical contingency: Reluctant to take upon themselves the critique of centuries of traditional Judaism in exile which such a position implied, these thinkers depicted the need for sovereignty not as fundamental to the central aims of Judaism, but rather as reflecting a specific need in our time. Berkovits, by contrast, presents sovereignty as an inherent and unchanging need, a minimum condition for the fulfillment of Judaism itself.

In this sense, Berkovits’ position recalls that of Ahad Ha’am, whom Berkovits quotes throughout his writings, and who wrote that “Zionism has always been, in its hopes for the distant future, essentially “political,”’ seeking to attain in Palestine ‘absolute independence in the conduct of the national life’ at ‘some distant date.’” But while Ahad Ha’am was by no means a

attempts to build a coherent system. This makes particular sense in the wake of the Six Day War, when the sensation of a messianic moment was felt by a great many people who had little religious commitment per se. It also makes sense in the broader context of his writing about history: Much of With God in Hell, for example, is dedicated to describing the expressions and varieties of faith in the death camps, rather than arguing for a theological position. To Berkovits, such sentiments may have religious value even if they are not consistent with a philosophy of history or a doctrine of human responsibility.

“religious Zionist” and was also pessimistic about the possibility of renewed sovereignty in the near future, and therefore saw the first task of Zionism to create the spiritual and cultural revival in the land of Israel as a precursor to sovereignty, Berkovits, whose first writings on the subject were published during the Holocaust, at a time when both the urgency and the possibility of sovereignty were far more palpable, believed that such a revival did not have to contradict the immediate possibility of and demand for statehood—and that the nature of Judaism did not allow for anything less than the independence which Ahad Ha’am conceded was a primary condition for the ultimate fulfillment of Judaism.  

Berkovits’ aims in writing were different from those of other religious-Zionist thinkers. The latter were directing their discourse primarily to the

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138 Although Berkovits was in some sense more “hawkish” than Ahad Ha’am on the issue of sovereignty as an immediate goal, it is worth noting that he took issue with him, as well as with Herzl and other Zionist thinkers, on the question of the fate of the Golah, or exile. While some Zionist thinkers, such as A.D. Gordon, presumed a repudiation, or even liquidation, of the conditions of exile, Berkovits was far more pragmatic and conciliatory in this regard. “The present task [of reviving Judaism] must be shared between Eretz Israel and the Galut,” he wrote in 1943. “The place for the creation of the full Jewish existence is, of course, the Jewish National Home, but the rediscovery of Judaism will, to a very large extent, probably be better done in the Galut; firstly because of the greater material resources of the Galut, with the incomparably larger Jewish masses in need of it there, and, secondly, because a rapidly expanding community in Eretz Israel will not be able to exercise the patience and care necessary for the success of such an endeavor. But although the preparatory task will have to be divided between Galut and Eretz Israel, organically regenerated Judaism can arise nowhere except in Eretz Israel. Berkovits, Towards Historic Judaism, pp. 76ff.
Orthodox rabbinic leadership, steeped in the idiom and assumptions of Torah learning; their principal ideological opponent was the anti-Zionist rabbinic establishment. Their hopes lay not in convincing a secular Zionist establishment to recognize the religious value of the moment, but in convincing Orthodox Jews to recognize the religious merits in a pre-existing, but hitherto secular, Zionist enterprise. Berkovits, on the other hand, laid aside the rabbinic rhetorical training of his youth and crafted a philosophical argument for a nationally based Judaism derived from his understanding of the unique Jewish approach to morality, thereby creating a coherent system which could serve as an alternative to the central ideas of modern moral philosophy and of those philosophies of Judaism that drew upon European thought for their inspiration.

The importance of these differences becomes apparent when we consider the fact that the most powerful intellectual opposition to Jewish sovereignty in the first half of the twentieth century came from the world of philosophical argument, and in the name of eternal, not historically contingent, Jewish ideas. Thinkers like Cohen, Rosenzweig, and Buber insisted that the idea of sovereignty violated the true spirit of Judaism, which affirmed the powerlessness of exile. Cohen, for example, argued in 1916 that the exile of the Jews two thousand years ago was a major step forward in messianic history, enabling the Jews to represent an “entirely universal religion” among the nations:
We interpret our entire history as pointing to this messianic goal. Thus, we see the destruction of the Jewish state [i.e., of the ancient Jewish commonwealth] as an exemplification of the theodicy of history. The same Micah who said that God requires man to do justly also conceived of the providential metaphor: “And the remnant of Jacob shall be in the midst of many peoples, as dew from the Lord.” We are proudly aware of the fact that we continue to live as divine dew among the nations; we wish to remain among them and be a creative force for them. All our prophets have us living among the nations, and all view “Israel’s remnant” from the perspective of its world mission.

Jewish history, in Cohen’s view, represents the progress of the Jews from a provincial, national entity during its ancient, sovereign period to a higher state of exile and dispersion, in which they may serve as “divine dew among the nations.” This position, upon which Cohen based his opposition to the emerging Zionist movement, was developed further by Franz Rosenzweig. In The Star of Redemption (1919), Rosenzweig posits a role for the Jewish people in the redemption of mankind, a role that has emerged

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139 Micah 5:6.

precisely because of the Jews’ rejection of sovereign power and their attainment of an ahistorical life in exile:

The Jewish people has already reached the goal toward which the nations are still moving…. Its soul, replete with the vistas afforded by hope, grows numb to the concerns, the doing, and the struggling of the world. The consecration poured over it as over a priestly people renders its life “unproductive.” Its holiness hinders it from devoting its soul to a still unhallowed world…. In order to keep unharmed the vision of the ultimate community it must deny itself the satisfaction the peoples of the world constantly enjoy in the functioning of their state. For the state is the ever-changing guise under which time moves step by step toward eternity. So far as God’s people is concerned, eternity has already come—even in the midst of time!141

By rejecting statehood, and its attendant involvement in “the concerns, the doing, and the struggling of the world,” the Jews as an exilic people have succeeded in achieving the same eternal status which every nation seeks. The nations of the world, however, have sought eternity through the state, which employs law, coercion, and war to create an illusion of the eternal. “The state symbolizes the attempt to give nations eternity within the confines of time,” a

fact which puts it forever at odds with the Jewish people, who have already
discovered eternity through the exilic model. The state, in Rosenzweig’s view,
is nothing less than “the imitator and rival of the people which is in itself
eternal, a people which would cease to have a claim to its own eternity if the
state were able to attain what it is striving for.”

The views of Cohen and Rosenzweig, it must be emphasized, had a
powerful influence on Jewish intellectual life, including in Israel. While their
arguments were well developed from a philosophical standpoint, it is fair to
say that their success was no less the result of a fear that the Jewish people,
who had witnessed centuries of racist persecution in Europe, would now
themselves come under the influence of that romantic nationalism that had
become popular in Europe in the nineteenth and early twentieth centuries—a
fear which to this day continues to charge the debate over the application of
sovereign power in the Jewish state. As a young rabbi in Berlin at the time of
National Socialism’s ascendancy in Germany and until the eve of the war,
Berkovits understood Germany’s radicalization to be the natural outcome of
the state-worship which had swept central Europe, and was concerned about
what the renewed affection for sovereign power could mean for the Zionist
movement. “Woe unto us,” he wrote in *Towards Historic Judaism* (1943), “if the
degeneration of the exile should lead us to a Hebrew nationalism along the

142 Rosenzweig, *Star of Redemption*, p. 332.
European pattern…. Not every form of *eretz yisrael* is worth the trouble, and many a form could be unworthy of Judaism.”

At the same time, for the Jews to reject worldly, history-making power when the opportunity presented itself would mean shirking the responsibility they had taken upon themselves at Sinai. Sovereignty was central to Judaism, and could not be written out of it simply because romantic Europeans had put the state at the center of their worldview. How, then, was a Jewish state to avoid the perils of European nationalism? Berkovits’ answer is clear. Sovereignty and nationhood are themselves preconditions, not the end goal, of Judaism. A Jewish state would avoid the dangers of idolizing the state by keeping before its eyes the higher moral purpose for which the Jewish people was founded; by preserving the state’s dependence on Jewish tradition, through which the idea of the “holy nation” would be continuously reinforced and the risks which accompany empowerment kept in check. “The idea of a holy nation is not to be confused with that of nationalism,” he wrote a decade after the establishment of Israel. “The goal of nationalism is to serve the nation; a holy nation serves God. The law of nationalism is national self-interest; the law of a kingdom of priests is the will of God. From the point of

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view of a nationalistic ideology, the nation is an end in itself; the holy nation is a means to an end.”

Thus, whereas Cohen and Rosenzweig offered a defense of exile in the name of an ethical vision, Berkovits’ emphasis on morality in Judaism led precisely to the opposite conclusion. The idea of the improvement of mankind, which lies at the heart of the prophetic vision, demands not exile but sovereign empowerment, for without it Judaism cannot offer a true example of how the entire life of man may be dedicated to a higher, divine order. That national sovereignty could avoid the pitfalls of state-worship was acutely evident to Berkovits, who escaped totalitarian Germany and found in the English-speaking democracies a far more successful model. These nations understood sovereignty as the only means to vouchsafe the liberty necessary for human happiness, and their dedication to this higher ideal enabled them to write constitutions and laws which have succeeded in furthering that ideal over centuries. In Berkovits’ view, the idea of the holy nation can serve as precisely such a higher vision for the Jewish state, and in fact must do so if Judaism is to establish itself as a moral force in history.

III. The Implications of Exile

If sovereignty is central, however, the Jews’ history of exile and return takes on new significance. Exile is a tragedy not only for Jews deprived of a homeland, but also for a Judaism deprived of the conditions for the fulfillment of its purpose. Exile for Berkovits represents not an improvement that should be balanced against the human suffering it entails, not an “exemplification of the theodicy of history,” as Cohen put it. Rather, it represents nothing less than the derailment of Judaism itself, which no amount of congregational action or individual piety can make good. “The great spiritual tragedy of the exile,” Berkovits wrote in 1943, “consists in the breach between Torah and life, for exile means the loss of a Jewish-controlled environment.”¹⁴⁵ Without sovereignty, Judaism itself is deprived of its creative capacity, its original inner vitality, and is doomed to paralysis and, ultimately, decline.

Why must this be the case? The answer, according to Berkovits, stems from the essential difference between the life of the holy nation in its land and that of a people in exile. As a sovereign people, the holy nation is not a static thing, but a living, creating entity. Faced with new challenges and possessing the power to address them, such a nation constantly struggles to improve its life and laws according to a higher vision. As such, it will of necessity be

¹⁴⁵ Berkovits, Essential Essays, pp. 161-162.
dynamic and evolving. Because it has the capacity for far greater moral
effectiveness than a people in exile, it will dedicate its resources to the
articulation, interpretation, and enforcement of just laws and right customs.
And its best minds and spirits will be continually directed toward
understanding just what it means for a sovereign nation to live in
righteousness.

For many centuries, Berkovits writes, Israel enjoyed the conditions
necessary for pursuing such a vision. While the Jewish kingdoms of antiquity
did not always meet the standards of conduct they had set for themselves,
sovereignty nonetheless meant that the idea of the holy nation was a
possibility, a dream to pursue. This powerful sovereign dynamic enabled a
small people to produce the most influential work of moral teaching in
human history—the Hebrew Bible, which depicts, through a variety of
genres, the successes and failures of a nation attempting to fulfill the purpose
given to it by God. It also enabled the creation of a rich oral tradition,
encompassing both law and legend. These great works, in Berkovits’ mind,
were produced by a living nation grappling with all the realities of human
life, from warfare to public worship to education and economics, and
struggling to imbue the fullness of life with sanctity. Even in the first few
centuries after the Temple’s destruction in 70 c.e. and the final loss of Jewish
sovereignty in the second century, the intellectual habits which had been the
product of sovereignty enabled the rabbinic leaders of Judaism to produce the
monumental works of the Talmud and Midrash, which possessed such creativity and insight as to become the basis not only of Judaism for centuries on end, but of continued study and reverence throughout the Western world.  

But this momentum could carry Judaism only so far. In the centuries following the destruction of the Jewish commonwealth, the enormity of the exile began to make itself felt. Stripped of sovereignty, the Torah ceased to be “history-making.” The Talmud itself gives voice to this understanding, when it asserts that “since the destruction of the Temple, God has nothing in this world other than the four cubits of halacha.”  

Judaism in exile, Berkovits writes, became at once distracted and distorted, unable to apply the divine ideal to the totality of life, while at the same time forced to modify its laws and institutions to ensure Jewish religious survival against the double threat of assimilation and persecution. “With the loss of national sovereignty,” he wrote in Crisis and Faith (1976), “there were no more political problems with a bearing on national survival to confront the Torah…. Judaism was forced out of the public domain into the limitations of the private one. Broad layers of the Torah were thus pried away from the comprehensive life of a normal

\[146\] For an important example of the influence of rabbinic thought on modern philosophical discourse, cf. Fania Oz-Salzberger, “The Jewish Roots of Western Freedom,” Azure 13 (Summer 2002), pp. 88-132.

\[147\] Brachot 8a.
people, for which they were originally intended. The vital link between Torah and reality was severed in the exile of the people.” 148 If Judaism requires sovereignty for its fulfillment, then exile is not merely a historical disaster, but a cosmic one as well, for God’s teaching is deprived of its central field of application, and the presence of the divine in history becomes restricted to the “four cubits” of law in exile.

Exile meant that to survive, Judaism had to be transformed and retooled. Beginning with the decrees of R. Yohanan ben Zakai during the first century C.E. and continuing over a thousand years, the rabbis struggled to preserve the Jews’ basic commitments to Torah study and observance in increasingly difficult conditions. The elimination of broad areas of life from the Torah’s rubric meant the Jews’ mission as an exemplary people would have to be put on hold; and the extreme conditions of exile posed such a threat to the survival of the Torah that preservation became an overriding existential need. Pursuing the ancient dream was no longer an option, and Jewish leaders now turned their efforts to merely keeping the dream alive.

This meant, first and foremost, a palpable constriction in the freedom of rabbinic scholars to innovate or interpret the law creatively in light of its inner meaning. Most strikingly, this was expressed in the emergence of written codes of law as the preeminent source of Jewish authority, displacing

the judgment of living individuals, who in Berkovits’ view were more capable of capturing the depth of the Torah’s meaning and applying it to ever-changing reality. “Living authority is always built upon tradition, but as it is alive it can exist only when there is a possibility of an organic evolution in the application of tradition,” he wrote. “When, owing to the hard facts of Jewish history, owing to the insecurity of Jewish life, living authority was no longer practicable, and authority had to be transferred to the book, the Talmud, the records of a once-living authority, Judaism had to sacrifice the possibility of organic development; it renounced the great principle of the evolution of traditional teachings. The structure of Judaism became rigid, for it had lost its evolutionary strength.”

For the preservation of their national law in conditions of exile, the Jews paid in the hard currency of the Torah’s original vitality. Cut off from the hardest questions of public life, the Torah was relegated almost entirely to the purely theoretical or the purely individual. In Crisis and Faith, Berkovits put the problem in perhaps its harshest light:

With the people, the Torah, too, went into exile…. The living Torah needs the dialectical tension of the confrontation with a total reality that asks questions and presents problems. Torah is alive when it meets the challenge, struggles with the problems, seeks for solutions by

149 Berkovits, Essential Essays, pp. 157-158.
a continuous deepening of its self-understanding, thus forever
discovering new levels of meaningfulness in the depth of its
inexhaustible eternity. Torah in exile lacks the life-sustaining challenge
of the confrontation. It is stunted in its vitality and, for lack of
possibilities of Torah-realization, it is greatly impaired in its wisdom of
Torah-application.\footnote{Berkovits, \textit{Crisis and Faith}, pp. 141-143.}

Exile necessitates taking extreme measures just to preserve Jewish
identity and to maintain the Jews’ fidelity to the original dream of the holy
nation. For this reason, even as the application of the law became increasingly
constricted, the ideal of Torah study continued to include those areas of the
law which were devoid of practical application—such as the sacrifices in the
Temple in Jerusalem, the governance of the Sanhedrin, or agricultural
restrictions in the Sabbatical year, which apply only in the land of Israel.\footnote{This was felt acutely, for example, in the curriculum of study in the leading European yeshivot in the nineteenth century. Cf. Norman Lamm, \textit{Torah Lishmah: Torah for Torah’s Sake in the Works of Hayyim of Volozhin and His Contemporaries} (Hoboken, N.J.: Ktav, 1989), p. 240.} For
this reason, moreover, Judaism throughout the centuries maintained a
powerful dedication to the messianic idea, based on the hope that the Jews
would re-establish sovereignty and regain their former glory—an idea which
attained the status of cardinal belief in the writings of Maimonides, and which

\footnote{Berkovits, \textit{Crisis and Faith}, pp. 141-143.}
even found practical expression throughout the medieval period in efforts to
return to the land of Israel and re-establish Jewish sovereignty.\textsuperscript{152}

But these measures, while helpful for preservation, could not correct
the immense “breach between Torah and life” that had resulted from exile.
Over time, Judaism turned increasingly inward and attended primarily to its
spiritual self-defense. It erected firm walls of law and custom, in the process
becoming progressively less flexible. Judaism and Jewish life were able to
continue this way for many centuries, preserving the integrity of the Jewish
nation and its dedication to the Torah as a theological framework and a
source of political authority. But the same rigidity and insularity which
helped Judaism survive through the medieval period left it unprepared for
the modern era.

The modern period in Europe presented so powerful an assault on the
traditional exilic model of Judaism as to leave the Jewish people in a state of
crisis from which it has yet to emerge. Politically, the emancipation of
European Jewry meant that the individual Jew was suddenly offered a
national affiliation that could compete openly with that of the Jewish polity-
in-exile. Philosophically, enlightenment meant that reason, which always had
a special appeal for Jews raised on talmudic discourse, was now turned

\textsuperscript{152} Cf. Arie Morgenstern, “Dispersion and the Longing for Zion, 1240-1840,”
against the foundations of biblical faith. As Berkovits writes in *Towards Historic Judaism*:

> When, through Jewish emancipation, European Jews entered the circle of modern civilization and experienced the conflict between that new world and their own Jewish world of old, the rigidity which they had taken upon themselves resulted in an inability to adapt, rendering all the important problems arising out of that conflict insoluble. Jews began to share more and more in a life that was rapidly changing, while at the same time they remained in a spiritual and religious world that had lost its capacity to develop. In such a situation, all attempts at reconciliation were doomed to failure.\(^\text{153}\)

The result was that the majority of Jews broke with the traditional framework, abandoning the political component of Judaism as well as the four cubits of law—and in the process abandoning the ancient dream of creating a holy nation. Judaism became a realm of private belief which every Jew was supposed to interpret on his own. But in the realm of human history, where the Torah had originally sought to have its most important effect, the Jew was now a proud Frenchman, American, or German. “We German adherents of Jewish monotheism,” Hermann Cohen wrote typically in 1917,

“place our trust in history, confident that our innermost kinship to the German ethos will be acknowledged ever more willingly and frankly. Sustained by this confidence, we shall thus go on as German men and German citizens and at the same time remain unshakably loyal to our Jewish religion.”

In Berkovits’ view, therefore, the central crisis facing the Jew in modern times is not his physical survival but the collapse of the system that had preserved the idea of the holy nation. The liberal forms of Judaism, which looked to a universalizing Jewish “ethics” and Jewish “religion” to replace the law and the political commitment it implied, were to him not a modernization of the ancient faith, but its material abandonment. “The biblical conception of the Jewish state is the kingdom of God on earth,” he wrote. “The basic demands of Judaism compel this outlook…. Whoever breaks with it breaks with Judaism.” At the same time, the traditional forms of Judaism, which for a thousand years had managed to fight off every major challenge to Jewish nationhood, stood now like a castle of sand against the incoming waves—powerless to stop the erosion, yet oblivious to the failure of its own material.

The only solution to the crisis would be a radical move, one that would reconnect Jews with the creative, sovereign spirit which had earlier defined


their national experience. Preservation was no longer an option, since the methods of preserving no longer worked for the great majority of Jews. Instead, Judaism must forgo the exilic model, in which evolution and creativity are all but precluded, and reconstitute itself as a national state.

“Any further development of Judaism is possible only by the creation, somewhere on this earth, of a complete Jewish environment, one wide enough to embrace the whole existence of a Jewish national entity,” Berkovits wrote half a decade before the advent of Israel. “Only by the creation of such a Jewish environment can we give back to Torah the great partnership of life which alone is capable of freeing Judaism from its present exilic rigidity, and create the circumstances in which evolution will again be possible.”156 Thus the Jewish state, which played so central a role in Berkovits’ understanding of the ideal Jewish community, becomes the centerpiece of his approach to Jewish life in the modern era.

Berkovits, it should be stressed, was under no illusions about the realities of Jewish and Israeli history. He did not advocate “liquidating” the diaspora, and dedicated an entire chapter of Towards Historic Judaism to diaspora life and his prescription for its success. Nor did he believe that the State of Israel, as it developed over nearly half a century, had lived up to its potential as a source of creative Jewish thinking; indeed, his Crisis of Judaism

156 Berkovits, Essential Essays, p. 163.
in the Jewish State (1987), which was written following his immigration to Israel in 1975, catalogues the failure of his adoptive countrymen to recognize the potential inherent in a Jewish state, and offers a warning that without a more significant reconnection to the ancient Jewish ideal, Zionism itself may not survive.

Despite these criticisms, however, Eliezer Berkovits never abandoned his belief that in the absence of statehood, Judaism is doomed to search for ever-newer stratagems for survival, pushing the ancient dream ever further into the people’s collective memory. Only with a Jewish state might the breach between the divine teaching and human history again be healed, and might Judaism reclaim its role in history as a powerful, creative, and developing source of human wisdom, a living example of holiness in national existence.

Conclusions

As a political-theological movement, Religious Zionism in the twentieth century offered the Jewish people two competing images of statehood, which gained a dedicated following among a small number of adherents, but did not succeed in capturing the imagination of Jews on a broad scale. On the one hand, followers of the Mizrahi movement advocated statehood for the Jews principally as a means of protecting Jewish lives and material interests. A traditionalist offshoot of Theodor Herzl’s Zionist
Organization, Mizrahi built institutions along the lines of the other Zionist movements, establishing youth groups, sports clubs, kibbutzim, and a political party. Its aim was to translate modern Zionism into religious terms and to provide an environment in which Jews committed to a life according to halacha could take part in the Zionist enterprise. Although it certainly did not shun religious symbolism and terminology, the Mizrahi movement emphasized pragmatism over theology, and did not offer a coherent philosophy of Judaism in which sovereignty played the central role.\textsuperscript{157}

By mid-century a second movement had emerged as well, around the teachings of Abraham Isaac Kook, and amplified by his son, Tzvi Yehuda Kook. This movement read the events of the late nineteenth and twentieth centuries through a messianic lens. The success of Zionism and the emergence of the State of Israel (and, after 1967, the return of the Jews to the holy places of Jerusalem, Judea, and Samaria) were interpreted as \textit{at’halta digeula}, the beginning of the redemption, and Jews were enjoined to build and settle the land of Israel in order to hasten the messianic process. While this movement offered a more profound theoretical basis than did the Mizrahi, its overt messianism, eschatological vocabulary, and intensive settlement activism at a time when the majority of Jews and Israelis had already ceased to find in

\textsuperscript{157} See note 27 above.
settlement a central source of Zionist fulfillment, all served to prevent it from reaching the great majority of Jews.

Eliezer Berkovits offered a very different vision, which grants Jewish nationhood and Jewish sovereignty a vital role in Judaism while avoiding the determinism and exaggerated expectations that come with messianism. According to his vision, Judaism offers an understanding of morality which takes cognizance of the importance of nations in determining man’s moral fate, and which insists on the necessity of a moral exemplar in the form of a living, sovereign nation—a people that takes full responsibility for human life in its realm. The Jewish people was created with the singular aim of serving this vision, to be a “kingdom of priests and a holy nation.” This is the challenge put forth in the biblical writings, and its centrality to Judaism is in evidence throughout the length and breadth of traditional Jewish teaching, even after two thousand years of exile. In our own era, the promise of Zion, in Berkovits’ view, is the hope of rediscovering the Torah’s own creative essence after centuries of suspended animation—a hope which requires the security, continuous creative exploration, and locus of full moral responsibility, which only sovereignty can offer.
PART 3:
THEODICY AND RESPONSIBILITY

Introduction: Evil in the Shadow of the Holocaust

To fully understand just how central a role the idea of human responsibility played in Berkovits’ thought, however, requires a look at his theological writings that emerged in the wake of the Holocaust. In discussing morality, we saw his understanding of what man is and how Judaism’s unique approach to morality can hope to make him better. In discussing sovereignty and nationhood, we learned about his approach to the collective of Israel. Finally, we turn to the third part of the equation, and discover an aspect of his philosophy no less central to understanding Judaism: The role of God in his relation to man, a question never so acute as it was in the shadow of Auschwitz.

Like the more general literature on the Holocaust written in the last half of the twentieth century, Jewish theological writing suffered from a problem of articulation. In the face of unimaginable catastrophe, expressing the questions has often seemed as difficult as formulating answers. For more than two decades following the war, indeed, the only position for most religious thinkers was silence. An abyss had opened in the path of Jewish history, unfathomable in depth and shrouded in a trauma so thick as to
prevent one from even gauging its span. Very little about the Jew’s relationship with God and the world, it seemed, could be said.

But the trial of Adolf Eichmann in 1961—the bizarre sight of the Jew putting his oppressor on trial—caused a shifting of the ground which, it now seems, alerted the stunned observer of Jewish theological history that the show was continuing, with or without him. This was magnified tenfold by the 1967 Six Day War, which began with a terrifying waiting period in which the words “second Holocaust” were on everyone’s lips, and ended with a victory so sweeping as to suggest once again the possibility of Jewish survival and even Jewish might, and to hint that perhaps God’s hand was no longer bent solely on the destruction of his people.

Thus it was that in the late 1960s and early 1970s that a new wave of Jewish theological writing on the Holocaust appeared. Beginning in 1965 with Ignaz Maybaum’s *The Face of God After Auschwitz*, which portrayed the Jewish destruction as a kind of expiation of the sins of the gentiles, Jewish thinkers began to debate, to express, to turn their harshest questions on God. The following year, Richard Rubenstein’s controversial *After Auschwitz: Radical Theology and Contemporary Judaism* declared the holocaust to be evidence of the “death of God” and the dawn of a new era in which man was to walk alone. Emil L. Fackenheim published his seminal essay on the subject in *Commentary* magazine in August 1968, in which he asserted that regardless of whether one was a traditional or secular Jew, the death camps now filled the world with a
divine “commanding voice” that insists upon Jewish survival and life; this was followed in 1970 by his first major work on the Holocaust, *God’s Presence in History*, leading up to a more comprehensive treatise, *To Mend the World: Foundations of Post-Holocaust Jewish Thought* in 1982. Arthur A. Cohen’s *The Tremendum: A Theological Interpretation of the Holocaust*, based on lectures delivered in 1974, was a stirring exploration of the depth of the chasm, the phenomenology of an unspeakable and unthinkable tear in the fabric which once bound man with God. These major works were accompanied by a series of important smaller essays and rebuttals, the most notable of which was Irving Greenberg’s “Cloud of Smoke, Pillar of Fire,” first presented at a 1974 symposium, which asserted that the Holocaust must be regarded as a fundamental, revelatory event that changes the nature of Judaism itself.

What unites these writings, and distinguishes them emphatically from the few Jewish theological works that had appeared during and just after the Holocaust, was the sense that this was an event that could not easily be explained in traditional categories. The magnitude of the destruction, the cruelty, the innocence of a million children systematically exterminated—all these made it impossible to adopt traditional categories of theological justification. For the believing Jew, Eliezer Schweid has written,

The belief in Divine providence had acquired such dimensions of absurdity in the darkness of the Holocaust that not even one of the old
known arguments of justification could hold its claim.... In the immediate response of believers to the attacks of Radical Evil in the Holocaust one intuits an emotional rejection of most traditional arguments of justification. They refuse to accept them as if there is in such arguments, dwarfed to sheer superficiality by the extraordinarily unique reality, an unsufferable insult, or a desecration of their belief in a God of mercy and justice, making their spiritual agony even more painful. This means that even for those who remained true to their belief and faith, the gap between religious expectation and reality remained unbridged, and their protested question remained unanswered, indeed as an inner deep dimension of their tortured faith. They believed in spite of and from within their conviction that there can be no satisfying answer in this world to their shocked religiosity.\footnote{Eliezer Schweid, \textit{Wrestling Until Day-Break: Searching for Meaning in the Thinking on the Holocaust} (Lanham, Md: University Press of America, 1994), p. 332. Cf. the original Hebrew, Eliezer Schweid, \textit{Wrestling Until Daybreak} (CITY: Hakibutz Hameuhad, 1990), p. 170.}

The more one reflected upon the Holocaust, the more difficult it became to place it within a broader framework of Jewish history or traditional Jewish theological categories. In the past, the rabbis had interpreted catastrophe as punishment “for our sins.” Could anyone with a sense of moral decency view the Holocaust in this way? In the past, God was perceived as a
redeemer, who preserved the Jews against even the most horrible enemies. Could anyone say the Jews had been redeemed?

Any articulation, it seemed, pushed toward sacrilege. For what was at stake was not simply an unexplained event or an unjust evil, but the apparent betrayal by God of his covenant. The bedrock principle of Jewish faithfulness, articulated each year at the Passover Seder, was that “in each generation, they arise against us to destroy us, and the Holy One saves us from their hand.” This time there had been no redemption, and the obliteration of the Jews was revealed as possible, palpable, even partially successful.

Thus we may characterize the genre of Jewish holocaust theology as going beyond dispassionate theoretical inquiry into the nature of evil. It is true that there exists a logical problem—a traditional problem of theodicy—involving the apparent contradiction of the beliefs in a god who is both omnipotent and perfectly good, on the one hand, and the presence of radical evil such as the Holocaust, on the other. At the same time, however, anyone who reads this literature is conscious of a more deeply emotional driving force. In truth, Jewish Holocaust theology is, for the most part, driven by the reaction of the nationally conscious Jew to the apparent rejection of his own, “chosen” people by his Creator. God, who had avowed in the book of Deuteronomy never to abandon the Jews completely, had now done precisely
The need for theological answers was driven not by curiosity or wonder or ordinary reflection, but from the anguish of inexplicable, overwhelming severance. To understand Jewish post-Holocaust theology, therefore, is to recognize that it is foremost an attempt to make sense out of unthinkable madness, to create order in shattered faith.

How else may we understand the insistence, for example, of Emil Fackenheim, that the continuation of Jewish life now become the fundamental principle of Judaism, above even the belief in a redeeming God? In his view, the truly religious Jew embraces an irrational faithfulness to an unfaithful God. To this God, as he puts it, the Jew must now say: “You have abandoned the covenant? We shall not abandon it. You no longer want Jews to survive? We shall survive, as better, more faithful, more pious Jews. You have destroyed all grounds for hope? We shall obey the commandment to hope which You Yourself have given.”

Or consider the indulgent blasphemy of Rubenstein, who takes Nietzsche’s madman as the foundation of a new anti-theology of Judaism:

I understood the meaning of the death of God when I understood the meaning of Auschwitz and Madjdanek.... God really died at


Auschwitz. This does not mean that God is not the beginning and will not be the end. It does mean that nothing in human choice, decision, value, or meaning can any longer have vertical reference to transcendent standards. We are alone in a silent, unfeeling cosmos.... Morality and religion can no longer rest upon the conviction that divinely validated norms offer a measure against which what we do can be judged.\textsuperscript{161}

For Rubenstein, the Holocaust means that God is dead—that man is alone, meaning is an invention, and all responsibility for the fate of mankind rests on his own shoulders. All transcendence is a pretension. Judaism is no longer a faith or a truth, but nothing more than “the way we Jews share our lives in an unfeeling and silent cosmos. It is the flickering candle we have lighted in the dark to enlighten and to warm us.”\textsuperscript{162}

We may legitimately ask what question these approaches are coming to answer. The Holocaust is indeed an abyss, on the edge of which the Jew suddenly finds himself on his path through history. Gasping in the face of impenetrable evil and suffering, the Jew is first of all transfixed. He cannot turn away, it seems, without denying the magnitude of the horror and in the


\textsuperscript{162} Rubenstein, \textit{After Auschwitz}, p. 225.
process committing an unthinkable sacrilege to memory and to the victims.

He cannot span it, first because it is so vast, but more importantly because its very presence makes him reconsider the original journey: The Holocaust calls into question all of Jewish theological history, for if God can allow it, the faith in God’s protective covenant, and in the nature of the Jewish path in history, must be reconsidered. Without any clear direction, Holocaust theology attempts first of all just to describe the abyss itself, to make an initial attempt to articulate the nature of the problem, which after two decades of hot silence is itself no small achievement.

Fackenheim and Rubenstein, each in his own way, and each largely representative of the genre, offer a kind of answer that attempts to chart a new course for the Jew in the wake of God’s apparent betrayal. Fackenheim insists on a new transcendent value, a “614th commandment,” an alteration in the fundamental covenant in which now the Jew is obligated by the Commanding Voice of Auschwitz never “to hand Hitler yet another, posthumous victory,” but instead to affirm the Jewish people in its life. Rubenstein, by contrast, accepts a fundamental premise of the radical theologians of his time, denying the existence of any transcendent value, placing the burden of all value-creation on the shoulders of man alone, and bids man to move forward through an optimistic form of loneliness. These are different answers, yet there is also a similarity: Forced to choose between the sacrilege of denying the divine covenant and the sacrilege of the memory of
the victims, both prefer the former rather than the latter, affirming the sanctity
of the Holocaust and rejecting that of the traditional view of Jewish history. In
the face of the abyss, nothing which came before can be the same.

Can this suffice? With the distance of two generations from the events,
we may allow ourselves a certain dissatisfaction with the answers given by
Jewish post-holocaust theology. These writers insist that any attempt to
incorporate the Holocaust into the past evils which befell the Jewish people—
the first and second exiles from the holy land, the Crusades, the expulsion
from Spain, the pogroms—necessarily trivializes the Holocaust, and
trivialization is sacrilege. But perhaps today we are permitted to ask the
reverse question as well: Does not the insistence of absolute theological
attention to the Holocaust, and its isolation from Jewish theological history,
run the risk of trivializing the rest of Jewish suffering and redemption
throughout the ages? Is not that also, or even more so, an unacceptable
solution to the problem?

Some elaboration here is required. Judaism is fundamentally about the
historical relationship between the Jewish people and God. The Bible, which

163 “The Holocaust is a novum of history,” Fackenheim has written, “and,
within the Jewish faith, is irreducible to evils perpetrated by Pharaoh or
Amalek, the Spanish Inquisitors or the Cossack’s Chmelnitzki, or even the
enemies of Jerusalem—Nebuchadnezzar, Vespasian, Titus, Hadrian.
Although traditionally refusing to mentions persecutors by name—‘their
names should be wiped out’—Jews cannot cling to that custom in Hitler’s
case, lest his crime be merged with, or assimilated to, previous ones, and thus
trivialized.” Fackenheim, God’s Presence, p. x.
is the foundation of Judaism, is almost entirely devoted to depicting the saga of loyalty and disloyalty of the Jewish people to God. Jewish history is affirmed, by the rabbinical tradition as well, as possessing theological weight at every turn: What happens to the Jews is perceived as part of an ongoing story, a continuum in which the Jews are rewarded and punished, or at a minimum, they are redeemed or abandoned by God to the mercy of cruel nations. Redemption is itself revelation; persecution, by contrast, is a “hiding” of God’s face, an anti-revelation. Jewish faithfulness has always meant a rock-solid belief in the people’s ultimate redemption, in the ultimate resolution of all Jewish suffering, a belief which must endure no matter how horrific the suffering.

This national-historical-theological rubric forms the background of post-Holocaust theology. The authors are saying: Not this time. This is so great calamity, no God can demand this much faith. With the rise of post-Holocaust theology, they are saying, the Jew in his modernity has finally extracted himself from his dependence on God. He has asserted an independent moral position—which has no shortage of precedent within Jewish tradition—according to which it is not God but man that will be the final arbiter of God’s justice. Like Abraham, he has witnessed Sodom, magnified ten-thousandfold, with his own eyes, but this time he has found that the Judge of all the World has not done justice. He is Elisha ben Abuya, responding not to one child’s
meaningless death but to that of one million children. The horror is too great for the old paradigm.

We may begin to challenge these authors by first taking note of the fact that the middle of the twentieth century included not one but two theological tremenda for the Jewish people. It is true that never in Jewish history had the conditions of exile failed so thoroughly, with millions of Jews, exterminated by their once-hospitable hosts. And yet it is also true that never in Jewish history had so many Jews, numbering also in the millions, effected a reversal of the exile, ascending to their ancient homeland and reestablishing their sovereignty there, as happened with the establishment in 1948 of the State of Israel. It is true that the Zionist movement was the product of a longer effort, and an effort of the Jewish will. Nor did it raise the same kind of universal questions—regarding technology, modernity, the depth of human evil—as did the Holocaust. Yet from the perspective of classical Jewish theology, the return of the Jews to sovereignty was no less earth-shaking, and taken together the two events, less than a decade apart, might properly be interpreted as a single upheaval in the relationship between God and the Jewish people that has had no precedent since Sinai. Indeed, a Jewish theology which begins only with the datum of the Holocaust, rather than taking it in combination with the restoration of Jewish sovereignty, appears to stack the deck against any effort to put the Holocaust in any broader historical or theological context.
Moreover, given the perspective of an additional generation since these authors were writing, one cannot help but respond to the admirable, deeply moving commitment to the memory of the victims of the Holocaust which these authors display, with a commensurate, similarly protective, sanctifying instinct towards the memory of all the previous generations of Jewish martyrdom. Again: Is the only way to protect the sanctity of the sacrifice of the Holocaust, to avoid the “trivialization” of the victims, through the unintentional trivialization of the sacrifices which came before? If the Holocaust cannot be incorporated into Jewish history, and if the only theological questions which may now be asked are about the Holocaust, precisely because of its uniqueness—does not this mean that we no longer have any theological interest in what came before? Surely this is not the intention of these authors, yet it seems to be an inescapable effect. For if one insists on the absolute uniqueness of the Holocaust, its absolute indigestibility into any broader historical and theological narrative, one is not simply closing the book on thousands of years of previous Jewish suffering, but rendering it fundamentally meaningless for our own time. From the perspective of Jewish theology, the Jews’ martyrdom during the Crusades or the massacres in Tsarist Russia had meaning precisely because of their loyalty to a covenantal past and their faith in a redemptive future. By depicting the Holocaust as a retooling or irrevocable cancellation of the covenant, these theologians
effectively declare all of prior Jewish history to be no longer theologically meaningful, and the centuries of martyrdom essentially a waste.\footnote{Fackenheim, for one, seems aware of the problem. For this reason, his \textit{God’s Presence in History} contains within it a contradictory theme, an attempt to redefine all of Jewish theological history into an attempt to affirm Jewish “root experiences” such as the exodus and revelation at Sinai in the face of “epoch-making events” such as the destruction of the Second Temple and, also, the Holocaust. Yet Fackenheim’s reconciliation is impossible to sustain under the weight of his understanding of the Holocaust as a radical departure. When the book was re-issued in 1997, Fackenheim added a new preface, in which he recanted the phrase “614th Commandment”—not because the new commandment lacked divine authority, but because the previous 613 commandments were questionable, given the fact that only Orthodox Jews accept them, and “Jewish authenticity is not confined to the Orthodox”; the Voice of Auschwitz, he concludes, is the sole authentic Jewish command from on high. All prior Jewish theology is unacceptable, for even those who completely reject the Jewish God must be included in the possibility of Jewish authenticity. “It is necessary for us to do justice,” he concludes, “to those who knew or recognized no commander, but heard ‘the commanding voice of Auschwitz.’” Fackenheim, \textit{God’s Presence}, p. xi.}

Is there a way out? In this context it is worth giving consideration to the thought of Eliezer Berkovits, whose works on the Holocaust were published at the height of the wave of writing in the 1970s. According to Berkovits, most of the works of post-Holocaust Jewish theology have failed to appreciate the depth and nuance of the biblical and rabbinic traditions. Classical Judaism, in Berkovits’ view, not only has room for the Holocaust and the most powerful questions that arise from it; Judaism \textit{itself} cannot be properly understood without understanding the Holocaust and attempting, at least provisionally, to address the enormity of what happened from a traditional theological perspective. As a result, Berkovits’ approach, rather
than presenting the Holocaust as a fundamental rupture of Jewish history, incorporates it the Jewish people’s millennial historical relationship with God. By trying to grapple with the horror, we may understand God’s relationship to the world more clearly than ever before.

To understand why this is not simply an abdication of the challenge rather than its overcoming, however, requires a deeper inquiry into Berkovits’ approach. In what follows, I will explore the three claims which together make up Berkovits’ post-Holocaust theology: (i) that the proper perspective from which to view the Holocaust is not that of the awe-struck victim—whose experience was unique and cannot be reconstructed for the purposes of theology—but rather that of the victim’s “brother,” who is both acutely aware of the tragedy and at the same time sufficiently detached to allow for analysis and reasoned discussion; (ii) that a proper understanding of the Jewish theological approach to history demands that the holocaust, like other catastrophes, be understood first of all as a human evil which was perpetrated in a broader ideological and cultural context; and that as such, the questions it raises from a theological view are in fact the same as those raised by previous evils in Jewish history; and (iii) that God’s refusal to prevent radical evil is a result of his highest aims for mankind—the establishment of man as a responsible being, charged with the duty of fighting evil, advancing the good, and bringing God’s glory into the world; and that for this reason, even if God cannot detach himself from human history, he must nonetheless “hide his
face” to allow man the freedom to do evil if man is ever to take responsibility for the good.

The Holocaust is therefore not a justification for the abandonment of faith, but an extreme example of a conundrum that has plagued Jewish faith for millennia. Faith cannot offer a complete answer to evil, Berkovits explains, but neither is the presence of radical evil a compelling reason for faith’s abandonment. On the contrary: It is the Jewish faith in the transcendent value of human morals, in the meaning of Creation and the centrality of human responsibility in history, which make it possible to understand an evil as horrible as the Holocaust, and to generate a moral, historical response to it.

In Berkovits’ view, the religious response to the Holocaust is neither that it is the result of Jewish sins, nor God’s abandonment of humanity or of the Jewish people. Rather, the correct response is to recognize that preventing evil and bringing the world to the good are the central responsibility which God has given to man; and that therefore the most important religious response to evil is its detection and ultimate defeat. The Holocaust, therefore, is to be seen not so much as God’s unique failure as that of Western man, raising profound questions about the moral qualities of the enlightenment and its capacity to thwart, rather than unleash, mankind’s most destructive qualities.
I. The Holocaust in Theological-Historical Perspective

Is the Holocaust indeed an irrevocable rupture of the covenant with God—thereby making traditional faith impossible? Or is it a chapter in a broader history—indeed the most horrible chapter, but nonetheless remaining within the fabric of covenantal history—thereby allowing the affirmation of Jewish faith in its classic sense? We must at least concede that recourse to the Jewish tradition cannot offer an unambiguous solution. One who chooses the path of Elisha ben Abuya, the rabbinic teacher who abandoned faith as a response to unjust evil, may be understood even from a classical Jewish perspective in the wake of the Holocaust. But one who wishes to cling to the old faith can find the logical means and traditional precedents with which to do so. Indeed, one-third of the Jews were exterminated; yet it is not the only time that Jews have been murdered in exceedingly large numbers, nor that a major portion of the Jewish people has been lost. It is the unique confluence of murder, intentionality, modern systemization, and the magnitude of Jewish loss which together seem to compel the modern Jewish thinker to demand new theological categories. But whether this particular uniqueness indeed warrants the destruction of foundational principles, however, is not as obvious as some may insist.

Berkovits, for his part, understands and accepts the questions raised by modern Jewish thinkers in the wake of the Holocaust. Whereas the devastations of the past were interpreted as a punishment for Jewish
sinfulness, he joins the other thinkers in refusing to interpret the Holocaust in this way. And yet, the thrust of his argument is ultimately a defense of traditional Jewish faith—one which tries to validate the covenant with God without trivializing the suffering of the victims. On the face of it, this is a nearly impossible task. The experience of the Holocaust caused many Jews to repudiate their faith in light of the horrors that unfolded before their eyes and on their own flesh. How may one who was not there—Berkovits escaped Germany in 1939—presume to preach about the theological meaning of the death camps?

Berkovits begins by drawing a sharp distinction between those who endured the ghettos and camps and those who did not. For someone who was there, it is the experience itself, rather than theological reflection, which forces itself into the center and effectively trumps all speculation. The victim of the Holocaust is like the biblical Job, who cannot endure the circumlocutions of his friends because his suffering is immediate, personal, and in some sense revelatory. Those Jews who rejected God in the midst of the terror, like those who affirmed their faith in it, inhabit a different plane. Their experience, their affirmations and rejections alike, possess a living authenticity, even a sanctity, which we who were not there cannot touch and dare not question. “In the presence of the holy faith of the crematoria,” he writes, referring to those who

165 Eliezer Berkovits, *Faith After the Holocaust*, p. 94.
affirmed their belief in God, “the ready faith of those who were not there is vulgarity. But the disbelief of the sophisticated intellectual in the midst of an affluent society—in the light of the holy disbelief of the crematoria—is obscenity.”166 We who were not there have no right, it seems, to say anything at all about faith in the presence of the victims. More than this: We have an obligation to affirm which flows from the affirmation of those who maintained faith, and an obligation to question God which flows from the questioning of those who did not:

We are not Job and we dare not speak and respond as if we were. We are only Job’s brother. We must believe, because our brother Job believed; and we must question, because our brother Job so often could not believe any longer. This is not a comfortable situation; but it is our condition in this era after the holocaust. In it alone do we stand at the threshold to an adequate response to the Shoa—if there be one.... It must come without the desecration of the holy faith or of the holy loss of faith of the Jewish people in the European hell.167

What role does such a preface play, one which seems to undermine radically any effort by those who were not there to speak of the Holocaust? Berkovits’ immediate aim, it seems, is to distance himself from the easy

166 Berkovits, Faith After the Holocaust, p. 5.

167 Berkovits, Faith After the Holocaust, pp. 5-6.
answers of the faithful—a distance which is doubly important given that his answer is ultimately an affirmation of traditional covenantal faith. He does not countenance—indeed cannot even mention by name—the facile theodicies of his rabbinic peers who spoke of the Holocaust as a punishment for Jewish sins. He is an Orthodox Jew, inheritor of a powerful tradition of rabbinic thinking, but finds the sweeping assertions of other Orthodox thinkers fundamentally wrongful. “Those who were not there,” he writes in Faith After the Holocaust, “and, yet, readily accept the holocaust as the will of God that must not be questioned, desecrate the holy disbelief of those whose faith was murdered.”

Having witnessed the rise of Nazism and the descent of Europe into darkness like the fall of a god, Berkovits cannot treat the horrors which ensued as an ordinary theological conundrum. By affirming the validity of the question of divine betrayal, Berkovits chooses the more difficult road.

Yet we may suggest a second aim, one that is crucial for the nature of his project. The image of Job’s brother is carefully chosen. It represents the combination of intimacy and distance necessary for offering a definitive Jewish theological response. We are not strangers to the enormity, nor are we its direct victims. Just as there is a danger in belittling the Holocaust by subsuming it automatically under pre-existing categories, there is an equal danger in attempting to re-experience it as if we had been there ourselves,

168 Berkovits, Faith After the Holocaust, p. 5.
and attempting to apply this re-creation to theological questions. This is precisely what thinkers such as the Americans Richard L. Rubenstein and Arthur A. Cohen, neither of whom experienced Nazi rule or the concentration camps directly, appear to be doing. It also seems to be the intention of Irving Greenberg, who insists, as a test for any holocaust theology, that “no statement, theological or otherwise, should be made that would not be credible in the presence of the burning children.” Berkovits rejects such a view: The implicit meaning of Job’s brother is that our role is not to recreate the conditions of the Holocaust in our minds, but to recognize that we cannot do so, that our position is in some sense permanently deprived of the authenticity of direct experience, while never losing sight of the enormity of the event.

Moreover, the position of the brother carries obligations which are not incumbent upon the victim. A victim is not merely above rational thought; he is also below it, excused from not only its excesses but also from its duties. The victim’s brother, on the other hand, is obligated to think about that which he did not experience: He must investigate the nature of the crime and try to make order out of life in its wake. This is a sacred duty, one which differs from that of the victim. We who are not Job, but Job’s brother, are not simply

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cut off from the direct experience of his suffering but in some way sufficiently distant that we may not excuse ourselves from grappling with it intelligently, from a distance. We who exist independently of the Holocaust must understand it from our unique perspective, rather than that of Job himself.

“Job’s brother” represents, in other words, a philosophical step away from the abyss. It is not only possible but responsible, even obligatory, to step away. With distance from the event, our perspective is fundamentally different from that of the victim: A view that is inferior for it does not include the white fire of the death camps, without which no truly authentic response is possible; yet which, precisely because of this deficiency, contains within it the additional perspective of the non-victim. Through this metaphor, Berkovits is laying the groundwork for a theology of the Holocaust which recognizes its theological importance without negating that of the great sweep of Jewish history in which it lies. In so doing, he creates the possibility of the affirmation of Jewish faith in a world dominated by faith’s apparent impossibility.

II. History as Man’s Responsibility

A step back from the abyss entails the immediate cognizance of a Jewish view of theological history that is unique. In order to begin to speak of the Holocaust from the perspective of Job’s brother, Berkovits finds it necessary to explore the Jewish understanding of evil, and of history
considered more broadly—an understanding with powerful implications for the theological significance of human responsibility, whose origins are in the Hebrew Bible and which continues in rabbinic tradition.

The creation of man at the beginning of Genesis provides Berkovits’ starting point. Adam was placed in the Garden of Eden with a purpose—“to work it and to keep it.”\textsuperscript{170} Humanity, he writes, is charged with responsibility towards creation, and it is this responsibility which constitutes both the culmination of God’s own purpose in the Seven Days, and the culmination of man’s own meaning on earth. Classical Christianity held that the Fall of Man in the Garden of Eden radically changed the basic calculus, and that man was irrevocably plunged into darkness and profanity, no longer able to fulfill the role of Adam before the sin. As a result, human history is not theologically meaningful, since man is anyway fixed in a state of utter dependence on divine grace, which since Christ has meant awaiting the Second Coming and denying the theological significance of history. “It must not be lost sight of,” wrote Mircea Eliade, “that Christianity entered into history in order to abolish it.”\textsuperscript{171}

\textsuperscript{170} Genesis 1:15; cited in Berkovits, \textit{Faith After the Holocaust}, p. 53.

Judaism, by contrast, never accepted this view. There was no cosmic Fall of Man. Although the world is infinitely more complex than it was in Eden, man’s responsibility remains in essence unchanged. Judaism thus affirmed human history: History is in fact God’s central concern, and man’s central responsibility. Human history, therefore, is not inherently evil or profane, nor inherently good or sacred. It is, rather, the playing field upon which man either succeeds or fails in carrying out his ultimate duty “to work it and to keep it.”

For Berkovits, Christianity’s view of the world as inherently profane leads it to a radically different attitude towards the broader concepts of sacred and profane—an attitude whose origins, Berkovits contends, lie not in the Hebrew Bible but in pagan dualism:

Expressing it in philosophical terms, one ought to say that in Christianity the sacred and the profane are ontological categories; in Judaism they are axiological principles. Between ontological categories there is no possibility of gradual transformation. The profane must die in the transfiguration of the mystery of redemption; and the sacred must perish completely in the Fall. The profane is always altogether profane and the sacred is forever altogether sacred. As axiological principles the sacred and the profane are processes of becoming. The

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profane is never completely lost, for the secular, which has been profaned, is always capable of sanctification; the sacred is never perfect, for what has been sanctified may also be defiled.\textsuperscript{173}

In Judaism, the ideas of sacred and profane, of good and evil, are not forces or states of being, but “processes of becoming”—meaning, that things are not created holy, but become sanctified in time. History is the realm of the “not-yet-sanctified” and the “not-yet-profane,” and responsibility rests with man.\textsuperscript{174} Christianity, by contrast, related to the sacred and profane as fundamental states of being—associating the divine with the former and the worldly with the latter. The two are in permanent struggle, and the task of man is to free himself from “that which is Caesar’s” and attend to “that which is the Lord’s.”\textsuperscript{175}

Berkovits insists that this Christian approach is responsible for a great deal of misunderstanding in contemporary thinking about evil. For what were the central currents of European thought in Berkovits’ time if not, on some level, a reaction against Christianity’s denial of the worldly, of human responsibility for history? Berkovits points, in particular, to two specific trends—secular existentialism and radical theology. The former, represented

\textsuperscript{173} Berkovits, \textit{Faith After the Holocaust}, p. 61.

\textsuperscript{174} Berkovits, \textit{Faith After the Holocaust}, p. 59.

\textsuperscript{175} Luke 20:25.
in the thought of Jean-Paul Sartre and Martin Heidegger, followed Friedrich Nietzsche’s assertion that human life is the center of all things, that the classical Christian denial of man can no longer be sustained, and that on the ruins of the oppressive, anti-worldly Christian conceptions of good and evil must be built a new civilization founded upon values that man has created for himself. (“A God who emasculates man’s creativity and hamstrings his responsibility,” wrote Harvey Cox, “must be dethroned.”176) The latter, a close cousin represented in the writings of thinkers like Thomas J.J. Altizer and William Hamilton, and among Jewish thinkers Richard Rubenstein, adopted Nietzsche’s declaration of the “death of God,” taken in a literal or almost-literal sense: The rise of modernity and the rejection of a theological view of the universe by European moderns is in some sense proof that God has in fact died, and that only man is left standing. “God has died as the result of an existential choice made by modern man,” wrote Eliade. “Modern man has chosen the realm of the profane; he assumed autonomy; he manages by himself; he has made himself a profane being.” 177 What unites these movements is the sense that in the modern world, a Christian metaphysics


177 Quoted in Altizer, Mircea Eliade, p. 27; cited in Berkovits, Faith After the Holocaust, p. 52.
based on the denial of the worldly is untenable; therefore, it must be not God but man who should come to play the central role.  

In Berkovits’ view, these movements are perhaps a reasonable response to centuries of Christian thinking, but it is a pagan, rather than Hebraic, aspect of Christianity which they are assailing. Judaism never insisted on the denial of the worldly, but rather affirmed it all along. According to the Jewish view, when man acts in history—in politics, economics, and culture—he is not ignoring the divine but acknowledging it. The godly was never perceived as being in competition with the worldly for the attentions of man. On the contrary, man’s highest duty to God is to attend to the world of man. There is no “City of Man” that is distinct from the “City of God.” Rather, every city may be sanctified or profaned by human action.

As Berkovits puts it:

The sacred is life’s sanctification on earth. History is man’s responsibility, it is one of the dimensions of sanctification. Here, within the God-given task of sanctification, is the source of man’s freedom as well as of his responsibility. The God who calls man to responsibility is

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In this regard, Irving Greenberg shares more with the radical theologians than is usually noted. Although he does not accept the “death of God,” Greenberg describes a new covenant in which man becomes the “senior partner” in creation. Irving Greenberg, “Voluntary Covenant,” in Steven L. Jacobs, ed., *Contemporary Jewish Religious Responses to the Shoah* (Lanham, Md.: University Press of America), pp. 77-105.
the guarantor of his freedom to act responsibly. As man accepts responsibility, he enters upon his God-given heritage of freedom. Or as the rabbis read it: “Freedom—on the Tablets.” Granting him freedom and calling him to responsibility, God has expressed his confidence in his creature, man. This, notwithstanding man’s disappointing performance in history, remains for the Jew the foundation of his optimism.179

In emphasizing human responsibility, of course, Berkovits shares with existentialism a certain kinship of spirit. From his standpoint, European thinking has at long last come to accept a fundamentally Jewish view, that man must be held fully accountable for his world and his moral state.180 At the same time, however, Berkovits did not applaud the rise of existentialist thinking about evil. By maintaining the fundamental Christian opposition between human responsibility and the divine, by insisting that values must be purely or “authentically” man-made, the existentialists have stripped man of his moral compass, whose source must be in the transcendent. Without it, there is nothing to distinguish constructive values from destructive ones—with the result that the ideology of Nazism itself may find justification no less than that of Sartre. Conversely, if all existence is absurd, as declared by

179 Berkovits, *Faith After the Holocaust*, p. 61.

Camus, then there is no basis for man-made values any more than divine ones. “If existence, as such, is absurd,” Berkovits writes, “it is vain to speak of man as the sole source of meaning. In an absurd universe, man too is absurd and so are all his self-made values and meanings.”  

Nowhere are his differences with the existentialists more evident than in Holocaust theology. Berkovits’ writings differ in at least two crucial ways. First, most post-Holocaust theologians, influenced by existentialism, are focused principally on the experience of the event itself, and therefore are struck first of all by God’s apparent failure to protect man from the vicissitudes of history. By contrast, Berkovits’ first inclination is to view the death camps as man’s moral failure before God. “Since history is, first, man’s responsibility,” he writes in the opening lines of Faith After the Holocaust, “we should begin our examination by questioning and discussing man himself. Perhaps even more important than the question ‘Where was God?’ is ‘Where was man?’” Because we insist that history is the province of human responsibility, and because our fundamental, transcendent notions of good and evil remain intact, for this reason we must first look at the Holocaust as a colossal human failure. And indeed, Berkovits’ first task in Faith After the Holocaust is to develop, over the course of several chapters, a sweeping

181 Berkovits, Faith After the Holocaust, p. 73.

182 Berkovits, Faith After the Holocaust, p. 7.
critique not of God but of Western man’s moral failure, including an inquiry
into the history of those Western ideas which made the Holocaust possible.
Before looking into the question of God’s apparent complicity, he is saying,
one must first understand human guilt—how did centuries of demonization
of the Jew at the hands of Christianity make the destruction of Jewry possible,
even preceded, in Europe. The Holocaust, he insists, was foremost a
product of the human values that were encouraged in Europe leading up to it:
Not simply of industrialization, but also of the modern rejection of
transcendence, in favor of a belief in the absolute imperative of man-made
values. The moral guilt of man, Berkovits insists, is a prelude to any
discussion of God’s “betrayal.”

Beyond the specific question of human guilt, there is a second
consequence to Berkovits’ view which sets him apart from the existentialist
and the radical theologian: Its demands that even in addressing the purely
theological question—Where was God?—we address the Holocaust not in
isolation, but as part of a broader historical theology. In his view, “both the
literary achievement and the theological-philosophical attempts [to address
the Holocaust] suffer from one serious shortcoming: They deal with the
holocaust in isolation, as if there had been nothing else in Jewish
experience....”183 There are two dimensions to this critique. First, a Jewish

183 Berkovits, Faith After the Holocaust, p. 88.
theology of the Holocaust must take into account the millennia of Jewish history and Jewish suffering, which is the bedrock upon which classical Jewish theology rests; second, it cannot stand in ignorance of the restoration of Jewish sovereignty and the establishment of a new state—a phenomenon which, “looked upon as disconnected, apart from the rest of Jewish experience and teaching, ... is even less explicable than the Holocaust.”

We have already addressed the meaning of Jewish statehood in this context above. With regard to the past, Berkovits reminds us that the most terrible question of the Holocaust is not the quantity of the dead, but the very fact of the unspeakable murder of innocents—many of whom were among the most pious, students of the Torah who went to their deaths with the affirmation of God’s greatness on their lips. Yet the theological issue this raises, painful and serious as it may be, is not new in Judaism. The horror of undeserved misery, torture, and death has faced the survivors of the destruction of Judea in the second century, the crusades in the eleventh, and the Chmelnizki massacres in the seventeenth, and all of them inspired theological questioning. With all the difficulties involved in making such comparisons, Berkovits cannot pretend that the problem of God’s silence is new:

184 Berkovits, Faith After the Holocaust, p. 88.
It is of course true that in the magnitude of suffering and degradation, nothing equals the tragedy of the German death camps. Yet the problem of faith of the survivors of any of those [earlier] catastrophes was not different from the problem which confronts us in our days.... Surely there was no comfort for them in the fact that they had not known Auschwitz. Did the Jews massacred in the Rhinelands in the eleventh and twelfth centuries have less reason to ask where God was while those horrors descended upon them than the Jews at Auschwitz and Treblinka? Was the problem of faith in a personal God less serious during the Black Death than it is today because then only half of the half-million Jews of Europe perished and not six million as in our days? While in absolute terms the horrors of the German death camps by far surpassed anything that preceded it, in terms of subjective experience the impact of the catastrophe on the major tragic occasions of Jewish history was no less intense than the impact of the horrors of our own experience.... While the holocaust is unique in the objective magnitude of its inhumanity, it is not unique as a problem of faith resulting from Jewish historical experience. Indeed, one might say that the problem is as old as Judaism itself.\(^\text{185}\)

\(^{185}\) Berkovits, *Faith After the Holocaust*, p. 90
This is an exceptionally difficult argument to make in the face of the extermination of European Jewry; it is either horribly blind or singularly courageous. We may suggest that it is the natural outcome of adopting the position of “Job’s brother.” It is, minimally, an attempt to place the Holocaust into some semblance of perspective, written at a time when such an effort was considered by other writers to be a kind of sacrilege. Its effect, however, is not to diminish the theological problem but to affirm the intensity of the same questioning which the Jews have undertaken in the past: If we do not share the shock of the destructions in Kishinev or Worms, it is not because they were not shocking, even to the point of raising difficult theological questions, but because we have failed to preserve the memory of those events, whereas the Holocaust has occurred in our own time. The aim here is not to trivialize the Holocaust but to avoid the trivialization of previous sufferings, which naturally must occur when the Holocaust is considered in isolation.  

This insistence that the Holocaust be viewed as part of a broader theological-historical context is perhaps the most controversial statement in Berkovits’ exposition. Indeed, what distinguishes the wave of holocaust theology from the immediate responses of traditionalist rabbis—responses

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186 Berkovits cites in this regard an important statement by Nahmanides, to the effect that whereas moral questions are indeed sensitive to the quantity of the evil, the theological problem of unjust evil is no less severe when the number of people suffering unjustly is small than when it is large. Nahmanides, Sha’ar Hagmul in Nahmanides, Hidushei Haramban (Bnei Brak, 1959), p. 193; quoted in Berkovits, Faith After the Holocaust, p. 128.
which Berkovits rejects—is its insistence that the Holocaust represents a theological singularity, a fundamental rupture of religious thinking, demanding the creation of new categories.

This is the principal supposition, for example, in Arthur A. Cohen’s *The Tremendum: A Theological Interpretation of the Holocaust*. “The one characteristic of the historical event [i.e., the Holocaust] as tremendum,” he writes, “is that it annihilates for us the familiar categories.... The tremendum disallows traditional memory, obliging it to regard all settled doctrine anew, all accepted principle afresh, all closed truths and revelations as open.”

It is also the driving force in Greenberg’s assertion of a “fundamental shift in the nature of the covenant” resulting from the Holocaust, according to which Israel, not God, will become the “senior partner in action” in history. In Fackenheim’s *To Mend the World*, establishing the Holocaust’s uniqueness is the task of his opening chapter, and is understood to be the precondition to all further discussion. And in Rubenstein’s writing, the Holocaust represents nothing less than the death of God himself.


188 Greenberg, “Voluntary Covenant,” pp. 92, 94-95. “If the message of the destruction of the Temple was that the Jews were called to greater partnership and responsibility in the covenant,” he writes, “then the Shoah is an even more drastic call for total Jewish responsibility for the covenant. If after the Temple’s destruction, Israel moved from junior participant to true partner in the covenant, then after the Shoah, the Jewish people is called upon to become the senior partner in action.”
We may grant that the Holocaust is a unique, unparalleled horror in human history. But is its uniqueness sufficient to mark a reconsideration of fundamental theological principles? Here the scholar runs into grave difficulty. All seem to agree that the issue cannot be simply quantitative: It seems intolerable that the test for whether God’s covenant is in force should come down to either the number of Jews killed, or the proportion of Jews lost. Nor can it be the simple fact that this was the most horrible evil or moral failure or destruction: If there had never been a holocaust, some other event in history would have deserved that title, and raised similar, though not identical, questions. For the theologian to focus on the Holocaust as a fundamental rupture, he must show that its uniqueness is not simply philosophically but theologically decisive.

For most writers, the answer has something to do with the unique intentionality of the Nazi regime: There is something about the Final Solution that is unprecedented in its aims and methods, which the classic categories of Jewish thinking cannot sustain. “The Nazi Holocaust has no precedent in ancient Jewish history—or medieval or modern,” writes Emil Fackenheim. “All history is full of unjust suffering: This term, when applied to Auschwitz, is hopelessly inadequate. Many past Jewish martyrs died for their faith; Hitler murdered Jews on account of their ‘race’—believers and unbelievers alike.”

189 Fackenheim, God’s Presence, p. 69; Fackenheim delves more deeply into the question of the Holocaust’s uniqueness in Fackenheim, To Mend the World:
In these writings, the Holocaust’s uniqueness appears to flow not so much from what the Jews endured, as from the uniquely modern, industrial, planned, efficient, genocidal efforts of the Germans to physically destroy the Jewish people in the most literal sense of the term—a cause that was quite possibly even more important to the regime than winning the war.¹⁹⁰

Does this suffice? Here it is crucial to distinguish between the Holocaust’s implications for modern philosophy and those for Jewish theology. For the modern European philosopher, Auschwitz indeed represents the breakdown of modernity and casts a pall over the project of the enlightenment, for it was in Germany of all places that enlightenment and reason had made their greatest advances. “Auschwitz was conceptually devastating,” writes Susan Neiman, “because it revealed a possibility in human nature that we hoped not to see.”¹⁹¹ From a modern European perspective, the Holocaust is indeed an unthinkable rupture. For classical Jewish theology, however, modernity was suspect precisely because of its naive view of the human nature and its perilous commitment to manmade

¹⁹⁰ A great deal is made in the Holocaust theology literature about the fact that the Nazi regimes were willing to divert resources away from the war effort in order to continue the murder of Jews. See, for example, Fackenheim, To Mend the World, p. 14.

morality. “The inclination of man’s heart is evil from his youth,” says God in
Genesis 8:21—a statement which was taken by Jewish tradition not to show
the absolute irredeemability of man, as the Church understood it, but as a
check on excessive optimism about the possibilities inherent in mankind. The
Talmud warns of the extreme destructive power of certain peoples in the
world—with one statement even possessing a disturbingly premonitory
character with regard to the Nazi’s own Teutonic ancestors.192

Moreover, Judaism’s lack of illusions regarding the destructive power
of the nations is most explicit when it comes to those nations bent on
destroying the Jews. It is precisely their intention to destroy the Jewish people,
rather than simply make war, which makes them theologically significant.
Thus we find Pharaoh in Egypt issuing an order to kill all Jewish males, in
order to eliminate their demographic threat. Haman, in the book of Esther,
issues an edict “to destroy, kill, and vanquish all the Jews,” who he has
concluded are enemies of the Persian kingdom.193 It is true, as Fackenheim
and others point out, that the Jews’ various enemies all had various ulterior

192 Megila 6a-b. “Rabbi Yitzhak said: How do we understand the verse, ‘Grant
not, O Lord, the desires of the wicked man, further not his wicked device, lest
they exalt themselves’ [Psalms 140:9]? Said Jacob to the Holy One: Ruler of the
World, do not grant the wicked Esau the desires of his heart. ‘Further not his
wicked device’—this refers to Germamia in the realm of Edom, who, if you do
not restrain them, will go out and destroy the entire world.” In the Talmud,
the land of Edom, descended from their patriarch Esau, is usually understood
to refer to the lands of Europe.

motives which do not make them identical in their intentions to the Nazis:
Sennacherib, Nebuchadnezzar, and Vespasian destroyed Jewish kingdoms as a
response to the latter’s rebellion against the greater empire; Antiochus and
Hadrian were set against the Jewish religion and worship; Amalek was driven
by godless cruelty. And yet Judaism, while cognizant of these differences,
nonetheless incorporated them into a single theological archetype: that of the
murderous destroyer. “In every generation,” we read in the Passover
Haggadah each year, “they rise against us to destroy us, and the Holy One
saves us from their hand.”

A telling midrash, ignored by the theologians of the Holocaust, offers a
clear example of the classical Jewish theological outlook.

Cursed are the wicked, who devise all evil against Israel, each one
devising according to his own idea, and then saying, “My device is
better than yours.”

Esau said: Cain was a fool for killing his brother in the lifetime
of his father, not knowing that his father would still have children. I
will not do so, “But let the days of mourning of my father be at hand,
then I will slay my brother Jacob.”

Pharaoh said: Esau was a fool. Did he not know that his brother
would have children in the lifetime of his father? I will not make such a
mistake, but I will strangle them while they are small and barely out of
their mothers’ wombs. And so it says: “Every son that is born you will
cast into the river.”

Haman said: Pharaoh was a fool for saying, “Every son that is
born you will cast into the river.” Did he not know that the daughters
would marry and have children? I will not make such a mistake, but
will decree “To annihilate, to kill, and to destroy.”

So Gog and Magog in the time to come will say: Our
predecessors were fools for laying their plans, they and their kings
together against Israel, not knowing that they have a protector in
heaven. I will not do so, but I will first attack their protector, and then I
will attack them. And so it says: “The kings of the earth stand up and
the rulers take counsel together against the Eternal, and against his
anointed.”

A fashionable reading of this midrash might focus solely on the
gradations and variations among the murderous enemies. It seems clear,
however, that the passage’s central message is not what distinguishes but
what unites: Every successive murderous enemy attempts to out-do the
previous one in his murderous intention. Bent on an escalating extremity of
means and aims, Israel’s enemies are depicted as attempting increasingly

194 Esther Rabba 7:23, on the verses Genesis 27:41, Exodus 1:22, Esther 3:13,
and Psalms 2:2. Translation taken from Yoram Hazony, The Dawn: Political
harsh means in their efforts to destroy God’s chosen people, once and for all. But this means that variations in the means or even in the nuances of their intentions are not what really counts: The point is that in every generation, the Jewish people faces increasingly vicious enemies bent on the destruction of God’s people.

We can easily imagine a latter-day midrash adding Hitler to the list. And yes, he would appear near the end of the list, as the harshest, the most extreme. Yet this is not the same as declaring the whole list irrelevant, the narrative abolished, the covenant shifted, or the God of history dead. Nor may the theologian fall back on the fact that Hitler was partially successful in his aims—that since one-third of the Jewish people was in fact killed, the betrayal of God is a collapse of the covenant. If that were the case, would we not be forced to say the same thing in the face of some of the prior destructions? When the biblical northern kingdom was destroyed in the seventh century b.c.e., ten of the Israelite tribes were lost forever—despite an apparent promise from God never to sever the children of Jacob, as depicted in the stories of Joseph in the book of Genesis and of the tribe of Benjamin in the book of Judges. When the southern kingdom was destroyed a century later, the prophets described the divine presence abandoning the Jewish people. And when, centuries later, the second temple was destroyed and the Jews sent into two millennia of exile, all of Jewish theology needed to be recast because of the magnitude of the apparent abandonment. And yet, in
none of these cases, many of which included the death or elimination of a
major portion of Jewish life, was the covenant considered breached by God.\textsuperscript{195}

We may thus summarize Berkovits’ response to the main streams of
Holocaust theology in the following manner: The latter make the error of
focusing on the destruction of European Jewry as a \textit{tremendum} or \textit{caesura} of
history, a fundamental rupture which dwarfs all else and which makes all
previous categories of interpretation meaningless. This is wrong, first because
we who were not at the camps do not have the same right to ignore all the
long history of Jewish suffering as do those who endured the horror itself; we
are not Job, but his brother, who must live with the horrific destruction but
cannot allow it to drown out all other considerations. Second, it is wrong
because unlike Christianity, Judaism has always believed in the
meaningfulness of human history, as the forum in which mankind sanctifies
the Creation, and human responsibility is played out. Judaism rejected the
dualism of sacred and profane that characterized both Christian theology and
its modern existentialist opponents: Human history and divine history are
one and the same. Therefore one cannot detach the Holocaust from the
centuries of European hostility to the Jews which led up to it; nor may one
retroactively render meaningless millennia of Jewish suffering by positing a

\textsuperscript{195} In Greenberg’s view, the revision of the covenant is indeed preceded, and in fact the current revision he is suggesting is no more than the logical extension of steps taken in the wake of the destruction of the first and second Temples. See Greenberg, “Voluntary Covenant.”
radical break. Third, whereas the death camps pose a serious challenge to the
optimism of modern European thinking, from the standpoint of Jewish
theological thinking, the question of divine silence in the face of evil was no
less harsh in the wake of previous horrors throughout history.

From the standpoint of classical Jewish theology, the Nazi regime
represents an attempt to destroy the Jews that is fundamentally similar to that
which came before when seen through the eyes of the tradition itself. It is
important to emphasize that the question here is not whether these regimes
were, in historical fact, comparable to the Nazi machine. From the standpoint
of the historian or the historically minded philosopher, they undoubtedly
were not, and the penetrating inquiries into the meanings of Auschwitz in our
modern world are entirely in place. However, from the standpoint of the
Jewish covenantal tradition, all these past regimes were bent on the physical
or spiritual destruction of the Jews—and it is this effort, rather than the finer
distinctions among them, which is what has always been important.
Destruction at the hands of an absolute enemy is not a new category at all,
and therefore the insistence that the Holocaust is a rupture not simply in
Western civilization but in theological terms is, quite simply, a misreading of
Jewish tradition.

None of this, of course, addresses the fundamental problem of why
God allows such evil in the first place. To say that the Holocaust’s theological
challenge is not a new one is not the same as offering theological answers. All
it achieves is to wrest Jewish theology from the grip of the Holocaust as an exclusive focus of discussion, on the grounds that a deep consciousness of Jewish theological presuppositions forces Job’s brother to recognize that as soon as he has stepped back from the abyss, the problem of the Holocaust runs to the core of God’s relationship with history as a whole—and it is a problem that, Berkovits has shown us, is as old as Judaism itself.

III. The Silence of God

If we are, as Berkovits writes, not Job but his brother, and in this capacity we have stepped back from the abyss and recognized that the first principle of Jewish theology is the potential sanctity of human history, and the fact of man’s profound responsibility for what happens there—then only now do we have the proper tools for begin grappling with the most difficult question: That of God’s apparent silence in the face of the enormity of the Holocaust.

To address this question, we must first recognize that we are in fact talking about two separate questions. The first is purely logical or formal: Is there not a simple contradiction between the idea that God is all-powerful and all-good, on the one hand, and that evil exists, on the other? The second we may call substantive. Granted that such is possible—can we as Jews recognize this God in the wake of the Holocaust? Is it possible, after the destruction of European Jewry, which was in many senses the heart of the
Jewish people, to speak of God as we have before, as redeeming us from our enemies? As I suggested earlier, it is the latter question, rather than the former, which drives the heart of Holocaust theology. Still, it is worth addressing briefly the first, logical question, partly because most discussion of the Holocaust suffers from a tendency to conflate the two, and partly because the answer to the first is important in understanding Berkovits’ answer to the second.

Perhaps the most important analysis of the logical problem in our time has been that of Alvin C. Plantinga, whose 1974 treatise *God, Freedom, and Evil* has become a standard text on the problem. His argument centers around what is called the Free Will Defense. According to Plantinga, the most difficult objection to the existence of an omnipotent, perfectly good God runs as follows: (i) Such a God could have made any world he pleased; (ii) it would have been possible for him to make a world in which radical evil did not take place; therefore (iii) the fact that he did not do so is indicative that he is either not omnipotent or not perfectly good.

In response to this, Plantinga shows that this objection is not airtight. It is possible, he argues, for a good God to create a world in which people are given complete freedom to make moral choices, and that this would necessitate the possibility of evil in the world. In other words: God cannot simultaneously allow man to be completely free and prevent radical evil.
In an extensive and thorough exposition, Plantinga refutes, in turn, a series of possible logical objections to this defense: That the presence of evil renders the existence of an omnipotent, good God, if not impossible, than at least highly improbable; that an omnipotent, good God would have created a world with less evil than it presently contains; that God could have created a world in which people are free, yet happen to choose good rather than evil, and therefore he would have done so if he were both good and omnipotent. “The existence of God,” he concludes, “is neither precluded nor rendered improbable by the existence of evil.” 196

We need not go deeply into an evaluation of Plantinga’s work. The most that can be said of it, for our purposes, is not that it solves the problem of theology after the Holocaust, but that it offers a fairly successful resolution to the logical problem, and therefore clarifies the nature of the substantive questions that remain. After all, it is fair to say that most theologically sensitive Jewish readers who are convinced by his argument in principle will respond to it not with relief or renewed faith, but with the sense that the deepest problems have been sidestepped: Perhaps, indeed, it is not logically impossible for an omnipotent, good God to make a world with a Holocaust in it. But could our God have done this? Is this the God of Abraham, Isaac, and Jacob we are talking about? Plantinga himself is not oblivious to the problem:  

Of course, suffering and misfortune may nonetheless constitute a

*problem* for the theist; but the problem is not that his beliefs are

logically or probabilistically incompatible. The theist may find a

*religious* problem in evil; in the presence of his own suffering or that of

someone near to him he may find it difficult to maintain what he takes
to be the proper attitude towards God. Faced with great personal

suffering or misfortune, he may be tempted to rebel against God, to

shake his fist in God’s face, or even to give up belief in God altogether.

But this is a problem of a different dimension. Such a problem calls, not

for philosophical enlightenment, but for pastoral care. The Free Will

Defense, however, shows that the existence of God is compatible, both

logically and probabilistically, with the existence of evil; thus it solves

the main philosophical problem of evil.¹⁹⁷

In his own, perhaps infelicitous way, Plantinga has underlined the

nature of the problem: There is a difference between the strict logical question

and the more urgent, substantive problem of evil in history. What he

somewhat dismissively describes as a problem “for pastoral care” is, in fact,

the central conundrum facing Jewish thought in the wake of the Holocaust—

and the main focus of Berkovits’ exposition. Judaism, as Berkovits points out,
is founded not on speculation and logical reasoning with regard to possible

worlds and possible gods, but rather on the memory of an encounter—on a specific, covenantal relationship with a specific God. When a traumatic event casts doubt on an intimate human relationship, we do not accept these sorts of logical arguments or hypotheticals; rather, we want to know whether we can still recognize our relationship in the wake of the event, or whether everything must be reconsidered. This is no less true for the Jews’ relationship with God. Perhaps some God, the Jew responds to Plantinga, may have allowed a Holocaust to happen to some people. But could our God have let it happen to us?

Berkovits’ answer, which constitutes the central chapters of *Faith After the Holocaust*, is a qualified yes. He arrives at his conclusion as the necessary result of two separate discussions, both of which flow from what we previously have seen concerning the meaning of history in the eyes of Job’s brother. The first concerns the meaning of human responsibility in Judaism, and the need for God to allow history to run its course, without overt intervention, in nearly all circumstances. The second concerns how one reads theological history of the twentieth century from a broader Jewish perspective—how, in other words, does the establishment of the State of Israel affect our theological understanding of the Holocaust.

Berkovits’ first argument is that human freedom is indeed necessary in Judaism, and therefore God must substantively remove himself from direct involvement in order to make room for human responsibility. Yet his argument goes significantly beyond that of Plantinga. Perhaps the most important problem in Plantinga’s presentation is that whereas he can explain why absolute freedom would necessitate evil in the world, he does not explain why it would be worth it—that is, what is so important about moral freedom that God would allow radical evil. Writing about this problem and Plantinga’s relation to Berkovits, Steven Katz has posed the question as follows:

It increasingly seems to me that it would have been preferable, morally preferable, to have a world in which “evil” did not exist, at least not in the magnitude witnessed during the Shoah, even if this meant doing without certain heroic moral attributes or accomplishments.... The price is just too high. This is true even for the much exalted value of freedom itself.... Better to introduce limits, even limits on that freedom of the will requisite to moral choice, than to allow Auschwitz.199

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In other words, even if we concede that perfect freedom necessarily entails the possibility of colossal evil, as Jews we cannot imagine that perfect human freedom is so important to God that he would allow the death camps.

This is a serious objection to raise against Plantinga’s view of God and freedom. As Katz correctly intuits, freedom, considered in isolation, is only as important as “morality” is. If our only concern is the purity of moral choices in absolute freedom, at the expense of any amount of unjust suffering, one could reasonably argue that perhaps so pristine a morality is just not worth the human suffering it necessitates. As such, the Free Will Defense is indeed limited, for it shows only that it is possible that God cares so much about freedom and morality as to allow extreme, unjust suffering; but does not offer a compelling reason why he should care that much about it.

Yet it seems that Katz is mistaken when he applies this argument equally to his critique of Berkovits. Unlike Plantinga, Berkovits places this

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200 Katz is not alone. Other scholars, too, present Berkovits as though he has simply accepted the Free Will Defense along Plantinga’s lines, without either recognizing the distinction between responsibility and freedom that follows below, or the role that the former plays in Berkovits’ overall philosophy of Judaism. See, for example, Dan Cohn-Sherbok, *God and the Holocaust* (Herfordshire: Gracewing, 1996), pp. 65-67; Michael L. Morgan, *Beyond Auschwitz: Post-Holocaust Jewish Thought in America* (New York: Oxford, 2001), p. 114; Eliezer Schweid, *Wrestling Until Day-Break*, pp. 336, 349.

The significant exception is Marvin Fox, who offers a more sensitive reading of Berkovits. “As we study carefully the approach which Professor Berkovits has worked out to the problem, it becomes clear that he is not willing to grant that it is a purely intellectual puzzle which can be resolved (if at all) by purely intellectual devices. On the contrary, what makes ordinary philosophical
notion of freedom in the wider context of the meaning of human history, responsibility as the key of morality, and even of creation itself. For this purpose it will be necessary to distinguish between freedom, which is the belief that man’s actions are the product of his own unforced choice—a necessary condition for morality—and responsibility, which means that man is to be considered accountable for the good and evil that take place in human history—an accountability which presupposes freedom but is not identical with it. Freedom, in Berkovits’ view, is not an axiom, but rather an essential element in the goal of human responsibility for history. And human responsibility is nothing less than the central purpose of Creation, and the central premise behind the possibility of sanctifying history.

This is, in part, due to the nature of Creation itself. God, as the Absolute, is perfection—and therefore anything that is not God must be in some sense imperfect. Creation is the establishment of the realm of the imperfect; the world’s imperfection is inherent, definitional. Imperfection is in approaches to the problem of evil unsound and unconvincing is that they are no more than intellectual. Either they find an answer which is intellectually satisfying, but do so by closing their eyes to ordinary human experience, or they take human experience seriously and in so doing are driven to deny that there is any satisfactory solution to the problem of evil.... [Berkovits] carefully avoids falling into either trap” by recognizing the profound contradiction between experience and religious teaching and yet finding grounds for affirmation in that teaching. See Marvin Fox, “Berkovits’ Treatment of Evil,” in Tradition 14:3 (Spring 1974), pp. 116-124.
a sense the essence of Creation. What distinguishes it from God is the imperfection itself. As Berkovits writes in *God, Man, and History*:

God alone should be assumed to be perfect. Perfection is identical with God; it cannot exist outside him. But creation is, foremost, separation from the Creator. The world is apart from God; it is therefore, of necessity, imperfect. No one may presume to know why God desired to create at all, but it is not conceivable that creation could have been anything but imperfect. After all, a perfect creation would have extinguished itself by tumbling back to God. A faultless universe, devoid of evil, would not be distinguishable from the Creator; it would be one with him. In other words, it would not be a universe at all.\(^{201}\)

The idea of Creation is, therefore, the idea that God created the world in its entirety, including its imperfection, and with this imperfection squarely in mind. This flows necessarily from the central premise of monotheism: That there exists one God, and he is distinct from Creation. Berkovits quotes in this context the prophet Isaiah, who praises God as the one who “forms light and creates darkness, makes peace and creates evil.”\(^{202}\) As opposed to the pagan dualism, which leads to the belief that good and evil are opposing forces, great ontological categories, Judaism proclaims the unity of purpose in the

\(^{201}\) Berkovits, *God, Man, and History*, p. 79

\(^{202}\) Isaiah 45:7; cited in Berkovits, *God, Man, and History*, p. 80.
universe by insisting that it is God who has created its flaws as well as its glories. This is represented also in the talmudic discussion, cited by Berkovits, between Rabbi Meir and Rabbi Akiva over the verse in Ecclesiastes, “God has also made the one as against the other”\textsuperscript{203}: According to Rabbi Meir, “Whatever the Holy One created in his world, he also created its opposite. He created mountains and he created hills; he created oceans and he created rivers.” Rabbi Akiba adds to this: “God created the righteous and he created the wicked; he created Paradise [i.e., Heaven], and he created Gehenna [i.e., Hell].”\textsuperscript{204}

It is this understanding of Creation—in which good and evil are not separate Manichean entities but conflicting attributes of a single, continuous, purposive universe—which guides Berkovits’ understanding of the meaning of the final act of God’s creation, the creation of man. Man is the response to imperfection; he is charged with the task of working and keeping the Garden, transforming it and in so doing continuing the work of creation in the image of God.

The work of creation is never complete. An imperfect world has meaning for man in its very imperfection. The universe is not necessarily all good; but... it is forever capable of improvement. The

\textsuperscript{203} Ecclesiastes 7:15.

\textsuperscript{204} Hagiga 15a; cited in Berkovits, \textit{Faith After the Holocaust}, p. 102.
possibility of improvement, however, is also a perpetual reminder of
the threat of further degradation. This is the precondition of human
responsibility in encountering the world. The “works of the beginning”
ever end because imperfection is forever a part of the world.205

Man is the pinnacle of Creation, for he is himself a creator: He is part of
the world, and yet endowed with the capacity of taking responsibility for
improving it.

This sheds a great deal of light on the importance of human freedom in
Berkovits’ theology. For Berkovits, freedom is not axiomatic, but rather is the
precondition for all responsibility, which in turn is the central purpose for
which man was created, and that which distinguishes man from the rest of
creation. Responsibility means accountability, and accountability is
impossible without freedom to act.

However, if responsibility is the essence of what it means to be human,
then one can begin to understand why freedom would not be curtailed in
order to ameliorate the effects of man’s actions. If man were not enabled to
perpetrate evil, including radical evil, then he would not be truly responsible
for its prevention, nor would he need to learn to understand the world in
such a way as to institute safeguards against it. To whatever extent freedom is
curtailed, so thereby is man’s meaningful responsibility for history—and thus,

205 Berkovits, God, Man, and History, p. 84.
in effect, is his humanity itself. Thus Berkovits writes in *Faith After the Holocaust*:

[Man’s] freedom must be respected by God himself. God cannot as a rule intervene whenever man’s use of evil displeases him. It is true, if he did so the perpetration of evil would be rendered impossible, but so would the possibility for good also disappear. Man can be frightened; but he cannot be bludgeoned into goodness. If God did not respect man’s freedom to choose his course in personal responsibility, not only would the moral good and evil be abolished from the earth, but man himself would go with them. For freedom and responsibility are of the very essence of man. Without them man is not human. If there is to be man, he must be allowed to make his choices in freedom....The question therefore is not: Why is there undeserved suffering? But, Why is there man? He who asks the question about injustice in history really asks: Why a world? Why creation?

When man takes responsibility for history, for effecting that which is good and preventing or fighting the emergence of evil, he is fulfilling his central role as a human being. Responsibility is the aim of the creation of man. God’s involvement in history, such as it exists at all, cannot substantively

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hinder the assumption of responsibility by man. But this suggests that not only must minor evils be tolerated, but so must major ones. It is for man, not God, to prevent Nazism, Soviet Communism, and other forms of radical evil from taking hold. It is man who must recognize the historical and ideological roots of such movements, the processes through which they gather strength, and learn to identify them and fight them before they can take political and strategic form. Only this kind of man can be responsible for the good of the world. Only such a man can bring about redemption in history.

We may thus summarize Berkovits’ answer to the problem of God and the Holocaust in the following manner: God created man in order that he should take responsibility for history, to “work and keep” the Garden. Yet responsibility presupposes freedom, which in turn presupposes the possibility that man will choose evil rather than good. God must hide his face, as it were, so that man can fulfill his own destiny. Yet this means that evil, including radical evil, will take place; God cannot prevent it without thwarting the central aims of creation. God allows evil, even radical evil, because God’s intervention against evil is a direct affront to man’s responsibility for history—and human responsibility is itself the highest good with which God endowed man.

Berkovits’ exposition takes great care to find its expression in the Jewish sources. The most important traditional term he invokes in this context that of the “hiding of the face” (hester panim) of the divine. This term appears
in many places in the Hebrew Bible, referring to divine passivity in the face of evil done to Israel. The following is one of many he cites:

Awake! Why do you sleep, O Lord?
Arouse yourself, cast not off forever.
Why do you hide your face,
And forget our affliction and our oppression?
For our soul is bowed down to the dust;
Our belly cleaves to the earth.
Arise for our help,
And redeem us for your mercy’s sake.\(^{207}\)

Whereas in some cases the “hiding of the face” in the Bible refers to God’s anger in response to sin,\(^ {208}\) in this passage and many others like it, it is clear that it refers to something else. “In biblical terminology,” Berkovits writes, “we speak of hester panim, the Hiding of the Face, God’s hiding of his countenance from the sufferer. Man seeks God in his tribulation but cannot find him…. [The Bible] speaks of the Hiding of the Face when human suffering result, not from divine judgment, but from the evil perpetrated by man…. God seems to be unconcernedly asleep during the tribulations inflicted

\(^{207}\) Psalms 44:24-27; cited in Berkovits, \textit{Faith After the Holocaust}, p. 97.

\(^{208}\) For an analysis of a range of biblical examples of God “hiding his face” in anger, see Berkovits, \textit{Man and God: Studies in Biblical Theology}, pp. 196-205.
by man on his fellow.” Here it is not the sins of Israel that have caused God turn away his face in anger. There is no assumption of punishment here, but rather the same pained question against the unjust suffering of the righteous.

What exactly is meant by the “Hiding of the Face”? In Berkovits’ view, what is being described is more than the simple inaction by God in times of crisis. Rather, it appears to refer to a more profound statement about what God himself is. In this context he quotes a peculiar phrasing which appears in the book of Isaiah:

Verily you are a God that hides himself (el mistater),

O God of Israel, the Savior.

Here it seems that God’s hiddenness is neither the basis of his punishment of the sinner, nor ground for grievance, but rather a source of the prophet’s praise. Moreover, it is presented in an immediate context in which God is referred to as “the Savior” — as if to say that Isaiah is praising him precisely because of this dual quality of his both being hidden and, in the end, a redeeming God. It is the duality itself, Berkovits writes, which makes God “hidden” rather than absent: Because he has in the past revealed himself as an active redeemer, man can never completely lose faith or hope. At the same

209 Berkovits, *Faith After the Holocaust*, pp. 94-95.

time, God is in fact silent most of the time, including during the most
horrendous of trials. As he writes:

For Isaiah, God’s self-hiding is an attribute of divine nature. Such is
God. He is a God who hides himself. Man may seek him and he will
not be found; man may call to him and he may not answer. God’s
hiding his face in this case is not a response to man, but a quality of
being assumed by God at his own initiative. But neither is it due to
divine indifference toward the destiny of man. God’s hiding himself is
an attribute of the God of Israel, who is the Savior. 211

Berkovits, of course, is not the only modern Jewish theologian to speak
of the hiding of God’s face during the Holocaust.212 For Berkovits, however,
this image is meant to describe a very specific kind of divine non-involvement
in history—an actual attribute of the divine, something which is necessary for
allowing the possibility of human responsibility.

This approach is further emphasized by his use of a second biblical
phrase—that of God as being “slow to anger” (erech apayim), which appears in


212 Cf. Jonathan Sacks, Crisis and Covenant: Jewish Thought After the Holocaust
(Manchester: Manchester, 1992) pp. 35-41, where he discusses the views of a
number of Jewish thinkers, including Joseph B. Soloveitchik and Norman
Lamm; cf. Moshe Verdiger, The Holocaust as a Theological Turning Point (Ramat
Gan: Bar-Ilan, 1998), pp. 51-60 [Hebrew], where he discusses the debate
between J.L. Magnes and S.H. Bergman.
a number of places in the Bible, including in the famous list of thirteen divine attributes in the book of Exodus. While the “hiding of the face” appears in the Bible usually as a tragic event, God’s “slowness to anger” is generally a mark of praise—referring to his extreme patience with sinners. “I will not rejoice at the death of sinners,” says God in the book of Ezekiel, “but that the wicked turn from his way and live.” It is a fundamental attribute of God that he is long-suffering, willing to endure sin so that the sinner may have the opportunity to repent rather than incur God’s wrath.

However, as Berkovits points out, there is some sense in which “slowness to anger” is an affront to justice. The sins of the wicked usually involve the unjust suffering of the innocent; God’s toleration of these sins may easily be interpreted as the same thing as his “hiding his face” to the victims.

God is waiting for the sinner to find his way to him. This is how we like to see God. This is how we are only too glad to acknowledge him. But we never seem to realize that while God is long-suffering, the wicked are going about their dark business on earth, and the result is ample suffering for the innocent. While God waits for the sinner to turn to him, there is oppression and persecution and violence among men. Yet, there seems to be no alternative. If man is to be, God must be

213 Exodus 34:6.

214 Ezekiel 33:11; cited in Berkovits, Faith After the Holocaust, p. 106.
long-suffering with him; he must suffer man. This is the inescapable paradox of divine providence. While God tolerates the sinner, he must abandon the victim; while he shows forbearance with the wicked, he must turn a deaf ear to the anguished cries of the violated. This is the ultimate tragedy of existence: God’s very mercy and forbearance, his very love for man, necessitates the abandonment of some men to a fate that they may well experience as divine indifference to justice and human suffering. ... We conclude then: He who demands justice of God must give up man; he who asks for God’s love and mercy beyond justice must accept suffering. 215

What emerges from the notion of erech apayim is, minimally, that for whatever reason the redeeming God is not an immediate redeemer: His justice comes in time. God is “slow to anger,” which reflects a willingness on his part to allow injustice in order to affirm patience with sin. His attribute of mercy (rahamim) runs in contradiction to his attribute of justice (din). Berkovits points out that this means, of necessity, that unjust evil must be tolerated to allow for human rather than divine intervention: If God does not rejoice at the death of the sinner, but awaits his return to the ways of goodness, then we must acknowledge that such a correction may take time, or not happen at all.

215 Berkovits, Faith After the Holocaust, p. 106.
We need not draw the conclusion that according to Berkovits, God’s attribute of patient, long-suffering mercy is the actual reason for his absence in the face of horrors such as the Holocaust. “Slowness to anger” (*erech apayim*) need not be understood as identical with “hiding the face” (*hester panim*). If it were, one would be forced to conclude that it was God’s merciful patience with the Germans on their road to repentance which enabled them to mercilessly kill the Jews—a difficult proposition whose implication is that God displayed more mercy for sinful Germans than for innocent Jews. But even if they are not identical, these concepts in Berkovits’ thought are nonetheless related: In both cases, God’s intervention in history is suspended in order to allow for human responsibility; and this non-intervention is fundamental to the nature of God.

Even as related, rather than identical, concepts, there is still something disturbing about Berkovits’ implication that God’s silence in the Holocaust could have anything to do with his mercy. Yet if we leave this uncomfortable association aside, it seems that Berkovits has indeed established something fundamental about God’s relation to history, as it appears more or less consistently throughout Jewish tradition: God’s response to evil, if it happens at all, takes time. Redemption is slow in coming, during which a great deal of suffering must be endured. The exodus from Egypt, which is the paradigm of divine redemption of the Jews, in which God “heard the cries of Israel,” in the wake of murderous oppression at the hands of Egypt, takes place only after
generations of slavery, and at least a full generation after Pharaoh initiated his infanticidal edicts. There has never been in Judaism an assumption of immediate salvation from radical evil by God.\textsuperscript{216} God, it seems, can save in time; but only man can forestall evil before it takes place.

This idea, that God “hides his face” even in the presence of radical evil, raises however the following problem: If intervention in history undermines responsibility, and thus God does not intervene, or his intervention takes so much time as to enable man to do whatever irrevocable horrors as his mind may devise, does this not render providence meaningless? Has Berkovits not, in essence, done away with the notion of a redeeming God? As Katz and other critics have asked, if God would not intervene even in a case as extreme as Auschwitz, does this not imply that such a God would never interfere at all? We may phrase the question yet another way. If there is nothing visible in history that we may point to as the basis for God’s concern for history, it is difficult to know how the “hiding” God in any way is distinguishable from the other logical alternatives, such as the suggestion by Richard Rubenstein that God is in fact dead; or that offered by the philosopher Hans Jonas, that

\textsuperscript{216} It is a curious fact that the most striking exception, a case of genuine \textit{pre-emptive} redemption of the Jews in the Bible, is that depicted in the book of Esther, in which Haman’s designs were frustrated before they were able to be put into practice—and in this book, salvation is depicted as an entirely human, rather than divine, affair.
God is simply not omnipotent after all. How, indeed, may we know of his redeeming presence?

In Berkovits’ view, God’s intervention in history is indeed limited, and it is not dictated by the extremity of suffering as much as by the possibility of utter destruction. God will intervene, he writes, only when man’s responsibility has failed so utterly as to put his very survival—that is, the survival of God’s own highest creation—at risk. In such a rare case, and only in such a case, is responsibility in some sense suspended for the sake of survival. Or, to put it another way, in such a rare case, God’s own responsibility for creation takes precedence:

Though man cannot be man without freedom, his performance in history gives little reassurance that he can survive in freedom. God took a risk with man and he cannot divest himself of responsibility for man. If man is not to perish at the hand of man, if the ultimate destiny of man is not to be left to the chance that man will never make the fatal decision, God must not withdraw his providence from his creation. He must be present in history. That man may be, God must absent himself;

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that man may not perish in the tragic absurdity of his own making, God must remain present.\textsuperscript{218}

In this, and similar passages, we detect a concern on Berkovits’ part that was highly characteristic of the time in which he was writing: The question of the survival of mankind, in its entirety, was at the forefront of many writers’ minds. The combination of the Nazi death machine and the prospect of a nuclear world war triggered a flurry of new writing about the possibility that man would destroy himself through his own inventions—a destruction which many people came to call, appropriately enough, a “nuclear holocaust.”\textsuperscript{219} And yet it is here that Berkovits is forced ultimately to draw a line between God’s absence in human history and his intervention to preserve humanity. This is for Berkovits a matter of faith, but it is also consistent with his understanding of the nature of Creation and man’s role in the universe. Complete destruction is not an option. God himself promised this in the wake of the flood at the time of Noah. God himself has taken ultimate responsibility for his own creation, just as he wishes man to take responsibility for history.

\textsuperscript{218} Berkovits, \textit{Faith After the Holocaust}, p. 107.

He also takes responsibility, however, for Jewish survival. The Jewish people is a crucial element in the call to human responsibility, for it is only through the example of a living people that the moral ideals of the Bible may be transmitted to humanity.\textsuperscript{220} Because the chosen people is crucial for the redemption of man, its survival is fundamental to the purpose of Creation itself.\textsuperscript{221} Thus, just as God saved Abraham and his family from the hardships of life in Canaan, and just as he saved the Jews from the spiritual and physical destruction in Egypt, so too does God intervene on behalf of the Jewish people throughout history when their survival is at stake. It is only this, Berkovits writes, which can explain the unfathomable perseverance of the Jews throughout history, despite being among the smallest and weakest of peoples. God, he writes, “reveals his presence in the survival of his people Israel.... Because of that, Israel could endure God’s long silences without denying him. Because of the survival of Israel, the prophets could question God’s justice and yet believe in him.”\textsuperscript{222}

For this reason, Jewish tradition has always faced its worst tragedies with a combination of anguish and thanksgiving—questioning God on

\textsuperscript{220} See the discussion of Zionism in Chapter II above.

\textsuperscript{221} See the teaching of Resh Lakish in Sabbath 88a: “The Holy One made a conditioned agreement with Creation, saying to it: ‘If Israel accepts the Torah, you will continue to exist; if not, I shall return you to “unfilled and void.”’”

\textsuperscript{222} Berkovits, \textit{Faith After the Holocaust}, p. 107.
account of the tragedy, yet recognizing that Jewish survival was itself evidence of God’s continuing covenantal embrace of the Jewish people. “The rabbis of the Talmud,” he writes, “could speak of the silence of God at the time of the destruction of the Temple and the state and yet remain true to His word, because notwithstanding the *hurban* Israel survived, remained historically viable, full of future expectation.”

In the face of devastation and the loss of sovereignty, Jews maintained their faith in God’s protective covenant, because they found in their own survival all the proof they needed.

Again, in reflecting upon Berkovits’ approach to the problem of God in tragic history—that it is Jewish survival, rather than the avoidance of enormous calamities, which has always been the touchstone of divine protection—it is important to tread carefully with regard to the Holocaust. It would be obscene, and it is not his intention, to look at the “bright side” of the Holocaust and paint Jewish survival as itself a cause for redemptive optimism. To take note of the survival of the Jews, despite the murder of one-third of their numbers, is not to seek comfort in this fact, or to ignore the magnitude of the catastrophe. Berkovits goes out of his way to emphasize that by describing God’s silence for twelve long years during the reign of the Third Reich, he is not attempting to justify suffering, to exonerate God for allowing it, but rather to explain whether it is possible to maintain the basic

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223 Berkovits, *Faith After the Holocaust*, p. 111.
covenantal framework in spite of it. Indeed, Berkovits is saying, it is precisely the task of “Job’s brother” to attend to the central question of faith without being consumed by the *tremendum* of the Holocaust. The question, put more precisely, is not whether there can ever be comfort in the face of six million Jewish deaths, but whether classical faith is genuinely impossible after this event, as most Holocaust theologians seem to have concluded; whether Jewish “survival” after the Holocaust in any way resembles the kind of survival which in the past enabled affirmation of the covenant with God; or whether this meager survival is but a shadow or a mockery of the covenant and thus merits its dismissal.

Berkovits thus dedicates considerable effort to discuss the meaning of survival in Jewish theology. His second book on faith and the Holocaust, *With God in Hell*, is a paean to the spiritual fortitude that was displayed by pious Jews facing the madness of the ghettos and death camps. Berkovits’

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224 See, for example, Berkovits, *Faith After the Holocaust*, p. 136: “Yet all this does not exonerate God for all the suffering of the innocent in history. God is responsible for having created a world in which man is free to make history.... There is no justification for the ways of providence, but its acceptance. It is not a willingness to forgive the unheard cries of millions, but a trust that in God the tragedy of man may find its transformation.” The question of whether Berkovits is offering a classic “theodicy”—that is, a justification of God’s ways—or an explanation which refuses to justify God but leaves open the possibility of accusing him, is dealt with extensively in Zachary Braiterman’s essay, “Do I Belong to the Race of Words? Anti/Theodic Faith and Textual Revision in the Thought of Eliezer Berkovits,” in Zachary Braiterman, *God* After Auschwitz: Tradition and Change in Posts-Holocaust Jewish Thought (Princeton, N.J.: Princeton, 1998), pp. 112-133.
emphasis on survival enables him to do something which other Holocaust theologians could not do: To place limits on the meaning of the devastation in the eyes of Jewish theology. Even the Holocaust, the most extreme evil ever perpetrated by man, is not an absolute—and the gap which separates it from the absolute is the starting point of Jewish thinking for the future. Jewish survival itself is not only possible but manifest after the Holocaust, and any theology which preaches God’s death or betrayal of his covenant has either ignored this salient fact or distorted the classical covenantal teaching.

In this way, Berkovits has added a further dimension to the question of whether the Holocaust may in fact be viewed as a unique and all-consuming theological singularity. Up till this point, we have discussed the price that is paid when the Holocaust is allowed to drown out the long history of lesser evils that have befallen the Jews. Yet now we are moved to take note of the similar loss of perspective with regard to what the Holocaust could have become. To insist that this evil was not simply the greatest horror mankind has ever wrought, but that it is literally “unthinkable,” is to render impotent our historical imagination with regard to far worse possibilities which could readily have emerged from that period. When considering the Holocaust from a purely historical, rather than theological, view, it is important to keep in mind that if not for the leadership of Churchill and the strategic errors of Hitler, Germany could easily have won the war, plunging all of Europe into a new dark age and radically changing the nature of international politics. Jews
thinking through the Holocaust, while recognizing the magnitude of the horror, recognize that a German victory was a real possibility, one which could easily have meant the death and oppression of a much greater portion of world Jewry. For all the absurdity of any attempt to offer consolation, the alternative scenarios cannot be ignored once we allow for just the slightest expansion of historical perspective: The creation of the United Nations, the international recognition of the Jewish state, and the subsequent immigration of millions of Jews from Europe and Arab lands—all these would likely have never happened if Germany had won the war. To lose sight of this in the abyss of the Holocaust does little service to the memory of the victims, nor does it enlighten us about the depths to which human evil may reach. In some sense it does the opposite, barring us from examining true depths to which the evil could easily have reached, and precludes a more genuine understanding of the dangers the Jews face in a world in which they have no power other than that of piety and reason.

What Berkovits has shown us is that this is true with regard to the theological perspective as well. Whereas the devastation was indeed unparalleled in Jewish history, there was, with time, a salvation of sorts. God, despite his silence for twelve long years, was in the end not silent. Hitler was not victorious but vanquished, and the Jewish people as a whole did not perish despite the horrendous loss. In the titanic battle between Jew and Nazi, it was the Jew who prevailed. Within just a few years, it was the transformed
Jew who returned to his land, built his army, and hunted the Nazi for trial. Within two generations, both the study of the Torah and the political and economic reality in which the Jews lived had experienced a revival not seen in centuries. The creation of Israel in 1948 and the ensuing decades of Jewish life were, in Berkovits’ view, as great a proof as any that Jewish history did not end with the Holocaust, and that at some point it will be within our power to place the darkest events of the twentieth century into a larger, theological view of Jewish history. “It is true the Jewish people had to pay a terrible price for the crimes of mankind...,” he writes. “Yet the Final Solution intended for it is far from being final. Though truncated, Israel survived this vilest of all degradations of the human race. Not only has it survived, but rising from one of its most calamitous defeats, it has emerged to new dignity and historic vindication in the State of Israel.”

It is for this reason that Berkovits chose to end his *Faith After the Holocaust* with a chapter on the theological meaning of Zionism. In his view, no theological discussion of the Holocaust can take place without accounting for the dramatic reversal of 1948. In the previous section, we explored the centrality which Jewish sovereignty plays in Berkovits’ thought. For our purposes here, it will suffice to suggest that the establishment of Israel represents nothing less than God’s redeeming affirmation in the wake of the

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225 Berkovits, *Faith After the Holocaust*, p. 133.
Holocaust: An intervention without which the physical destruction of European Jewry could well have brought about the spiritual destruction of all Jewry. Statehood is, for Berkovits, the repudiation of extreme powerlessness in exile. It is the refutation of those Holocaust theologians for whom the murder of Europe’s Jews is proof of God’s death or impotence. In a world in which the need for human responsibility means that God is unbearably absent even in the face of human terror, Jewish survival is nonetheless assured, even if extreme measures are required. The State of Israel, Berkovits is saying, is the answer to the question of divine betrayal. As he writes:

For the Jew, for whom Jewish history neither begins with Auschwitz nor ends with it, Jewish survival through the ages and the ingathering of the exiles into the land of their fathers after the Holocaust proclaim God’s holy presence at the very heart of his inscrutable hiddenness. We recognize in it the hand of divine providence because it was exactly what, after the Holocaust, the Jewish people needed in order to survive. Broken and shattered in spirit even more than in body, we could not have been able to continue on our Jewish way through history without some vindication of our faith that the “Guardian of Israel neither slumbers nor sleeps.” The State of Israel came at a
moment in history when nothing else could have saved Israel from extinction through hopelessness. It is our lifeline to the future.\textsuperscript{226}

Those who have argued that Eliezer Berkovits’ theology of human responsibility does away with the divine involvement in history have undoubtedly misread him. On the contrary, what we have is a combination of two contradictory winds, both of which have their source deep in Jewish tradition. On the one hand, God has created man as the pinnacle of all creation, that he may take responsibility for creation. Because of this, God must remain aloof from history, or else responsibility would lose all meaning. God must allow evil to carry through, or else man will never internalize his need to stop it. On the other hand, God cannot allow man to destroy himself in the process. It is destruction, not evil, which God intercedes to prevent.

This is the meaning of God’s promise to Noah, the father of all men, that God would never allow another flood to destroy humanity.\textsuperscript{227} And what is true for his covenant with Noah is also true for the covenant with Abraham: God will protect the Jewish people from destruction, even in the face of horrific evil. We have seen it in our own day.

\textsuperscript{226} Berkovits, \textit{Faith After the Holocaust}, p. 136.

\textsuperscript{227} Genesis 8:8-17.
Conclusions

Eliezer Berkovits’ response to the Holocaust, while pulling the discussion back to a traditional framework, nonetheless represents a marked shift away from the old-guard traditionalist responses. As an effort to translate classical Judaism into a modern response to evil, he does so at the cost of a few elements which were once important in classical Judaism itself. The most obvious one is his refusal to connect tragedy with Jewish sin—mipnei hataeinu—which has been a mark of Jewish self-understanding since the Bible. One may understand and identify with Berkovits’ decision with regard to the destruction of European Jewry; and yet, one who refuses to go that route must nonetheless acknowledge that he is effectively cutting himself off from something that was a commonplace Jewish strategy for dealing with horrific tragedy in the past; that to our modern eyes, the solution of “for our sins” would in all likelihood have seemed similarly wrong in the wake of the destruction of the second temple, the Crusades, or the expulsion from Spain; and that therefore what makes mipnei hataeinu seem unacceptable today is at least as much a reflection of our changed moral sensibilities as it is of the unique horrors of the Holocaust. Berkovits would not be the first Jewish thinker to effect such a change in exegetical emphasis, from one part of tradition to another, in response to changed historical realities. Yet it is a shift worth noting.
A similar shift is evident in Berkovits’ recasting of God’s role in history. As he surely was aware, classical Judaism did not offer a consistent or coherent answer to the problem of evil. God’s answer to the Job is not the same as his answer to Abraham at Sodom; in the former case, God rejects the notion that his justice is something people can understand, whereas in the latter he affirms it, saying that he will not destroy Sodom if there are ten righteous people in it.\textsuperscript{228} And both of these answers seem to be different from that given to Moses who, in a talmudic legend, is depicted as asking God why the righteous suffer—and is told that a man’s lot is not the result of his own righteousness, but that of his father.\textsuperscript{229} The efforts of Jewish theology to justify evil in history have never yielded a comprehensive answer, and in a certain sense the very effort on Berkovits’ part, while flowing from the values and sources of the Bible and Talmud, is by its very systematization something of a modern divergence from classical Judaism—even if it is thoroughly understandable in light of the Jews’ unique circumstance.

Moreover, Berkovits’ answer, that God’s involvement in history is, in essence, relegated to preserving Jewish and human survival, must be recognized as a substantive departure in a tradition that has long praised God

\textsuperscript{228} Genesis 18:32.

\textsuperscript{229} Berachot 7a. God’s response: “The righteous who suffers—he is a righteous one, the son of a wicked one; the righteous who prospers—he is a righteous one, son of a righteous one; the wicked who prospers—a wicked one, son of a righteous one; the wicked who suffers—a wicked one, son of a wicked one.”
for his thorough involvement in all of the world’s affairs—that he “remakes every day the works of Creation.” The Psalms he quotes, in which individuals speak of God’s “hidden face,” do so not out of detached reflection but out of frustration; there is in them an expectation that God indeed can and does intervene on behalf of the righteous. Indeed, the classical idea of personal intervention (hashgaha pratit) seems to be rendered ineffectual in Berkovits’ theology, for God in fact intervenes only in cases where human or Jewish survival are at stake. While such a position is not entirely without precedent in Jewish tradition, it is also not exactly reflective of the mainstream view. This position, it seems, flows as much from Berkovits’ sensitivity in the wake of the Holocaust as it does from his overall theology of responsibility: Who, indeed, can still speak of personal Providence without abandoning entirely the effort to make sense out of God’s ways?

And yet, despite these caveats, it is important to recognize the major achievement of Berkovits’ holocaust theology. In the metaphor of “Job’s brother,” he has crafted a new frame of reference from which one may speak constructively about God and the Holocaust—one that allows for a broadening of the historical perspective without belittling or dismissing the independent meaning of the events. Most new theological writings have been predicated on the belief that the Holocaust must be seen as not simply the

\[\text{Hagiga 12b.}\]
worst horror in Jewish history, but a theological watershed, or even a
singularity which may not be put into any broader context. As a result, they
have suffered from a series of difficulties, including the unwillingness to
incorporate the Holocaust into Judaism’s long history of tragedy and
theological inquiry into the meaning of unjust suffering; the reluctance to
focus on the Holocaust as a moral failing of Western civilization, but instead
as an absolute horror associable only with divine indifference or impotence;
and a failure to offer constructive tools for building Jewish life within a
serious theological context—for if God is either dead, or impotent, or just a
“junior partner” in history, then the Jewish God of history can never again be
considered a major factor in thinking about the future of Judaism or the
Jewish people. Berkovits’ writings, by contrast, offer a path that leads away
from the abyss, recognizing the magnitude of both the Holocaust and the
theological questions it raises, while preserving the covenantal view of
history.

But beyond the methodological stepping-away, Berkovits also offers a
theological interpretation of the Holocaust which must be taken seriously.
God allows evil, even radical, unjust evil, so that humanity can be responsible
for history; and human responsibility is the central aim of Creation. This does
not mean that there is any justice whatsoever in the Holocaust, or of any of
the other historical destructions of Jewish communities. Our anger at God is
not out of place; but it has no bearing on the fundamental question of faith in
him. We may feel betrayed; yet we must recognize that this is not a new betrayal, and that whatever we say about the Holocaust and God must likewise be said about a great deal of Jewish history. God is the parent who allows his older children to fail, even to suffer gravely as a result of their failures, since if he does not, there is no chance they will learn the deepest realities of human nature and the true meaning of responsibility; he allows humanity to fail so that responsibility, in its deepest sense, will be possible. Yet like the parent who sets limits to the danger he will allow to the future of his family, God will never “abandon completely” his creation, or his people; for the sake of both he will intervene to ensure their survival. God is hidden but not absent. His redemption is slow to arrive, and many never live to witness it; but the Jewish people and humanity are nonetheless protected by a force beyond the worldly power they wield.

This answer will not be satisfactory to a great many people, who will instinctively revolt against any attempt to place the Holocaust in historical perspective. And indeed, it would be fruitless today to pretend we can address the Holocaust, which is still fresh in the memory of many Jews, with anything like the detachment that we bring to the destruction of Jerusalem by the Romans. The questions raised by the Holocaust are not themselves detached theological inquiries; they are loaded with the deepest sentiments of betrayal, anger, and terror. Thus we should not look for the kind of intellectual satisfaction in any Holocaust theology which we gain from the
most fruitful philosophical engagements. What Berkovits’ approach offers, rather, are tools with which one who was not present may address such questions of faith. This approach emerges from his deep acquaintance with the sources of Judaism and a willingness to confront the dissonance between faith in a redeeming God and the overwhelming facts of destruction in history. It refuses to drown out thousands of years of Jewish historical theology in the face of a philosophized reconstruction of the horror by those who were not there; yet refuses similarly to accept the easy answers of the faithful which deny the depth of the problems raised. And it recognizes that from the perspective of Jewish theological history, the twentieth century cannot be looked at solely through a prism of destruction, but must also take into account the survival, reconstitution, and flourishing of the Jewish people in their sovereign land—a redemption unparalleled in Jewish history of the last two millennia.

This is a partial answer, because after the Holocaust there can be only partial answers. But for many Jews today it is precisely the kind of answer that can allow Jewish thinking and Jewish life to move forward into history, leaving the abyss while preserving it forever in memory, as we have done in the past.
CONCLUSION

Because of the sometimes unclear nature of the field at hand, any evaluation of a modern Jewish philosopher's success ought to address the question of criteria: By what standard are we judging whether a thinker is worthy of continued examination?

If this were a study in the history of Jewish philosophy, rather than Jewish philosophy itself, the most important question would probably address the influence of the writer on subsequent Jewish thought. By this standard, Eliezer Berkovits undoubtedly falls short: Writers such as Hermann Cohen, Franz Rosenzweig, and Mordecai Kaplan, or later thinkers like A.J. Heschel, J.B. Soloveitchik, and Yeshayahu Leibovitz, all spawned both extensive academic exploration and wide public discussion exploring various elements of their writings. Berkovits, to this date, has not, and the question of why this is so are, insofar as they reflect matters of biography (his failure, for example, to hold a position at a major institution of Jewish learning; or his having lived far away from the main centers of top-level Jewish studies) rather than the inadequacy of his teachings, beyond the scope of this study.

But there is another criterion by which a thinker may be judged, one that should hold a place of high honor in the mind of scholars of Jewish philosophy itself: The significance or potential impact of their writings and ideas within the Jewish philosophical discourse. Put this way, this study has,
it is to be hoped, demonstrated that Berkovits’ writings are of far greater interest than the relatively little attention they have received would suggest. As such, it is to be taken as an opening volley in what could be a far broader exploration of his thought.

Berkovits’ greatest contribution to Jewish thought is his effort to place human responsibility as the central, driving force of Judaism. In each of the areas covered in this study, Berkovits’ answers to the most difficult questions are driven by his commitment to this idea, and are developed to an extent and with a thoroughness unparalleled in Jewish philosophy. In understanding Jewish morality and its expression in Jewish law, unprecedented weight is given to the consequences of our actions in determining right and wrong—with the understanding that our supreme guiding principle is the idea that we are obligated to take care of others, just as God is revealed first of all as an archetype of care and concern for mankind. In his discussion of Zionism and Jewish sovereignty, the discussion of concern and responsibility is expanded beyond the individual, to include our collective life as a community, with sovereignty being the key tool that enables the Jewish people to take responsibility for every aspect of its life—including matters of security, economy, and public law; all of this in order to fulfill its role as an exemplar for mankind. Finally, in discussing the meaning of evil in history, Berkovits shows us how human responsibility is not just a matter of individual or national care-taking, but expands to include all of mankind in all of history.
Responsibility, we learn, is inherent not just in Jewish teaching for Jewish
daily life, but is central and foundational to our identity as human beings, and
as such is the only compelling justification for God’s allowance of radical evil.
Again, it is here that Berkovits cites the account of Adam in the Garden of
Eden, who was placed in the garden “to work it, and to keep it.”
Responsibility is the primordial charge of mankind, the very first description
of man’s duties with regard to his world—it is, according to Berkovits’
philosophy, the most fundamental fact of human nature, a duty that precedes
and helps define everything that comes afterwards.

This may lead us to a further insight about Berkovits’ philosophical
achievement. In the introduction, we suggested that these three areas of
Berkovits’ writing correspond to the title of his central work, *God, Man, and
History*, although in a different order. In the wake of the foregoing, we may
also suggest that the three areas of this study also correspond to three
different perspectives on the experience of human identity to which the idea
of responsibility is applied: to man as *individual*—as expressed in morality
and halacha; to man as part of a particular *collective*—as expressed in his idea
of Jewish peoplehood and sovereignty; and as man as part of a universal
*humanity*—as expressed in his approach to historical evil. While many of the
movements of thought he engaged attempted to reduce philosophy and/or
Judaism to one of these three, in Berkovits’ writing we find an assertion of the
irreduceability of each of these perspectives. Man as individual is tempered
by the awareness of others and the militation of all our moral consideration to their benefit; man as collective is limited by moral experiences of the individual and the universal calls of concern and justice as represented not only by the idea of God and Creation, but also by the image of Adam as tending the Garden, without regard for individual or national identities; and
man as universal is limited by the realities of history in which only individuals and collectives can ever be real agents of moral consequences.

Neither did Berkovits see his goal as mainly to state his position and back it up with biblical and rabbinic sources. In order to both clarify and bolster his constructive philosophy, throughout his writings Berkovits engaged—and often did battle—with every major school of thought that he believed was responsible for prevailing misunderstandings not only of the rabbinic and biblical traditions, but of the nature of mankind more broadly. Several of his books—most prominently *Crisis and Faith* and *Major Themes in Modern Philosophies of Judaism*—are dedicated at least as much to criticism of various strains of Western and modern Jewish thought as to constructing his own alternative view. (We may add to this his 1943 work, *Judaism: Fossil or Ferment?*, which was a book-length assault on the views about Judaism espoused by the historian Arnold Toynbee.) And his Hebrew-language, yeshiva-targeted writings were clearly meant to insert his approach to Judaism as deeply as possible into the internal Orthodox discourse as well.

The point here, again, is not to underscore his actual impact on the broader
public debate, but to tell us something about his own understanding of his
duty as a philosopher of Judaism: Not merely to inspire but to offer clarity of
understanding—which requires not only construction but also
contradistinction, arguing for how his approach offers better answers to the
questions that affect not only our understanding of Judaism, but that affect
the deepest problems afflicting human life as a whole.

We live in a time when interest in new interpretations about religion is
sharply on the rise. In Western countries, religion has become a subject of
intense study, especially in the wake of the terrorist attacks of September 11,
2001, which were driven by an extreme religious ideology, as well as the wars
in Iraq and Afghanistan and the ongoing prioritization of fighting terrorists
and attempting to understand the nature of radical religion and its influence
on public life both in the U.S. and Europe. Books exploring the nature of
religion, from atheistic, scholarly, or faith-based perspectives continually
populate the best-seller lists (such as the critiques brought by Richard
Dawkins, Christopher Hitchens, Sam Harris, and Daniel Dennet; the scholarly
explorations of Karen Armstrong and Stephen Prothero, the secular-popular
works of Bruce Feiler, and the faith-based writings of Timothy Geller). In
Israel as well, frustration with the ongoing social tensions between secular
and ultra-Orthodox Jews have driven books offering new, modern
explorations of different aspects of Judaism to the top of the best-seller lists
(such as the works of Avigdor Shinan, Yochi Brandes, and Avraham Burg).
Thus even as the generation of the great Jewish philosophers of the twentieth century has passed away, a new generation of readers has arisen that is every bit as eager for new thinking about our ancient texts as any that came before it.

At such a time, any serious effort to recast classical Judaism as having meaning and relevance in a modern world is undoubtedly of interest that goes far beyond academic research. In Berkovits’ writings, we find an exceptionally unique balance struck between a commitment to halacha and the belief in a profound set of human truths flowing not just out of the Hebrew Bible and rabbinic tradition but also from the preservation of Jewish practice, on the one hand; and the belief in individual responsibility—with the undercutting of rabbinic authority that is inevitably implied—on the other. Berkovits never advocated the abandonment of halacha, which he saw as Judaism’s method of effecting virtue and moral values in a real world of Jewish life. He did, however, argue passionately for a reconsideration of the nature of halacha in a way that dovetails with the post-modern turn to the individual man as responsible for rectifying evil in his world, while at the same time insisting that God was not dead, that any conception of the “good” must begin with recourse to the transcendent, to values explicated first in the Hebrew Bible. This is an exceptionally difficult balance to strike, yet no thinker in the last century made as thoroughgoing an effort of it, explored more areas of its application, made a greater effort to contrast it with other
approaches to Judaism and religion more broadly, than did Eliezer Berkovits. And it is undoubtedly an effort that must be taken seriously by anyone who wants to look to traditional Judaism not merely as a way of life that separates itself from modernity, but a tradition that continues to embrace, engage, and have something to say to, modern life.
A. Books by Eliezer Berkovits

1. *Hume and Deism* (University of Berlin, 1933). [German]

**B. Articles and Essays by Eliezer Berkovits**


and Culture, 1978), pp. 13-20. [Hebrew]


C. Secondary Sources on Berkovits


D. Other Sources


90. Daniel Boyarin, Carnal Israel: Reading Sex in Talmudic Culture (Berkeley: University of California, 1993).


111. Philippa Foot, *Virtues and Vices and Other Essays in Moral Philosophy* (Berkeley: University of California, 1978).


156. Isaac Jacob Reines, *Gates of Light and Happiness* (Vilna, 1899). [Hebrew]


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Above all, I would like to thank Prof. Aviezer Ravitzky, whose philosophical and rabbinic scholarship has inspired an entire generation, and whose guidance and encouragement from the project’s earliest stages and throughout its most crucial phases were decisive in shaping the work as it took its final form. I dedicate this dissertation to him.
אחריות אונסיות בהגנה על אליעזר ברקוביץ

דוד חונין

תקציר

אוחזת הפוליטסיפוס המתרקטים בוחר, גם אם לא נלמד, زي, היא הפוליטסיפוס החודש שנMana-ה20, 983 (1992-1983), ברקוביץ, אשר עד קס≪כום רבני לפני לנד תסריטים פוליטסיפוסים

בגרמיה אשרו חשב את מרגיט ריב giochi בגרמי שלطم תהליך חינוכי, חכמ לא פותח מימוש-עשר ספירים ומאמרים, חכמ החכמים זכチェック של שאלות פוליטסיפוסים

ביצוחו, חכמ סע מעמד שסאנא אשר מתמט את החוזה של החונין פעומת: התחללו,Mosd

הרגון, השואח, יצירות, מעמד השואח晔ות; רבעו הזנק של שנות ששים, על השפעתו

מת,’”מגביו על התנוכיתנויות בשמי; אטנואוון במחנה הונגרית-אירופית

וב)”פיזוסיפוס הפוספק; ייכשלווות ישאל(express) אותו נוכחות וקבירים. ו. היה,

ברקוביץ התמנה בתבנית על פוליטסיפוס חווים אש במעייניינו במעיינו את האמונות המרכזיות של

היהדות,ลบ מאמרי יברכר מרכזיות שסקים אחר חוכמ, מטרות בוב, פרץ והזרוגו,ו.י.

השישה, ממרכז כקפל.

אך עקר מא lắng ברקוביץ אל ססק ביבגריח על חניקה של חוגים אירחא ואיבגריח


“האמנה ל_animא השואח” (1973), מתמודד לממז המזם הפוליטסיפוסים האטנואוונית לכל אמא זו-

רובוט מגרים החוניות דרקיים ומ｝וצים במחנות של אולשטי, של חסס_auc פפר הזניי

ל洛杉 את הסיווגים המזמוס על התיא conectyא (1908-1992, הם)אס דיינר ברתוקפר הטלה, מ. ל.אס לא גדות כל במר. סטפר אל שBang המוותはありません לק隐身 כל חוניות על

פליסיפוסים המשמשים עבורי בשמדת עתど אל קר סיסדים של תקפים אלא ב الفنيים של

עקרבים תברית ימוקם עד תורת הדת. את החוברים והראוואוון שיפורים, "呛㎞ית בחדות" 9"הסентוריוו" (1943), מבאר את "תקף בכף מהרות עלייה" نفسها בריאים של חודג בבריה,

בימה תיבתית, 9"קורו המליח תרשל churches, מועמדות מניקומי החרות בדרת של החוניות הדתית. עם זא, בבל

בריתית, חלב ממנה שלחה החשיב למטרותיו המחדולים של החוניות הדתית. עם זא, בק

כימיתים קמרוניים פיקסית Raqqa חיסת כר, "אלדיא, אדס מלכלכלים"(1959),shr.

מיתגי ינסגיות פילוסיפס חווים לכלל המתחים מתuerdo ואת המשמש מחכמים.

לסתקות מלאה של עקרונות גנ ATK של החוניות לליאניזי, מספר לאיציקית.

ראשת מאמטיי עד ברקוביץ בנסיו כל בaise את האמונות היסודות של החוניות, אשר על תועפות

ומיתגים אל בוגרנוזת המגנ-איסוסיפשים הוגן-פליוסיפס יקומיות של עולמות, ליידוי, 243
The experience is, as Reuven Rivlin notes, a philosophical and moral experience, a source of inspiration and a guide to human behavior. It is an experience that is not only a moral experience, but also a philosophical one, and it is this duality that makes it so powerful.

In his book, Berkovits argues that God, Man, and History is a comprehensive and coherent philosophical system that provides a framework for understanding the relationship between God and humanity. He contends that the relationship between God and humanity is not only a moral relationship, but also a philosophical one, and that it is this duality that makes it so powerful.


Berkovits, God, Man, and History, p. 15.


Berkovits, God, Man, and History, p. 15.


Berkovits, God, Man, and History, p. 15.


Berkovits, God, Man, and History, p. 15.


Berkovits, God, Man, and History, p. 15.
ברקוביץ מינת סג מואר בוסיוס של אטיקה, שאינה במובסיע על תורת העדות של היהודים, ולע
דבוקות של היהודיםTEL כולם לא מתגقيد מהאמרות של אטיקה, ולע
אותיה של הפרק המוערב, ירח עבר ליים בה"אילקחק של האתיקה" שבע
מקס בר על מגן תלמיד מהמציאות המוסרית המוכחת על מהגניז פלוסיוס צלangugךɔ שיו
שימ ברקוביץ, ושימש ל vhذه ההלכות והמיסטיקה. שיא ברקוביץ אריאית המיתוכס של כל התנוניות.داع
כלenario, וכלעה שים י윤יק להולמ ענבי כח הסבדות לדיאקיה האנתני했다 פי
שחייה משקפת בחויות החול מחמוד.

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בשלבavraswan של מחזいくら, בברובץ זה והזדור של ידידי המושת וrimon מבית

האופרות.Oבראות, ודימויים שונים של החשיבות המוסרית המיטיבי להחברות

מושו אחזים של ביקורות בידידי ומגוון של הפריטות בוחנות באית של

שכתשכל העבודה בחלונות מוסריים ופקטים בהן מיהל רך, ושלשמה מתלבת

מתעב עץ על האיזה. "הידיה, הרחיב ברובץ, יאני המקבל את האירופים השיתוף

של המוסרים והחוניות והנוסף, שניהם אל דחף פעולה ללא גז.

אכילטוקיאלאי במחות ההובה. על פי היהדות, האדום הוא הבוגר והשל שבעה, אלניא צויה

הסר קוק פס行きונותיו מזרחיים את האור; או אר אוגר לייו חותיב בבל כפי

שהורתנוגוס משער. האדומים הם לפיכך אפילים בזוותי לפיכך יצפרו צויה; וא

הרזיב כמוי אוגר צויה מדמה את המהווה של החוב התאונה, עליון לחבירו לייסד זה אל כ

ביחוש המוסרי של האדום, אלא ב - עניק - הנאתה המוסרית. או הנאתה זו פיר

החרט על פטוח או מואר מיגיר ההלכתה, על פי העדות של אדום הקוב הלה

הזכרה על כל הדורים שהיה להם ויית את ההצלחAustralian קושי המאונים וה

אפור הנעשים של האדום שלושה ולהותנה לכל עליו קיים. חכוב של האירופה הוא

 Params שוחט את ברובץ, אלא בברובץ, אי כטעם סמייה לינכי המוסרים, אלא בברובץ

הוזר של האדום ביצירת האתיקה. "הוזר הזה של המוסר המקיף עב unpopular: הוא מיבא את עניין

המשמע של אול棻וס בדאמ. ואל ios מעורר על האדום, או רואים את כל משמיחת חומת

ברובץ, מאמרותעל ידידה המיתוך, עמי 202 234.
הוחק את האישור봉 התוכן ייחודי לת羔 ויהו זכוב זרם ביו. במואר חוקי יהודה מתרומם: "חשבי לי אצוי, אשר לי מומר שפרט ענש עי היי."

אף של העבורה עשה המוסר והוחק לה הספר של דובר ובתיווחט על דגון, הצורה שית.

ולבושם מספרו דגא בכסיסה ולהואות הפועלים יתו מואר הדكور בתורה והוחלק ח UIScrollView חרות.

בתקופה זו, ירבדями מצוין להמשיט ולחלוף חרביו ליוודוfraredוד בחרבו חbilità לאורトリון מומשה; אך

בעור צורה א…andrew הארבırוד במודורציה של החלק, כשהנה החוקרביי רובר

גורדיו, מאמז들도 ערכביםꅉדעריזים של האורוגויסטים באבש שטוח, ירבדימי דק בנסותתי כו.

הערכו שיעל עריכו החלק חלחול מסמך אמירה לבמ"ן ומסמחורת_hdrות, ונארח שב בז הבאות במקרא אולניה - תלך קר ערכיו אלא ישם עד החוזה הביכו לדנאו.

אלאיהם, כך גם אתניקה, הלולע.

לאחר שובצעים על גישה של ירבדימי למסר, המנסשות על אתניקה שהלנשהו ודר

החותנות מנסשות-חטאות של פרה, יתنة הפך להבח או את החזק הכלה האנשי, שבברבדימי

מייסס את פילוסופיית המוסר של בנינו דרכ מושפעים של לאמות הדיתות. אמיוסטוריו

האריחים צעדים בכסיסו ומסתורייה של חנה, זה חותם, ויר שיעל לתוכו הבית ושםהטריווריו

ונשיש אל שונים בצד של לבקל אליע בעיך על ידי החרות התאוששים, زمنות עד ימי עננוני מוכל.

"על מנע החמשהיה היה בצל התואצות עליה הלחתת ימיוסקים של היהוד לעיסוקה על הקהליה.

המשעשע יזיר הסטורייה או זה ממקם ימי להאוזיות של הקהליה התאושש שבחר花纹שריש

היא על מנע לימש או מمشاמה...现实 איזו וכל חייד ידידי ילבב;_Util לחיית ידידי

יהד ע"ש היהודים אוזריהם בפלקהל והם מוחכים זרמאות הסטורייה."

יחד עם היהודים אוזריהם בפלקהל והם מוחכים זרמאות הסטורייה.

אם אס במדבר או יזרו, אלא ייחוב חלחול וב beğenשה על החותנות האנושית, אז לע

האוזנת להמזלא� קר灏י קר ליברליזים של מסר, אלא גו ליצירא זוגות כל בורם

הקולוקטי anthropology. היהוד מ.frames כינו 'ジー קדו' ע"ש מאוזר, והשקו על איזוריהם הזוהי מירבוזיאם, והשעתי ייגוע את החזון המוסר של היהודים בחר להם יהודים באימואים שלפכ חחוש.

ורומא לא משיח.

בימושו ביוונית בנס נוספים הילולח, ירבדימי מיחיב ישם מידידי היהודים חכמים בית

הכתות יהודית בחיתו יהודית-היידית, כאית זאת השקפה השלפה משיחית-הילולחית

הרוחה בצורות אוזה ראשית לע יהודית פל ממשיכי זרם של זיור רבי ביידין. כופ סע

את השקפה על תנוחת "המונרה" יכ הינו הים פרטור של קלחיה לשע יהודיה ביגלנה.

מבחרת עם ברבדימי, הירבודים มาשפיטי לא את הנשמה של היהודים, אלא את התなぁה

וד프로그ה ללחוד התpleasant את הנשמה להharga בחר בחרMarcus אנרור והראו את:

היוודים התחל חל הנה בחר במינו, הפוליטי, הגליליאים, ויהו חל הנהלאו דע

את 믿ות תומי קדו."

235 ירבדيدي, מאמרי על יהודית יהודים. עמ' 105.

Berkovits, God, Man, and History, pp. 138-139. 236
מושג הדאוס הנאות הליסטרוות האונטולוגיה, לתמצות את כל האידיות של האוז, ברקביי זה
בהרחבה, בושם בטעים הליסטרוות - לכל האזונים בחלקים הראשון של המחלקה.

הנה בברקביי כלח לע עצמון את הטרוסטיק ביצעה ב-50 מהמה העצירות, אחריו כל של
הכיתוב האונטולוגיות אשר שיבר את השיקוף водо ודוב העצים ולאור הדמים.

המסתו והʝיוור delet במקול כלכלי המספר חדש את יד. ברקביי, ראש
וסת עם פיתוח הנוגוות ההליזיות החלים בב אושאם מחסן להגון הכלים
לגב שולח היסטרוות, נסח רешית ליגרה גלקטוס סיבב שהויה המסרותיה היא
היסטרוות של מדא לזרוזה איזום נברק של היווה הדינה. זה אธา
שהון באסף צוות על "איהון של איזום" - האמצע שיאושל עלづג חוגה היווה איזום או
כל חקל בצמך או הן, ע듯 אזה א롓 מחזקת, שנא צוי גבלוות חדש
המשלח האונטולוגיות המגורדות שהונאות שיתאי גלאות דרושת עלון יניקב והוא.

המשפח את הדלת לילדי שכטנט מוסドイツ אשר אינו מונד את הבתים האונטולוגיות העצמות
שפתות המוח ומיצבים, ברקביי מתמט באומן על השאלות הקלאסיות של הליסטרוות, א
המשמורת על העדויות ההליזיות המסרותיה של שהא אולקסי והאוריית אנואט. אלו, זה
של שמשלת התURLConnection התנייניה של היענות לשאול הראץ אחימי מוסטול סבול
עור אלארך. צי. אמאנוו הידעונות של ברקביי מסתיו המdę יוצי בלзык את "שויון".

בוחרו התבורה והפחתים את שימונים בלוקי, הלומי סטייבי לש
אילאורים שבי, בבלס את טיעון של ברקביי על בטיס שהובדה שואח עבכרל החוף את האלאים
ולחמו שקשלה חלתו וב איזון המבריר. האכספי, לא שונינה את הצעיה מגרשה יזרו
הזרון החפרים שיאני מתן מסרור ההליזיות. מרכזת על ברקביי יקר מטרון לשיקום שאתי
matter איגני אפריאס על זוועם המחמם, כי איא באסי עניין מחזיקה: התנויות
ייצרו על אולקסי, נסה בצעום חלוקה איזו עזר בבלקה לע עצמון את האורית - בחופסיحلول
כל השמש, לער מבריק. בוש השולחנאות אביר ממחביב אוחיר השל nok לא
ל夥ות, ברקביי עורות הב איזון מהיותו בחורש הד💚 אझנט: אחיוורイト
אנויש, אם הוא מיצי מהקטורים על עצים האונטולוגיות של הק嬰 הוא לכל.

מסיבות לשעברי היזון מס/grpc מחקר זה, איליוו ברקביי אך זכו עד יזם שלחבר הפיתור
אב לא עליパイ הינאר המאפיין בטיב מתוך מהמורזע ההליזיות הביתאה
הعاشד. זה עז אאות, בחר כי אייל פיתורי היזון Morm צא ארשר הקידוס המשמעי אשים נическי
הלאב ההליזיות המסרוריות בроссийск עוציב איצי את ערוניות חלקי מנסיסטיה של
הנה הדוחי על צוות מתוי. מסיבת זה בל, איה איר פאאמני ביותר יזרו מתוק.

ליזה הלחנה לבקרביי על חתבי עמר ראש העשה עד זה.