

Three Replies: On Revelation, Natural Law and Jewish Autonomy in Theology¹

Yoram Hazony
The Herzl Institute, Jerusalem

Abstract: I address three key questions in Jewish theology that have come up in readers' criticism of my book *The Philosophy of Hebrew Scripture*: (i) How should we think about God's revelation to man if, as I have proposed, the sharp distinction between divine revelation and human reason is alien to the Hebrew Bible and classical rabbinic sources? (ii) Is the biblical Law of Moses intended to be a description of natural law, suggesting the path to life and the good for all nations? And (iii) what should be the role of the Jewish theologian, given the overwhelming prevalence of Christian conceptions of God and Scripture in contemporary theological discourse.

I am grateful to Christina Brinks, Randal Rauser, Samuel Lebens and Jessica Wilson for devoting so much careful thought to my book *The Philosophy of Hebrew Scripture* in their respective essays in the *Journal of Analytic Theology* last year.² These papers raise many important issues. In this essay, I will focus on three questions that I see as key for contemporary philosophy and theology, leaving other pertinent aspects of their papers for another time.

I. Hebrew Scripture Without the Revelation-Reason Dichotomy

In *The Philosophy of Hebrew Scripture*, I propose that our ability to recognize the intended teachings, and even the subject matter, of the ancient Jewish works collected in the biblical corpus has been severely damaged by the prevalence of the analytic distinction between “works of human reason” and “works of revelation.”³ Historically, the distinction between reason and revelation has played an especially

¹ I would like to thank readers who commented on this paper, in whole or in part, offering useful suggestions and criticism: Joshua Berman, Lenn Goodman, Yael Hazony, Dru Johnson, Joseph Isaac Lifshitz, Alan Mittleman, Robert Nicholson, David Novak, Randal Rauser, Michael Rea, Moshe Shoshan, Gil Student, and Joshua Weinstein.

² See Brinks (2014); Lebens (2014); Rauser (2014); Wilson (2014).

³ I use the terms “Hebrew Bible” and “Hebrew Scripture” interchangeably to refer to the version of the Bible that is universally in use in Jewish synagogues and scholarly endeavors. The Jewish Bible is similar to the Christian “Old Testament,” but there are some significant differences. See Hazony (2012, 286 n. 43).

pronounced role in Christian theology, but it has also had great influence within Jewish philosophy at least since the publication of Sa'adia's *Book of Beliefs and Opinions* in the Tenth Century.⁴ Among other things, the insistence on reading Hebrew Scripture as revelation—as opposed to reason—has rendered it difficult for most readers to recognize the biblical works as what I think they plainly are: an early and important philosophical tradition, whose concerns are closely related to those that arise in moral and political philosophy, metaphysics and epistemology, and what is today called “natural theology” (that is, attempts to gain knowledge of God on the basis of human experience of the world). In my book, I argue that the Hebrew biblical texts can be profitably read as works of reason, and argue for their inclusion both in the history of philosophy and in contemporary philosophical discourse. At the same time, I also suggest that the distinction between works of reason and works of revelation is ill-suited to the Hebrew Bible, and that we should strive to gain an understanding of these texts that does without this dichotomy (Hazony 2012, 1-5).

In her review essay, Christina Brinks (2014) asks whether I have not accorded too much weight to the reason-revelation dichotomy in my thinking about the Bible. She correctly points out that many leading Christian philosophers did seek a reconciliation between reason and revelation, and says that she herself does not see “any problem whatsoever with thinking that God revealed something to Jeremiah by way of Jeremiah’s human reason, experience and observation” (Brinks 2014, 245). Why not just go straight to a demolition of the distinction between reason and revelation, rather than making temporary concessions to it by showing how the biblical texts can be regarded as works of reason (Brinks 2014, 243-245)?

I am encouraged that Brinks finds nothing difficult in the proposal that God’s truths may have been revealed through the efforts of human reason. But I suspect she underestimates how far her own views are from those of not a few formidable thinkers in the Christian tradition. True, there are some early Christian thinkers (Justin Martyr and Origen are candidates) for whom the prospect of dispensing with the distinction between reason and revelation altogether might not have seemed so problematic. Nevertheless, the Western tradition as it has come down to us revolves around this distinction to an extraordinary degree. This is not just a peripheral view endorsed by radicals such as Tertullian and Kierkegaard, plus assorted uneducated persons (“Billy Sundays,” in Brinks’ winsome phrase (2014, 244)).⁵ Thomas

⁴ Writing in Baghdad in the year 933, Sa'adia begins his principal philosophical work by introducing a sharp distinction between reason and revelation. See Sa'adia Gaon (1948, 26-33). Sa'adia suggests that everything that is known by revelation can be attained by way of reason. Nevertheless, he does insist that reason and revelation are entirely different things, and much of subsequent medieval Jewish thought follows him in this.

⁵ Brinks, like some other Christian scholars I have met, seems to have read my book as suggesting that Tertullian is representative of Christian tradition. This was not my intention. Indeed, I write that Tertullian and Kierkegaard stake out a fanatical position that is embraced only by a strand of Christianity (Hazony 2012, 225), namely, the view that the words of God are to be regarded as “absurd” or “foolishness” when measured by the standards of human reason. The reason I cite this view (which has attracted Jewish adherents as well) is to contrast it with the position common in Hebrew Scripture, according to which the absurdity or foolishness of God’s word is unthinkable because God’s word is always identical with wisdom—the very same wisdom that wise human

Aquinas, John Calvin and Alvin Plantinga—to name three thinkers Brinks sees as representative of mainstream Christianity—are all absolutely clear in distinguishing the products of human reason from those of God’s revelation. Of course they do not deny the value of reason, and their aim is to make these sources of knowledge play nicely together. But there is no doubt in their minds that reason and revelation are two *entirely different* sources of knowledge that can and must be distinguished if we are to get our view of the world right.

Consider Plantinga’s views on this subject.⁶ In *Warranted Christian Belief*, he proposes an absolute distinction between Scripture, as the product of revelation, and works of human reason, as follows:

Scripture itself is taken to be a wholly authoritative and trustworthy guide to faith and morals; it is authoritative and trustworthy because it is a revelation from God, a matter of God’s speaking to us. Once it is clear, therefore, what the teaching of a given bit of Scripture is, the question of the truth and acceptability of that teaching is settled. In a commentary on Plato, we might decide that what Plato really meant to say was XYZ; we might then go on to consider and evaluate XYZ in various ways, asking whether it is true, or close to the truth, or true in principle, or superseded by things we have learned since Plato wrote.... These questions are out of place in the kind of [Christian] scripture scholarship under consideration (Plantinga 2000, 383-384).

In this passage, Plantinga draws precisely the distinction between works of revelation and works of reason that I describe in my book. He classifies Scripture as revelation, and contrasts this with philosophical or scientific writings, which are a product of human reason. Because the Bible is revelation, its content is accepted on faith, whereas anything Plato wrote is properly subject to evaluation, questioning, and discussion that are rooted in human insights and arguments drawn from experience. Having made this distinction, Plantinga proceeds to elaborate upon it, suggesting that as revelation, the Bible must also be read and understood in a manner utterly different from the way we would read any text produced by human reason. As he writes:

[T]he principal author of the Bible—the entire Bible—is God himself. Of course each of the books of the Bible has a human author as well; still, the principal author is God. This impels us to treat the whole more like a unified

beings gain from experience. I suspect that the position found in the Hebrew Bible is also very different from that of Paul, who distinguishes between “the wisdom of the world” and “God’s wisdom,” but I understand that this passage can be interpreted in different ways.

⁶ For Aquinas, see Thomas Aquinas, *Summa Theologica* 1.1: “It is necessary for man’s salvation that there should be a knowledge revealed by God, besides philosophical science built up by human reason.... [I]t was necessary for the salvation of man that certain truths which exceed human reason should be known to him by divine revelation” (1948 [1981], 1). Along the same lines, Calvin writes that men guided by “the power of human reason” are “blinder than moles” with regard to “knowledge of God,” and especially in all that concerns “his paternal favor towards us, which constitutes our salvation.” For this reason, he recommends bypassing reason and seeking to “establish the fact... by Scripture” (Calvin 1989, 2.218-19, p. 238); Engel (1988, 73-122).

communication than a miscellany of ancient books.... [T]he fact that the principal author of the Bible is God himself means that one can't always determine the meaning of a given passage by discovering what the human author had in mind.... [W]e can't just assume that what the Lord intends to teach is identical with what the human author had in mind; the latter may not so much as have thought of what is, in fact, the teaching of the passage in question (Plantinga 2000, 384-385).

Plantinga thus moves from the identification of Scripture as revelation—that is, as a communication from God—to the view that the entire corpus of biblical works, both Jewish and Christian, are to be viewed as essentially a “unified communication” since they have only one “principal author,” which is God himself. The fact that the different works in the biblical corpus were written over a period of many centuries, often arguing with one another and seeking to advance points of view that are at odds even on central issues, is not something that Plantinga is unaware of.⁷ But he deals with this problem by proposing that what the biblical authors—Moses or Jeremiah, say—believed to be God’s word to them is not always “in fact, the teaching of the passage in question.” Indeed, the “meaning of a given passage,” which is “what the Lord intends to teach,” may well be something that Moses or Jeremiah “may not have so much as thought of.” For this reason, we may be seeking in vain for the biblical teaching if we are trying to “determine the meaning of a given passage by discovering what the human author had in mind.”

I do not know whether Christian theology really needs to be committed to this highly problematic distinction between what Jeremiah intended when presenting God’s word, and what God “in fact” meant to teach us through the vehicle of Jeremiah’s words.⁸ But Plantinga clearly believes that in offering this account of what it means for the Bible to be revelation, he is speaking for much of the Christian intellectual tradition, including John Chrysostom, Augustine, Thomas Aquinas, John Calvin, Jonathan Edwards, and Karl Barth.⁹ Whether this is exactly right or not, we can safely say he speaks for a powerful stream within past and present Christian

⁷ On the diversity of viewpoints presented in the Hebrew Bible, see Hazony (2012, 41-46, 63-65).

⁸ Plantinga’s proposal that a revealed text may mean “something rather different” from what its human author intended is motivated in part by the desire to make room for New Testament readings that depart from the plain sense of the earlier Jewish Scriptures they are interpreting. As he writes: “Paul refers to the Old Testament on nearly every page of Romans and both Corinthian epistles. There is no reason to suppose that the human authors of Exodus, Numbers, Psalms, Isaiah, Jeremiah, or Habakuk had in mind Jesus’ triumphal entry, his incarnation, or other events of Jesus’ life and death—or, indeed, anything else explicitly about Jesus. But the fact that it is God who is the principal author here makes it quite possible that what we are to learn from the text in question is something rather different from what the human author proposed to teach” (2000, 385). Similarly, he suggests that “Passages in Psalms or Isaiah can be interpreted in terms of the fuller, more explicit disclosure in the New Testament” (Ibid., 384).

⁹ This list appears on Plantinga (2000, 374). On p. 383, Plantinga says that “Augustine, Aquinas, Calvin, and the others I mentioned above” wrote “an impressively large number of volumes devoted to powerful reflection on the meaning and teachings of Scripture.... Their aim was to determine as accurately as possible just what the Lord proposes to teach us in the Bible. Call this enterprise ‘traditional biblical commentary’ and note that it displays at least the following... features.”

thought. And this stream definitely regards the Bible as providing knowledge of a radically different kind from anything produced by human reason, not only in terms of its provenance, but also in terms of the way we are supposed to derive it from the texts before us and incorporate it into our understanding of reality.

Now, this view—and similar views that one finds among Jewish writers—works systematically to undermine the possibility of what I have been calling the philosophy of Hebrew Scripture. For on the view that I have proposed, what should be of interest to us when we take up the study of the Bible is *precisely* “what the human author had in mind” (or, if this is deemed impossible, then what the human final editor had in mind) in creating the text that we now have before us. Indeed, the whole aim of my book was to persuade readers that we should be at least as concerned to reconstruct what Isaiah or Jeremiah “had in mind” as we are to reconstruct what Parmenides or Plato “had in mind.” This, I suggest, is because Isaiah and Jeremiah were towering figures in the history of ideas, whose works deserve our respect and consideration. We should wish to recapture the unique ways in which they understood God, man’s nature, and the moral and political realm. We should wish to properly assess the impact and influence of their ideas, and to seek the relevance of their insights to our own lives and world today. And we should desire this not a whit less than in the case of the early Greek philosophers who came centuries after them, upon whom academic scholarship has lavished such a prodigious intellectual effort.¹⁰

But this enterprise of learning what Isaiah or Jeremiah had to teach us melts into air the moment one determines to read their writings through the lens of something like the Plantinga-style concept of “revelation.” For such a concept of revelation is specifically designed to allow us to look past the actual content of these human beings’ thoughts, and to turn their individual personalities and works into an instrument given for teaching later generations something that, so far as it is possible for us to tell, in fact never crossed their minds; and that they themselves had no intention of teaching to anyone.¹¹ Of course, one may propose that we could do both: we could learn to read Isaiah or Jeremiah as individual thinkers whose unique perspective is of interest to us; and then we could set that aside and read them, in addition, as unwitting spokesmen for a view presented more fully by other writers centuries later. But I am skeptical. Historically, the hermeneutic that Plantinga describes seems to have worked consistently, over many centuries, toward the suppression of the individual philosophies of the Israelite prophets.

¹⁰ On how we came to think of the philosophy of Jeremiah as being of so little interest in comparison with pre-Socratic thought, see Hazony (2012, 5-20).

¹¹ There is a moral issue here, as well, which is broached by the Bible scholar Baruch Halpern with respect to deconstruction and other literary techniques for absolving us of the responsibility of seeking the intention of the biblical author as an actual human being. As he writes: “[W]hat proposal could be more immoral than that readers ought not to engage the intention encoded in the text they choose to exploit? Here is Ezekiel, reaching out a hand across the eons, asking us into his world, his mind. What with the New Criticism, reader-response, and some varieties of deconstructionism, his is the only ‘creation of meaning’ in which no literary critic is interested” (1984, xx). The same moral issue attends recent proposals by Jewish source-critics to adopt a form of progressive revelation as an alternative to seeking the teachings of the prophets of the Bible. See Hazony (2014a).

What will happen when we stop suppressing their individual prophetic personalities, and the ideas for which they stood as unique individuals within the context of the Israelite or Jewish tradition? When we allow them to speak for themselves, and for their God, not only in their own words, but also with the aim of genuinely opening ourselves to God's speech as it appeared in their minds? In my experience, the impact can be searing, astonishing, devastating. Through it, we expose ourselves to "a consuming fire, to a hammer that shatters rock" (Jeremiah 23:29). Once the protective filters are removed, and one is faced with the full fury of what a man such as Jeremiah had to teach mankind, and of the life he lived in the service of this teaching, any role that he may be made to play in a later drama five or six centuries hence may come to appear quite tangential.

I've argued that Plantinga's version of the reason-revelation dichotomy can only serve to obscure the meaning of the Hebrew biblical texts. In fact, it furnishes a great example of why we would be better off abandoning the claim that the Bible is revelation, as opposed to human reason. But as I've said, I do not believe the "reason" half of the contrived divide between reason and revelation is capable of doing full justice to Scripture either. Ultimately, we must discard the reason-revelation dichotomy altogether and learn to see the world as it appeared to the prophets of Israel, long before this distinction was invented (Hazony 2012, 260).

What would that look like? I will here make a first approach to answering this question.

Let's begin by looking more carefully at what is usually meant by the term "revelation." The eminent Christian philosopher Richard Swinburne proposes the following account, which appears to be consonant with Plantinga's position as well. On this view, revelation is:

Knowledge which [God] communicates directly only to certain individuals, and which they communicate to the rest of the world, when the adequate grounds for believing these items of knowledge available to the first recipients are not available to the rest of the world, but the latter [i.e., the rest of the world] have adequate grounds for believing them, in the traditional phrase, "upon the credit of the proposer, as coming from God in some extraordinary way of communication." Knowledge of God and his purposes, obtained by this route, is the concern of revealed theology, as opposed to natural theology, which is knowledge of God and his purposes available from the study of publicly available evidence of the natural world (Swinburne 1992, 1).¹²

Among other features of this understanding of revelation, I would emphasize three points as being central:

First, this view supposes that God "communicates" various items of knowledge "directly only to certain individuals." This is a view that asks us to understand God as speaking to human beings in much the way that one human being speaks to another. This does not mean that the means of communication

¹² I have removed parentheses for clarity. The "traditional phrase" to which Swinburne refers is quoted from Locke's *Essay Concerning Human Understanding* 4.18.2.

between God and man is literally speech. But it is analogous to human communication in that there is something that is in God's mind, as it were, and therefore external to the mind of the individual receiving it; and which is then transmitted into the mind of the prophet "in some extraordinary way."

Second, this view supposes that others who later hear this revelation from the prophet or his followers, or who read it in Scripture, have no means of testing the truth of what they hear. They must accept it on faith due to the credibility or authority of the prophet and those who have transmitted his word.

Third, these characteristics of revelation together give rise to a clear distinction between knowledge that has been "revealed" in this sense, which cannot be tested; and knowledge that comes to us by way of "nature," which is available to everyone and can be tested by anyone. This distinction between revelation and what is known by nature yields the distinction between works of revelation and works of human reason such as those encountered in philosophy and science.

Swinburne's account reflects a common view of what is taking place when an Israelite prophet tells us he is speaking words that have been taught to him by God. But I believe this view is mistaken as an interpretation of what is meant by God's speech in Hebrew Scripture.¹³ One indication that there is something wrong with this interpretation is the fact that the biblical prophets explicitly reject the second plank of Swinburne's account, namely, the supposition that the prophet's words have to be taken on authority or faith because their truth cannot be tested. Indeed, Moses himself is presented as rejecting Swinburne's position in what is perhaps the most significant passage concerning the nature of prophecy in all of Scripture, the law of the prophet in Deuteronomy:

I will raise them up a prophet from among their brethren... and put my words in his mouth.... And if you say in your mind, "How will we know the word that the Lord has not spoken?" Know that if a prophet speaks in the name of the Lord, and the thing is not, nor does it come, that is a thing that the Lord has not spoken, but the prophet has spoken it out of presumption, so do not fear what is from him (Deuteronomy 18:18, 21-22).¹⁴

¹³ I cannot accept Wolterstorff's proposal that God's speech should be considered something different from revelation because, for example, a command from God does not involve God revealing anything. See Wolterstorff (1995, 20). It is important to remember that in biblical Hebrew, there is no term that corresponds to the term revelation. The word *hitgalut*, usually translated as "revelation," does not appear in the history of Hebrew thought until the Middle Ages. The biblical terms that are of greatest interest here are "prophecy" (Hebrew, *nevua*); and variations on the expression "God's word" (*devar adonai*). A command from God is certainly in the category to which these two terms refer.

¹⁴ Note that in this passage, the terms that are translated as "word" and those that are translated as "thing" are the same Hebrew term: *davar*, or plural *devarim*. That is, the normal Hebrew term for "speech" is *devarim*, which is also the most common Hebrew term for "things." The lack of an analytic distinction between speech and the objects of speech is an important indicator that the prophets and scholars who composed the Hebrew Bible built their worldviews without the mind-world dualism that is standard in much of Western thought. Among other things, this suggests that when God speaks in the Bible, what he is presenting is "things"—which is to say, a certain view or understanding of things. See Hazony (2012, 193-218).

In this passage, Moses hands down God's law respecting the recognition of prophets by the public. Earlier, Moses has already rejected appeals to signs or miracles as a legitimate means of authenticating the prophet's message (Deuteronomy 13:1-3). Here he tells the people that if they wish to distinguish God's word from what has been spoken presumptuously, the test is whether the things that are spoken come to pass: If "the thing is not, nor does it come," then anyone can know that what has been said in God's name "is a thing that the Lord has not spoken." Nor is Moses alone in proposing such an empirical test for determining what is God's word. Much the same test appears in the name of the prophet Michayehu in the book of Kings (1 Kings 22:28), and again in the writings of Jeremiah (Jeremiah 28:9). Moreover, there are numerous additional passages that suggest that the wisdom in God's teaching can in principle be recognized by anyone, from any nation,¹⁵ and that the people of Jerusalem would be able to distinguish right teaching from wrong if only they would make a careful comparison using their own senses and judgment (Jeremiah 6:16). Together, these passages suggest that in Hebrew Scripture—or at least, in some of its most prominent texts—God's word is not at all something that must be accepted on faith due to the credibility or authority of the prophet. On the contrary, the prophet bearing a teaching that is truly God's word is supposed to be recognizable by anyone, using conventional human experience as a basis for judgment.¹⁶

If this is right, then a reasonable account of God's word as it appears in Hebrew Scripture will not be able to include Swinburne's third plank either, which calls for a sharp distinction between knowledge that has been "revealed," and the products of philosophy and science that are derived from conventional human experience. As the empiricism of the Mosaic test of the prophet's message suggests, Israelite prophecy was a forerunner and family relation of what later generations knew as philosophy and science. The Israelite prophets are involved in an enterprise of attempting to recognize and predict the consequences of human actions, doing so in an effort to understand which of the choices available to human beings are for the good, and which are for evil.¹⁷ Unlike diviners in neighboring Mesopotamia and Egypt, they do not seek answers to their questions by examining the entrails of animals, nor from reading the patterns in their drink (Bottéro 1992, 113-137).¹⁸ They direct their questions to God, at times striving for weeks until an answer comes to them (Jeremiah 42:5-7, Ezekiel 3:15-16). And although they believe the truth of this answer when it comes, they recognize that if the consequences they have foreseen do not come to pass, then the appropriate conclusion will be that these answers are not from God, but of their own minds.

This brings us to the first plank of Swinburne's account of revelation, which proposes that God's word is a "communication" of certain items of knowledge to the mind of the prophet "in some extraordinary way." This picture of God's speech

¹⁵ For example, Deuteronomy 4:6, 8. For further sources and discussion see, Hazony (2012, 228-239).

¹⁶ All this assumes that the prophet is speaking about worldly things that can be tested by human beings. The biblical prophets do not, as a general matter, speak to questions such as the immortality of the immaterial human soul, which cannot be answered on the basis of human experience.

¹⁷ For discussion, see Hazony (2012, 88-89, 161-191).

¹⁸ Bottéro famously argues that the Mesopotamian search for omens in animal entrails is a forerunner of science.

assumes a familiar, but nonetheless peculiar, picture of the human mind: one in which the mind is understood as if it were a bounded receptacle that can have knowledge “in it” or “outside of it.”¹⁹ By the same token, the mind is also thought to have perceptions, beliefs, and memories in it, and if one is reasoning about something or imagining something, then these operations are likewise supposed to take place “in the mind.” However, as has been said many times, it is doubtful that there really is a natural and fixed boundary dividing the things that are in the mind from those that are outside of it. It is much more likely that the location of this boundary, and perhaps even the character and existence of such a boundary, is a cultural artifact, and that it varies significantly from one culture to the next, from one individual to the next, and even from one moment to the next.²⁰ This does not mean we have to endorse every proposal that has been made concerning the differences between our conception of the mind and those of our forebears in antiquity. But we should proceed with caution when arguing for an interpretation of Scripture that leans heavily on a particular conception of the mind, considering well whether this conception is not being read back into biblical texts whose assumptions are quite different.

This, I believe, is the case here. We are all familiar with the invocation of the Muse, or another god, by Homer and Socrates, Parmenides and Empedocles, as they set out to engage in poetry or philosophy. Why request assistance from the gods in something that is so clearly under the control of the individual human mind as is poetry or philosophy? The reason for this request for assistance appears to be that these individuals and the cultures from which they sprang were keenly aware of the *lack* of control that individuals ultimately exercise over difficult creative endeavors. We should be able to appreciate their sensibilities on this point: We all feel that the movements of our limbs are under our own control, as is the manner in which we perform routine mental operations such as solving simple arithmetic problems. And we also know that our control over the creation of a new book or song or institution is nothing like our control over carrying out multiplication problems or driving to work in the morning. The latter can be performed reliably virtually every time. We have no doubt whatsoever of our success—that is, unless an “act of God” such as a flat tire or a pressing phone call interrupts our work. The former, on the other hand, is frightening, an adventure, a journey. Its successful completion depends on things that are experienced as being entirely beyond our control. How many times in the composition of a book will I encounter a knotty problem that threatens to wreck the entire enterprise? How many times will I have to attack such a problem with all my energies, turning it over and over, wrestling it and being thrown by it, until finally I feel a tremor in my frame, I feel the earth move, I see the skies open, and I have the

¹⁹ This picture of the mind leads directly to a mind-world dualism that cannot, it seems, be reasonably defended. For a survey of modern thought on the subject of a monistic world-picture that is “neutral” between mind and world, see Stubenberg (2003). The most important treatment of the monism of the Hebrew Bible to date is Tresmontant (1960).

²⁰ Treatments of this issue from different angles include Snell (1982); Taylor (1989); Clark (2011). Also relevant to this topic is my discussion of the absence of mind-world dualism in the Hebrew Bible (Hazony, 193-218).

answer like a flash, like a thunderclap, from I know not where?²¹ The answer, of course, is that no great work will come into being without our having such experiences time and again. And so its existence depends on factors that are not experienced as being in our control at all. The Greeks appealed to their gods because they felt that if they were to achieve such things, it would be thanks to assistance external to their own minds. The same is true in Hebrew Scripture, where the accomplishment of great things in terms of wisdom, politics, and art is portrayed as the result of “a wind from God” that guides the work to its successful conclusion.²²

Compare this with our present perspective on this matter. Few of us think of insight and inspiration as coming from beyond ourselves. When I write a book or a song, I suppose that that the performance is entirely my own, not less than if I had copied over last week’s grocery list. Insight and inspiration are now considered to be a part of our conventional intellectual endowment—just things that happen “in the mind” like the mental operations that permit us to perform multiplication problems or to drive the car to work in the morning. In other words, we have naturalized insight and inspiration.²³

My inclination is to think that this placement of insight and inspiration entirely within the boundaries of the self or mind is a mistake: We can grant that there is a natural human capacity for insight or inspiration. But we should also understand that this capacity is the psychological basis for revelation. Believing that we possess such a capacity, we may decide to embark on one great effort or another, seeking understanding, illumination, the revealing of the true nature of things. Still, it is only God’s gifts permit its successful completion.²⁴

This does not mean that every genuine experience of human insight must be considered the revelation of God’s word. On the contrary, it is possible for the experience of revelation to be perfectly genuine, and yet for the contents of this revelation to be mistaken. Recognition of this fact will allow us to set aside our incredulity when we examine the works of a philosopher such as Parmenides, who presents his philosophy as having been revealed to him by a goddess. The revelatory quality of his thought is not a mere convention, nor is it a hallucination or a lie. He

²¹ See Maimonides’ discussion of the experience of insight, which he compares to “someone in a very dark night over whom lightning flashes again and again” (1974. 7-8).

²² Genesis 41:37-40; Exodus 31:1-5, 35:31; Samuel 1:11.5-9. See also Daniel 6:4, where the Aramaic expression *ruah yatira* (“a surpassing spirit”) is used with reference to political and administrative ability as well as dream interpretation.

²³ On insight as a psychological phenomenon, see, for example, Sternberg and Davidson, (1995); Hadamard (1996 [1945]). Despite such works attempting to “naturalize” insight and intuition, these things continue to defy efforts to bring them under logical or scientific scrutiny. We continue to live with Karl Popper’s view that “there is no such thing as a logical method of having new ideas, or a logical reconstruction of this process.... [E]very discovery contains an ‘irrational element,’ or a ‘creative intuition’ in Bergson’s sense” (Popper 1959, 32).

²⁴ A similar view is that of Maimonides, *Guide* 2.32-48; *Mishneh Torah*, Hilchot Yesodei Hatora 7-10. Compare Talmud Shabbat 92a, Nedarim 38a; Abravanel on *Guide* 2.32; Lechem Mishneh on Hilchot Yesodei Hatora 7.1. However, Maimonides sees the imaginative faculty, an endowment of the mind familiar from Aristotelian psychology, as the psychological basis for prophecy. I do not suggest that we attempt to maintain this distinction between reason and imagination, among other reasons because the capacity for insight appears to be an integral aspect of the operation of reason. See Hazony (2012); Hazony (2014b, pp. 153-163).

does not present his thought as revelation because this was “the thing to do if one wanted [one’s] ideas to be taken seriously” (Brinks 2014, 241). Rather, we should be prepared to consider Parmenides’ account as the record of a genuine human experience of revelation, and we can do so without automatically having to accept that what he experienced the goddess to be teaching him was in fact the truth.²⁵

So to be clear: We can distinguish, as Scripture does, between true and false revelation, only the first of which is properly described as God’s word.²⁶ In the Bible, when the things spoken by the prophets cannot be relied upon, they are called *nevuot sheker*, “unreliable prophecy.” Thus Jeremiah has God saying: “The prophets prophesy unreliable things in my name.... An unreliable vision, and divination, and worthlessness, and the deception of their own minds are these that they prophesy to you” (Jeremiah 14:14). Note that the false prophets of whom Jeremiah speaks here are not accused of intentionally lying. Rather, they speak the “deception of their own minds.” As Ezekiel puts it, they have “set up idols in their minds,” deceiving themselves so they cannot see what is before them (Ezekiel 14:3-4, 7). This is, in my view, the best way of understanding the revelation of Parmenides, which is a misleading and unreliable revelation, and so should properly be attributed to a false god, or to the deception of his own mind, these two things being in my view just different ways of referring to the same thing.

I believe the revelation of Parmenides was a false revelation. And yet I would not say that it is entirely false. Perhaps a better way of thinking about this would be to say as follows: All human insight or revelation, even if we are right to judge it as false, nonetheless touches on some aspect of the truth. This is a view that is proposed in the Talmud, and I have discussed it elsewhere, so I will only mention it here (Talmud Avoda Zara 55a).²⁷ Because the human mind is unable to encompass all aspects of what it surveys, the revelation or insight of a human being is always partial. This was true of Moses, the greatest of the prophets, as Scripture tells us, and it is so with respect to all others as well (Exodus 33:21-23). This means that revelation is always from a given perspective. However, some of these perspectives are truer than others. They are more true because they encompass a broader view of the reality they survey, or because they grasp what they survey from a better point of vantage, and so they are more to be relied upon. The revelations to Moses and to the prophets of Israel are considered, in Jewish tradition, to be greater than all others.²⁸ Having studied the philosophy of the nations my whole life, and having

²⁵ I have suggested that we should be willing to accept certain revelatory accounts of ancient Greek philosophers, for example, as genuine. But this does not automatically mean that all such accounts are genuine. There must have been philosophers who only pretended to have had such experiences, just as there were prophets who did. The fakes were imitating and embellishing accounts of true experiences about which they had heard from others.

²⁶ Samuel Lebens reports hearing me say that because the natural human capacity for insight is the psychological basis for revelation, there must, as a consequence, be no valid distinction between God’s role in the emergence of Plato’s writings and his role in Scripture (Lebens 2014, 255). Lebens evidently misunderstood what he heard, as I do not believe any such thing. My views are as stated here.

²⁷ For discussion, see Hazony (2000, 62-64).

²⁸ In this context it may not be superfluous to emphasize that the truth of a given revelation has nothing to do with whether it is received by a Jew. Scripture records that God spoke to members of

come to greatly admire some gentile philosophers, I nevertheless always find myself returning to this same conclusion.

With this in mind, let's consider again Swinburne's account of revelation, which proposes that God's word is a "communication" of items of knowledge that are in God's mind to mind of the prophet "in some extraordinary way." This description seems to me to miss the mark in a few ways. First, the supposition that God's word is received "in some extraordinary way" looks to me to be misleading. In *The Philosophy of Hebrew Scripture*, I offer examples of biblical texts from which it is clear that Isaiah and Jeremiah equate the attainment of wisdom with the speech of God to man (Hazony 2012, 232). Moreover, in Scripture we find that every event that takes place in the world is described as being the result of God's speech; revelation refers only to those rare moments in which this constant speech of God penetrates the darkness of the human mind. Such true human insight is indeed precious and rare, and it deserves to be recognized for the miracle that it is.²⁹ But we go too far if we mean by this that there are certain routes to knowledge that are natural, while others, which are to be sharply distinguished from them, are "extraordinary" routes to knowledge that deserve to be considered an entirely distinctive phenomenon and described as "super-natural." There is no evidence that the prophets and scholars who composed the Bible were aware of a distinction between what is "natural" and what is "supernatural," and indeed, such a distinction is entirely superfluous for a complete account of true revelation.³⁰ The actions of the human mind, when these, on rare occasion, rise to the heights of true insight, are sufficient as a vehicle for God to present his word to the world. In any case it is God, and not the prophet, who chooses when God will speak.³¹

other nations, the case of Bilam the seer being the best known, and the rabbis endorse this view as well. See Tana Devei Eliahu 9; Maimonides, *Epistle to Yemen*.

²⁹ Although note that a *peleh*, or a "wonder," is the way that Hebrew Scripture describes what we today call a miracle.

³⁰ Perhaps it will help to put this matter in the following way. The Israelite prophets do not share Aristotle's conception of the world as built upon an immutable natural order characterized by eternally fixed and immutable natures. In Hebrew Scripture, the world is one of constant change. Things can be said to have "natures" in that they are found, in general, to act in a certain way. But since Scripture knows of no absolutely immutable natures, the fact that there are occasional deviations from what you or I take to be the nature of a thing does not lead to the conclusion that the natural order has been "violated." The only thing we are licensed to conclude is that something has occurred that is, in our eyes, "wondrous." Least of all is there any hint in Hebrew Scripture that God's existence or God's actions are supernatural in the sense that they involve a "violation" of an otherwise immutable natural order. Indeed, it is hard to think of a way in which God's existence or his actions can reasonably be characterized as a "violation" of anything from the perspective of Hebrew Scripture. (For these reasons, too, it would be a mistake to refer to the view presented here as a "naturalist" reading of Scripture. It is rather a reading in which the distinction between nature and super-nature is recognized as being anachronistic and misleading as a way of characterizing biblical metaphysical assumptions.)

³¹ Such an understanding of revelation may have relevance beyond the period of classical Israelite prophecy. During the Talmudic and medieval periods, rabbinic figures not infrequently referred to their own knowledge of Scripture and law as having been "shown to me from heaven," although the context often seems to indicate that such knowledge was the result of their own inquiries. This has been puzzling to contemporary scholars, most famously Twersky (1979, 291-300). But the best

In the same way, we should avoid placing too much weight on the metaphor of God’s “communication” to man. Although this metaphor is certainly authentic to the Hebrew Bible, it is also insufficient as a general view of revelation as presented in Scripture, since many texts suggest that man’s relationship with God’s word is quite different from this. In Exodus, for example, God tells Moses that he is going to “teach you what to say” in speaking with Pharaoh (Exodus 4:12); and in Deuteronomy, Moses tells the people that whenever God sends them a prophet, “I will put my words in his mouth” (Deuteronomy 18:18). Similarly, he tells Isaiah and Jeremiah “I have put my words in your mouth” (Isaiah 51:16, Jeremiah 1:9).³² This metaphor of God placing his words in the mouth of the prophet is not one of communicating knowledge that, as the result of a certain communication, moves from the mind of God to that of the prophet.³³ A more straightforward understanding of these texts is that God has given his prophets the ability to know what to say themselves. Again, God’s word appears as coming into the world through the abilities and intellectual endowment of the individual prophet. This is not a communication at all, but rather God speaking his word through the mind of the prophet—so that the intentions that are “in the mind” of the prophet are themselves God’s word. Those who are concerned to determine the message that God has in fact spoken, should therefore seek it in the intended teaching of the prophet, and not elsewhere.

II. The Law of Moses as Natural Law

Randal Rauser, Jon Levenson and others have raised a series of important questions with respect to my suggestion that the Mosaic law is intended to be natural law—apparently the first system of natural law proposed in human history.³⁴ By *natural law*, I mean a system of laws for the regulation of human society whose force is regarded as universal because it is derived from unchanging aspects of human nature. I do not mean that human nature is absolutely immutable, for no such view

explanation may simply be that many of the rabbis considered the most significant efforts of human reason to require God’s revelation to reach their consummation.

³² See also Isaiah 59:21; Jeremiah 5:14.

³³ In order to preserve the “communication” metaphor, Wolterstorff proposes that when God put his words in the prophet’s mouth, there are two different actions being described: First God speaks privately to Hosea, and then God repeats the same message spoken earlier by way of the public speech of Hosea to the people (Wolterstorff 1995, 46). This proposal of a double-prophecy is both cumbersome and unnecessary. The simpler and correct reading of such texts is that God’s speech is depicted as being communicated from the mind of one human being, the prophet, to his audience. The natural functioning of the prophet’s faculties appears here as a vehicle for God’s speech.

³⁴ For my discussion of natural law in the Hebrew Bible, see Hazony (2012, 61-62, 92-100, 103-104, 139, 172-180, 235-238, 251-256). For objections, see Rauser (2014, 267-269); Levenson (2012). The view that biblical narrative assumes a natural law that is accessible to human reason is common in traditional Jewish exegesis. See, for example, Nahmanides on Genesis 6:1, 13; Hizkuni on Genesis 7:21; Yehuda Halevi, *Kuzari* 2.48; Netziv of Volozhin, Introduction to *He’emek Davar*; R. Moshe Feinstein, *Igrot Moshe*, “Yoreh De’ah,” 2.130 on Genesis 3:12. Contemporary treatments of the biblical natural law teaching include Novak (1998, 27-61); Barton (2003); Barton (2015); Levering (2008).

is found in the Hebrew Bible.³⁵ But I am assuming that human nature is sufficiently consistent to permit the formulation of general rules regarding which human behaviors lead to the dissolution and destruction of human societies if these behaviors are permitted to become common; and which, conversely, bring about human flourishing and well-being.³⁶ Any system of law that is based on such rules will be a system of natural law.³⁷

For example, it may be the case that human beings universally (or almost universally) tend to become angry and dangerous if someone tries to cart off the produce from the field they have been cultivating. At the same time, the inclination to raid other people's fields when one is hungry is also to be expected of human beings. The persistence of these character traits permits us to recognize one of the ways in which a society can be destroyed, leaving everyone in it impoverished or dead. A situation in which people become too hungry and persistently raid others' fields for food is one in which bloodshed will rapidly become common and food increasingly scarce. Law can reduce this danger by instituting clear property rights, which prevent others from taking a farmer's crops, while at the same time making provision for the poor to receive a certain prescribed portion of the farmer's produce. For this reason, the Mosaic law stipulates that farmers should leave the corners of their fields to be harvested for the poor.³⁸

On my understanding, a law of this kind will be a part of a true system of natural law. This is not because the law itself comes "naturally" to men, as is often mistakenly supposed. A sense of personal property and an inclination to be charitable are both common human impulses. But a law that requires that society consistently act on these impulses—and that it establish a specific prescribed balance between them—is an institution, an artifice. It is certainly not part of the

³⁵ Many natural law formulations assume an Aristotelian system of eternally immutable natures. See, for example, Rommen (1998 [1947]): "For a natural moral law as an immutable basic norm, and the essential nature as a valid measure of what is moral and just, are possible only when this essence is itself unalterable."

³⁶ John Finnis endorses a much more complex definition, but in the end he too maintains that law is natural law where "adherence to the relevant standards tends systematically to promote human flourishing, the fulfillment of human individuals and communities" (Finnis, 2011 [1996], 201).

³⁷ In regarding the Mosaic law as natural law, I am following Philo, the first philosopher to make systematic use of the term *nomos phuseos* ("natural law") in the Greek language. According to Philo, the Mosaic law is "the most fruitful image and likeness of the constitution of the whole world," so that "the man who adhered to these laws... would live in a manner corresponding to the arrangement of the universe with a perfect harmony and union." Because the law of Moses was the only law that had been "stamped with the seals of nature herself," it can be understood as reasonable by non-Jews as well. For this reason, its influence had spread beyond the Jews, so "that almost every other nation, and especially those who make the greatest account of virtue, have dedicated themselves to embrace and honor them" (Philo 1993, 492-495). As Helmut Koester writes: "[F]or Philo, the law of nature is the Torah, and the new term 'law of nature' was designed to express a new concept that did not exist before in the Hellenistic world.... The fundamental Greek antithesis of law and nature is overcome here by virtue of the universality of the law of God" (Koester 1970, 533-534). Although Maimonides does not use the term "natural law," he too views the Mosaic law in its entirety as the best law for the perfection of the human mind and the body politic. See Maimonides, *Mishneh Torah* Me'ilah 8.8, Temura 4.13; *Guide* 3.26, 31.

³⁸ Leviticus 19.9-11; Sifra Kedoshim 1.10.

equipment that a human being is born with, but is something that needs to be devised, systematized, inculcated, and defended.³⁹ Moreover, some societies will arrive at such a law, whereas others may not. Indeed, it may be that such laws are rare among human societies. Nevertheless, on my understanding such a law will be a part of the “natural law” in that it is a solution to the hardships and dangers that mankind face that derives from a correct assessment of human nature.

All this stands in the following relation to the law of Moses. Before the promulgation of Israelite law, the gods of Near Eastern nations were said to have empowered their kings to make laws and enforce them. But the laws themselves were considered to be a human invention, and were relative to the judgment of the ruler and the customs of each nation.⁴⁰ This is in contrast with ancient Israel, which envisioned God as having created all things, and also as having decreed the laws that govern all things: God gave laws to the heavens and the seas and to all living things for their good.⁴¹ And he likewise gave a system of laws to mankind whose purpose is the flourishing of all men and women. It is in the Hebrew Bible that we first encounter a view of the world according to which the human king does not make the law—in fact, human kings are portrayed as usurping the role of God when they make law—for true law is given by the God of all things to teach men to attain “life and the good” in this world.⁴² Scripture thus appears to be the oldest source for the idea that later comes to be called “natural law,” and in fact this term makes only rare appearances in Greek sources until its adoption by Philo as a means of describing the Mosaic law.⁴³

³⁹ On this point, the view presented here is in line with that of Aristotle: “[I]t is clear that none of the moral virtues formed is engendered in us by nature, for no natural property can be altered by habit. For instance, it is the nature of a stone to move downwards, and it cannot be trained to move upwards, even though you should try to train it to do so by throwing it up into the air ten thousand times; nor can fire be trained to move downwards, nor can anything else that naturally behaves in one way be trained into a habit of behaving in another way” (Aristotle, *Nicomachean Ethics* 1103a20). This position is confusingly reversed in Stoic thought, in which acting “in accordance with nature” becomes an ideal by which human behavior is judged. In addition, the Stoic philosophers assert that conformity to “nature” is to be equated with conformity to reason, an association that is found at times in Philo as well.

⁴⁰ On the uniqueness of the biblical concept of a divine lawgiver in the ancient Near East, see Berman (2008, 59); Walzer (2012, 22); Frankfort (1978 [1948], 278-279).

⁴¹ Hazony (2012, 236-237).

⁴² The expression “life and the good” appears at Deuteronomy 30:15. On understanding the law in terms of the reasons for the commandments, see Talmud Sanhedrin 21a; Maimonides, *Guide* 3.26; Nahmanides’ commentary on Leviticus 26:15. For the legitimate powers of the king, see Deuteronomy 17:14-20. Here, the king is clearly under the law, learning it from the priests, and has no legislative power.

⁴³ Philo (25 BCE-50 AD) was born after the death of Cicero (106-43 BCE), whose use of the Latin term *lex naturalis* is usually supposed to be the basis for later Christian teaching on this subject. See, for example, Cicero, *De Legibus* 1.58, 2.11. However, Koester’s proposal that Church fathers such as Clement of Alexandria and Origen based their natural law teaching on that of Philo seems credible, buttressing his suggestion that “Philo has to be considered the crucial and most important contributor to the development of the theory of natural law.” See Helmut Koester, “The Concept of Natural Law in Greek Thought,” p. 540. The few earlier Greek references to the “laws of nature” are lacking in the normative force we now associate the term. An important exception, however, is

That the prophets regarded the Mosaic law in this way is, I think, difficult to dispute. In *The Philosophy of Hebrew Scripture*, I point to texts in which Moses, Isaiah, Jeremiah, Ezekiel and other prophets suggest that the people of all nations should be able to recognize Mosaic law as the best law available to mankind; and that the nations will one day give up on their own laws, coming to Jerusalem to learn God's laws for their own betterment.⁴⁴ As far as I am aware, there are no dissenting texts in Scripture—texts that would suggest that the laws of Moses are, as a body, to be regarded as parochial in nature and intended for Israel alone.⁴⁵ The universal relevance of the Mosaic law is a background assumption of the biblical corpus.

Nevertheless, this universal aspiration of the law of Moses is today counterintuitive for many readers. Christianity has had a tangled relationship with the Mosaic law, and the belief that much of this law has been superseded and so rendered irrelevant remains a powerful impulse both in Christianity and in the civilization of the modern West, with its powerful Christian antecedents.⁴⁶ As a result, it is difficult for non-Jews—and today for many Jews as well—to accept that there may have been good reason for Moses to regard his law as the epitome of “wisdom and understanding,” and the key to attaining “life and the good,” as we are told in Deuteronomy. Whatever Moses may have thought about this matter, Jon Levenson, whom Rauser quotes, no doubt speaks for many in questioning whether contemporary philosophers will be willing to believe that “wearing a garment of mixed wool and linen, or eating pork (but not beef) violates the natural law” (Rauser 2014, 267).

As stated, this dismissal is too facile to be satisfying. So let's try to get a clearer view of the argument Levenson and others are making. As I understand it, the claim has two parts, either or both of which may be used to dismiss the standing of many biblical laws as aspects of natural law: First, one may be saying that the natural law cannot possibly be concerned with things such as what we should eat or wear, because rules about these subjects do not contribute to the well-being of human societies in the way that, say, laws against stealing do. Second, one may be saying that while dietary laws, for example, could in fact be part of the natural law, the particular positions proposed by the Mosaic law (e.g., abstaining from “pork but not beef”) are too arbitrary to have any kind of universal validity or significance.

These are both important objections, and I will return to them momentarily. But before doing so, I want to make an observation concerning the relationship between Mosaic law and human nature. The Mosaic teaching is not, and never was,

Aristotle, *Rhetoric* 1373b2–18, which also refers to an earlier source in Empedocles. These texts do resemble the biblical teaching.

⁴⁴ Hazony (2012, 174-176, 236-237). Michael Walzer emphasizes that the law was given to, and accepted by, those non-Israelites who left Egypt with Moses (Walzer 2012, 2, 7).

⁴⁵ Indeed, the rabbis suggest that the law was offered to other nations before Israel. Talmud Avoda Zara 2b; Sifrei to Deuteronomy 33:2. Similarly, we are told that when Roman officials came to study the law, they told the rabbis: “We have carefully examined your entire Teaching and it is true except for [one] matter.” Talmud Bava Kama 38a. The one matter was a rabbinic ordinance found in the Mishna that discriminates between Jews and non-Jews.

⁴⁶ An excellent discussion of Christian and post-Christian difficulties with Judaism can be found in Nirenberg (2013). Jewish law is discussed throughout the book, but numerous specific page references can be found in the index entry for “Mosaic law,” p. 601.

supposed to be a kind of Platonic form, an ideal existing in eternal perfection without reference to nature of the human beings that received the law and must uphold it. Such a view is explicitly rejected by the biblical narrative, which tells us in Genesis that in the early stages of mankind's development, God had a very different conception of what a fitting moral system for human beings should be like: upon creating man, God decrees that man will be permitted to eat nothing but fruit and grains, for taking the life of any living thing from it so that one may eat its flesh was unthinkable (Genesis 1:29-31). But human beings prove incapable of adhering to a law reflecting so high a standard, and God eventually relents and gives Noah laws that permit bloodshed both for the sake of maintaining public order and for eating (Genesis 9:1-6; Talmud Sanhedrin 57a-b, 59a). The Mosaic law, as a law given in a particular language to a particular people, is likewise a compromise with human nature, since human beings were originally intended to live without divisions into languages and nations (Genesis 11:1-9). God's lawmaking is thus presented in Scripture as the result of a series of compromises with man's nature. The law thus represents something that is attainable and workable as a means of attaining earthly salvation, but without offering anything remotely like moral perfection, which was attainable only in Eden.

Once this is recognized, various aspects of the law that seek an accommodation with man's nature become easier to understand. Circumcision, for example, was not instituted for reasons of health, as Rauser and others have proposed (Rauser 2014, 267). In Genesis, we are told that circumcision is an *ot* (a "sign")—meaning that its intended function is symbolic, at least in part: it is a symbol of our willingness to discipline the animal aspects of our nature, to alter their course and diminish their ill effects by bringing them under law. It is, in short, a fitting symbol of the covenant and of our commitment to God's law (Genesis 17:10-14).⁴⁷ As a symbol, its role is educational and social. Its purpose is to remind us of our commitment to the law, and it does so powerfully, even overwhelmingly, in a manner that leaves us faint and in tears from its effects. And for just this reason, it contributes greatly to forging a community of the committed, bringing children into a community that retains its form and its substance even in the face of the greatest hardship.

With respect to the natural-law character of the Mosaic teaching, the question that must be asked is this: Is the Mosaic law less of a natural law teaching because it incorporates symbols of this kind? Or, to ask this same question in a different way, is it necessary to strain out the symbolic or didactic aspects of the Mosaic law before it can be considered natural law?⁴⁸ On the understanding of

⁴⁷ But see Maimonides, who suggests that circumcision is not only a symbol of sexual restraint, but actually contributes to it. See *Guide* 3.49.

⁴⁸ A view of this kind is suggested by David Novak, who distinguishes between commandments whose reasons are "based on specific history" and those that are "based on universal nature," and locates the discipline of natural law or ethics only within the sphere of rules with "natural rather than historical reasons" (Novak 1998, 70-72). Thus, for example, Novak suggests that the books of Moses justify the observance of the liberation from Egypt "with only one reason, which is historical: ... 'because on this very day I brought your ranks out of the land of Egypt' (Exodus 12:17)." On this view, the commemoration of the liberation of the Israelite slaves has no place in the natural law or ethics,

natural law I have presented here, there should be no such need. A system of natural law is fitted to human nature, and if human beings require symbols to remind them of their commitments, to induct them into society, to render society cohesive and strong—then such symbolism, too, should be considered an integral part of the effort to attain “life and the good” by living according to appropriate laws.

I am not impressed by the suggestion that a given symbol such as circumcision cannot be part of Moses’ description of the natural law because “another symbol could have served just as well.” For every provision we find in the law of Moses, it is always possible to propose an alternative that might have served much the same purpose as that which was set down. For example, one may wish to say that rather than requiring farmers to leave the corners of their fields unharvested so that the poor might eat, the Mosaic law should have required the farmer to invite the poor of his community to eat at his table; or that it might have required the king’s agents to collect taxes from the farmer and redistribute them to the poor of the city. But as I think is obvious, if one of these alternative laws had been set down in place of the Mosaic teaching as we have received it, this would have changed nothing. One could still say that another law “could have served just as well” in requiring propertied persons to take responsibility for the poor.

To my mind, the hope of achieving a version of the natural law that admits of no reasonable alternative formulations is a vain fantasy. Those laws that are even candidates for such a status—laws against murder and theft are examples that are usually mentioned—are hardly sufficient as guides to the cultivation of human well-being if they are considered in isolation, without reference to a broader system of law.⁴⁹ Moreover, even laws of this kind cannot be understood, much less applied, without a great deal of clarification. We need to know what actually constitutes

since its purpose is historically conditioned. To my mind, precisely the opposite is the case. The verse cited in Exodus suggests only that details of the Passover festival such as its date on the calendar are historically conditioned. But considered within the larger framework of the Mosaic teaching, we can easily see that the intended purpose of this festival is to inculcate an appreciation of freedom from bondage, of the limits of human authority, and of God’s role in human redemption, as well as gratitude for the law and for the land, among other key Mosaic ideas. These educational aims are not later accretions, but are the very purpose of remembering the departure from Egypt, as is evident from texts such as Deuteronomy 6:20-25, as well as many others in Scripture. We should thus consider Passover observance as making a weighty potential contribution to the wellbeing and flourishing of Israel, and as having similar potential even for other nations to the extent that they observe this festival and internalize its meaning.

⁴⁹ It has often been suggested that the Noahide laws prescribed for all men in the Talmud constitute the rabbinic view of the requirements of natural law. The laws proscribe blasphemy idolatry, illicit sexuality, bloodshed, theft, and eating flesh from a live animal, and they require acceptance of legal adjudication of violations. See Sanhedrin 56a-b, Genesis Raba 34:8, Tosefta Avoda Zara 8.4. But this utterly minimalistic law is not an attempt to describe norms that are sufficient to bring about human wellbeing and flourishing. Even such natural moral norms as honoring one’s parents and avoiding slander and deceit are not included in the seven laws, nor is there any way they can be derived from them. From this it is clear that these laws are not intended as a description of universal natural law—that is, as a description of that moral law that is obligatory for non-Jews. They are rather intended to define a minimum standard of behavior that is required of non-Jews wishing to enter into Jewish society. Talmud Avoda Zara 64b; Maimonides, *Mishneh Torah*, Isurei Bi’a 14.7. For discussion of the prospects for reducing the Mosaic law to general principles, see Talmud Makot 23b–24a.

murder (is it “murder” to kill a man who breaks into one’s house?⁵⁰) and what actually constitutes theft (is it “theft” for the king to expropriate one’s possessions for the common defense?⁵¹), so that even laws in these areas cannot be formulated in such a way that they are not susceptible to alternative formulations. The fact is that any system of law designed to bring “life and the good” to the generality of human societies will be one that is necessarily susceptible to alternative formulations.⁵² But every version of the natural law will still be distinguished from other systems of law whose purpose is to attain the greatest degree of wealth and honor for the ruler and his associates; or to impose the supremacy of one nation over all others; or to attain other aims that might be found attractive by rulers and philosophers.

With this in mind, let us return to the question of whether we should rule out Mosaic restrictions concerning what animals should be eaten or what clothes should be worn as being without any natural law status. As I have said, the objection to such laws derives from a suspicion that what human beings choose to eat, for example, cannot possibly have much of an influence on the well-being of societies and nations.⁵³ But this seems to be nothing more than a prejudice of Christian and post-Christian thought—one that Jews, Muslims, and Hindus, among others, will tend to regard as deriving from an impoverished understanding of human nature. This is in at least two respects: First, many systems of philosophy and religious practice have proposed that personal well-being and public order can be more readily attained where individuals are accustomed to disciplining their appetites. On this view, an individual that is systematically trained in refusing the urges of hunger, thirst, and sexual arousal will be better equipped to control himself in other situations requiring moral self-restraint. That is, he or she will be better equipped to suppress the urge to steal, or to commit perjury, or acts of violence in the heat of the

⁵⁰ Exodus 22:2; Talmud Babylonian Sanhedrin 62a-b; Jerusalem Sanhedrin, ch. 8.

⁵¹ Samuel 1:8.9-18; Talmud Sanhedrin 20b.

⁵² This view is defended by the great 17th century natural-law theorist John Selden (forthcoming). For discussion, see Haivry (2011, 1-27). On John Selden and Hugo Grotius as rival interpreters of the Jewish natural law tradition, see Jones (2013, 339-359).

⁵³ In this, David Novak follows many others in reading the Talmud as distinguishing sharply between *hukim* and *mishpatim*—putatively those laws that are dictated by reason; and those for which “there [are] no specific arguments based on nature/reason.” See Novak (1998, 73-74). However, this reading does not do justice to the rabbinic view articulated in Talmud Yoma 67b; Sifra on Leviticus 18:4. The rabbis do not suggest that that these are laws for which there are no reasons. Rather, they call them “things that Satan argues against, which are eating pork, wearing a garment of mixed wool and linen, the *halitza* ceremony of a widowed sister-in-law, the purification of a leper, and the scapegoat. Lest you say ‘these are worthless things,’ [*ma’aseh tohu hem*] Scripture teaches ‘I am the Lord’ (Leviticus 18:5), meaning ‘I, the Lord, have decreed them, and you have no right to doubt them.’” Read this carefully. The text does not say that there are no reasons for these laws. Rather, it suggests that since the reasons are not obvious, Satan succeeds in advancing an objection to them, persuading men that they are “worthless things” although in truth they are not. The meaning of the Talmudic text is thus precisely the opposite of that which is commonly attributed to it: It is meant to deny that these laws are worthless, not to deny that there are reasons for them. See Maimonides, *Guide* 3.26. Note that even Sa’adia, who does distinguish between laws dictated by reason and laws that are not, also concedes that “upon deeper reflection” all of the laws prove to have at least some minimal benefit and slight justification to reason. Sa’adia (1948, 141).

moment. Second, fasting and abstaining from certain foods is felt to assist in carving out a life for man that is experienced as qualitatively more pure, clean and elevated than what may be attained by those whose appetites are permitted to operate on them more freely. Finally, fasting and abstaining from certain foods may contribute to physical health, and so find their place in a system of natural law (although it is significant that traditions which maintain norms of behavior of this kind do not usually regard this consideration as taking precedence over the other two).

The history of Christian ambivalence toward the Mosaic law has done much to suppress an appreciation in the West for how such concerns might find appropriate expression in the context of a system of morals. Nevertheless, I think Westerners can recognize the yearning for a higher moral standard and for a sense of self-purification reflected in the present spread of “vegan” dietary discipline, which involves abstaining from animal products entirely. As I’ve said, it is just such a diet that Hebrew Scripture holds out as an ideal in Genesis, although the Mosaic teaching suggests that such a standard is not attainable for the generality of mankind. The law of Moses instead proceeds to endorse the banishing of most kinds of meats from our tables, as well as severe restrictions on how the few “clean” animals (mostly herbivores) are to be killed. Although they fall short of vegan discipline, these provisions are nonetheless seen as contributing in crucial ways to disciplining our appetites, and to affording a sense of purity and elevation where we do indulge them.

All of this is quite evident to anyone who has lived in light of the Mosaic law. And again, the fact that other choices might be defended utilizing symbols quite different from the Israelite symbolic system does not, as far as I can see, weaken the recognition of Mosaic dietary regulation as part of a system of natural law for the betterment and elevation of human beings. On the contrary, the Hindus’ reverence for cattle due to their great contribution to man’s well-being, or their avoidance of fungi as associated with pollution, only strengthen the sense that the Mosaic law does indeed give expression to principles that are fitted to mankind’s nature in general. Of course, one must choose between Jewish and Hindu traditions. Nevertheless, I suspect it is easier for Jews and Hindus to understand what the other strives to achieve than it is for either to admire the willingness to do away with nearly all dietary restrictions that has become characteristic of Western moral conceptions. Much the same can be said with respect to other aspects of Mosaic law.

However, Rauser’s stronger objection is not just that biblical law is inscrutable. He also asks whether there are not laws here that are downright contrary to morality and human well-being (Rauser 2014, 267). Some of the examples Rauser cites have to do with forms of punishment that are prescribed in Scripture as the appropriate recourse for various crimes. But focusing on the fact that Mosaic law selected punishments from among those available when it was first set down seems to me to be beside the point. Commitment to preserving the law of Moses is at the center of Jewish tradition, yet no rabbinic court today hands out punishments such as those that trouble Rauser. Nor are there any segments of Judaism that are interested in reinstating such punishments. The biblical preference for the death penalty or for lashes derives from a time when jail time was not economically feasible for the overwhelming majority of crimes. I don’t actually know

whether years of imprisonment is a more humane or effective form of punishment than lashes, but if imprisonment is indeed a more effective or morally suitable form of punishment, there is no reason to suppose that the Mosaic law cannot embrace a shift toward imprisonment once it becomes feasible to make this change.

More compelling are the questions Rauser raises with respect to various behaviors that the Mosaic law encourages or condemns. Specifically, if the law is supposed to bring well-being and benefit to mankind, then what are we to think if we examine the law and find that it gives rise to “pain and hardship”? Mosaic legislation regulating animal sacrifice, slavery, forced marriage to war captives, polygamy, and various other troubling practices raises such hard questions. Why regulate such practices rather than banning them outright? Many readers not unreasonably assume that if a practice is permitted and regulated in the law, this means that Scripture endorses it as a positive good for all time.

But as we’ve already seen, Scripture does not endorse killing and eating animals as a positive good. Eating animals is presented as no better than an unavoidable evil, and the laws of Moses, which permit humans to slaughter certain animals for food, are only considered as moral and elevating in comparison with what human beings would otherwise be doing (e.g., eating the flesh off of living beasts, eating corpses found in the road, drinking blood). Much the same is true for most of the other practices in question. Animal sacrifice is in biblical times insisted upon as a substitute for *human* sacrifice—the elimination of which is one of the Bible’s highest priorities.⁵⁴ The sacrifice of animals is itself portrayed as being invented by humans and only reluctantly accepted by God after he recognizes that “the nature of man’s mind is evil from his youth” (Genesis 8:21). Similarly, polygamy (making an unfortunate comeback in America right now) is consistently portrayed in Scripture as a source of strife, humiliation and suffering, even if the Mosaic law does not proscribe it. In the same way, one need only consider Jeremiah’s failed attempts to induce the people of Jerusalem to free their slaves to recognize the biblical laws restricting the abuse of slaves and captives for what they are: Compromises with undesired institutions that the prophets did not yet have the power to eliminate (Jeremiah 34:9-17).

Like many other readers, Rauser draws particular attention to the horrific character of biblical warfare, asking whether it is not obvious that even individuals on the victorious side of such wars will emerge from them deeply scarred. How, then, is it possible to consider biblical law as a natural law aimed at human well-being, when it demands practices whose effect is so clearly to damage human beings? Again, I think that such questions have to be directed not to this or that law, but to the biblical narrative as a whole, whose role is to provide the philosophical backdrop for the law. As has been said, the biblical History of Israel begins in Genesis with God calling upon human beings to live a life entirely free of bloodshed or life-taking of any kind—a call that mankind refuses, and continues to refuse for ten generations until the earth is “ruined” and God must choose between compromising with its evil ways or destroying it utterly (Genesis 6:11-13). Whether these passages are read as history or as allegory, the point is the same: anyone

⁵⁴ See discussion of this subject in Section III below.

harboring a suspicion that the God of Hebrew Scripture is a “God of violence” that is unable to recognize the horrors and evil in warfare is simply reading the story wrong. God recognizes the evil in warfare, but mankind, who have been given freedom to make their own choices, insist on living with war, just as they insist on retaining other horrible customs. In the context of this story, the biblical image of God appearing before Joshua in the armor of a man of war does not speak to us of God’s intrinsic nature. It is rather a fitting symbol of the role that God’s commands have been made to play in a world that has turned into a vast slaughterhouse (Joshua 5:13-14).⁵⁵

We should indeed find biblical warfare objectionable, both in its unimaginable destruction of innocent human beings and for reasons such as those that Rauser suggests. But we should also understand that such carnage was a norm in the world in which ancient Israel lived. We do not have to like the decisions that are attributed to God and the prophets on the road to constructing a nation about which the surrounding peoples would eventually say, as we are told, that “We have heard that the kings of the house of Israel are merciful kings” (1 Kings 20:31). But we do have to recognize that Scripture never describes such Israelite warfare as good. It only describes it as necessary in a world that has been utterly corrupted. The standard that is applied is thus akin to that of Allied scorched-earth efforts (nuclear and “conventional”) to try to end World War II as speedily as possible. No one supposes that Truman thought the annihilation of Hiroshima was desirable, only that he thought it was the best of the options before him.

This picture of natural law in the Bible is thus somewhat different from that of an eternal and unchanging natural law such as we find in theories that have absorbed the premises of Athenian philosophy. In Scripture, the natural law is presented as one that can be recognized as wisdom by mankind in general. But this law is not presented as fixed and perfectly immutable for all eternity, any more than the world or mankind’s nature is presented as fixed and immutable for all eternity. Indeed, already in the biblical narrative we find instances in which God and Moses permit the contours of the law to be developed at the initiative of individuals who are not themselves the lawgiver, but whose efforts assist in bringing the natural law more clearly to light.⁵⁶ And later rabbinic interpreters of the law did in fact succeed in eliminating polygamy and slavery, the law of the rebellious son and the law of the woman captured in war. This gradual clarification of the law does not reflect an authority to issue and revoke legislation in the sense in which a human sovereign is supposed to have the authority to alter positive law at whim. Instead, the natural law, the only true law for mankind, is seen as being clarified in the eyes of men as they seek to apply it to new cases and conditions.

⁵⁵ For further discussion of the moral questions raised by the wars of the Bible, see Hazony (2000, 211-230).

⁵⁶ For example, we see the daughters of Tzlofhad petition Moses for a change in the law of inheritance to make it more just. We see Aaron shape the laws of the ritual sacrifice because he believes God would not have wanted him to feast while in mourning for his sons. We see Pinhas kill Zichri on the spot rather than go to a trial, because conditions of national emergency require it. See Leviticus 10:16-20; Numbers 25:1-16, 27:1-11, Joshua 17:3-4.

III. Toward Jewish Autonomy in Theology

I would like to touch upon one last issue: Samuel Lebens' charge that *The Philosophy of Hebrew Scripture* is "overwhelmingly anti-Christian in tone," and marked by "anti-Christian rhetoric" (Lebens 2014, 257-258).⁵⁷ This is a weighty accusation—imputing hostility, contempt or animosity on my part towards Christians and their traditions. From my perspective, this accusation is baseless. However, *The Philosophy of Hebrew Scripture* certainly does present a challenge to common Christian ways of reading the Hebrew Bible on a number of key issues. That these challenges should be interpreted as "anti-Christian," rather than as legitimate discussion of issues that need to be talked about openly, is troubling. We are still in the very early stages of current attempts by Christians and Jews to work together as colleagues in philosophically significant endeavors, and the truth is that we do not yet know how these attempts will turn out. There are, to be sure, plenty of things we can agree about. But will we also find that we are able to speak and debate in an honest fashion about the deep issues that divide the Christian and Jewish traditions from one another? Or is the point of having "Jewish theology" at the table simply to provide a mirror in which the Christian philosophical tradition can admire itself? Perhaps not everyone is alert to this question, but given the staggering advantage that Christian philosophy has in terms of numbers and resources, this latter option is not only a real possibility, but also the most likely outcome. We need only make a few mistakes, and within a few short years this is where we will find ourselves.

In what follows, I would like to offer a few thoughts on what is needed if we are to avoid such an outcome.

Let me begin with the reason Christianity appears in my book at all. In *The Philosophy of Hebrew Scripture*, I define my positions and argue for them, in part, by contrasting them with important alternative views that an intelligent person might accept instead. Since the subject matter of this book is how one should read the Hebrew Bible, it should surprise no one that one of the principal alternative positions against which I argue (although by no means the only one!) is the sort of reading that arises among individuals who approach Scripture after long exposure to the New Testament and its interpreters. As I wrote in my book, after nearly two thousand years in which the Hebrew Bible has—in most times and places—been bound into a single volume with the Christian New Testament and read in light of its teachings, it has become quite difficult to study the Bible (not only for Christians, but also for Jews) without instinctively reading New Testament ideas back into Hebrew Scripture. This is so even for individuals who have never read the New Testament, but whose views of biblical teachings have been shaped since childhood by Western conceptions of "what the Bible teaches."

It goes without saying that disentangling our understanding of the Hebrew Bible from the premises and teachings of the New Testament is not an easy thing to do without giving offense to at least some of those for whom the New Testament is

⁵⁷ Lebens was the only Jew participating in the *Journal of Analytic Theology* symposium on my book. The other three scholars are Christians.

precious. But this effort is worth pursuing nonetheless, because, as I suggested in Part I of this essay, the prophets of Israel have a right to be heard speaking for themselves and their God in their own voices, and not only through the prism of later thought. This having been said, I want to conduct this investigation in a worthy fashion, and for this reason I sent the manuscript of *The Philosophy of Hebrew Scripture* to two Protestant scholars and one Catholic prior to its publication with a request that they review the book with care, noting especially any treatment of Christianity that seemed unfair or might offend.⁵⁸ They offered plenty of comments and helpful criticism. But when I pressed them on the question of whether changes were needed to lessen the danger that the book would give offense to Christians, they told me in different ways to quit worrying about it: Since I am a Jew, I will necessarily find myself in disagreement with Christian colleagues on a range of substantive issues. What I say will be upsetting to others, but I should nonetheless “give offense exactly as you need to.”

In the years since the publication of *The Philosophy of Hebrew Scripture*, I have heard versions of this same message from scores of Christian scholars, clergy, and students, who have expressed their preference that Jews make a strong and unapologetic stand in defense of our Bible and our traditions, both within the academy and in broader debates in the public sphere. In part, these Christians are responding to the Holocaust, and to a stinging sense that the time has come to break with old patterns of thought that were responsible for so many centuries of Christian anti-Semitism. But there is more to it than this. Among the most significant factors fuelling present-day Christian interest in Jewish explanations of the Hebrew Bible and Jewish tradition is a growing feeling that Christianity itself may stand to gain something important from it: The faith of young Christians is said to be under siege as never before, and the difficulties in transmitting the Christian message stem disproportionately from the Christian commitment to the Old Testament. In the broader culture, it is Hebrew Scripture (and not, usually, the New Testament) that is derided for its “God of violence”; its nationalism, particularism, and preoccupation with land; its legalism; its endorsement of slavery and abuse of homosexuals; and so forth. Time and again, I’ve heard from Christian scholars and clergy that they feel they know how to teach the Gospel. But when it comes to helping others to understand the teachings of the Old Testament, they are often at a loss, and therefore eager to hear a well-developed Jewish argument that can fill gaps where they themselves are unsure of what to say.⁵⁹

This is a very unusual situation. I do not know whether it will last. But it means that for right now, many influential Christian figures do seem to be willing to assist in creating a space in which it is considered legitimate and desirable for Jews to present our own truth about the teachings of Scripture to a broader public, even if this involves us in substantive debate with traditional Christian positions.

⁵⁸ These scholars were Kelly Clark, Dru Johnson, and Eleonore Stump—I thank them in the book, and would like to thank them again here.

⁵⁹ A warning against focusing Christian study and preaching on Jesus at the expense of the God of the Old Testament already appears in Fretheim (1984, 2-3).

Much less clear to me is whether there is any segment of Jewry that is prepared to respond in an positive fashion to this opening. Since the publication of *The Philosophy of Hebrew Scripture*, I have discussed the desire of Christians to learn about Jewish views with numerous Jewish colleagues and friends. A typical Jewish response is to ask me whether I'm not afraid of ending up like Nahmanides, who agreed to debate Christianity before the King of Aragon—and ended up being exiled as a result.⁶⁰ That modern Jewish academics and intellectuals have a tendency to respond by invoking this horrifying episode in the history of Christian persecution of Jews should give pause to all sides. While it is unpleasant to think about this, the fact is that Jewish interactions with Christians are still tainted with fear. As a people, we Jews have no collective memory of a time when Jews could “give offense exactly as you need to” in discussion and debate with Christians. And there is a palpable sense that someone who takes it upon himself to engage in such frank discussion may literally be endangering the lives of others. Not that anyone doubts the sincerity of Christian scholars who are urging such exchange right now. But there is genuine fear for the future consequences of actions taken today, which no one can predict.⁶¹

I believe that fear of this kind can be overcome. People can understand that our present circumstances are not those of Christian Spain 800 years ago. But I mention this to place in context the next point I wish to make, which is this: there are other, more subtle ways in which Jewish concerns in the face of the much larger civilization around us can erode the possibility of a truly open discourse. In the contemporary West, this civilization is characterized by a struggle between two dominant schools of thought—materialist and Christian. I think a good case can be made that today both of these schools are more open to a serious and public engagement with ideas deriving from Jewish biblical and rabbinic sources than at any point in history. Nevertheless, if we look around, we will see that there are exceedingly few Jews who are willing to take a stand against this materialist and Christian environment and present a different view that will contend openly with it.

None of this is anybody's fault. It is human nature. Normal individuals, when they expose themselves to the society around them, tend to fit their views to this society. And this is especially so when that society will determine the course of their careers. In a world in which philosophical success, for example, is determined by materialists and Christians, almost any Jew who strives for such success will find himself accommodating his views either to those of the materialist camp, or to those

⁶⁰ The reference here is to the infamous Disputation of Barcelona in 1263, in which the great Jewish rabbi, philosopher and theologian Nahmanides was forced to debate a Jewish convert to Christianity before King James I of Aragon and his court. The king reportedly welcomed Nahmanides' performance, even paying tribute to him by visiting the local synagogue. But the backlash in the aftermath of the debate was such that, in the end, the rabbis' books were burned and he was forced into exile, never to return to Spain. Historians consider this episode to be just the first in a series of public clashes between Christianity and Judaism “which eventually did much damage to west European Jewry.” See Chazan (1977, 824).

⁶¹ Rousseau wrote that he did not believe one could know what Jews actually believe because of their fear of provoking negative responses to their views. His proposed remedy was that the Jews have a state and universities of their own “where they can speak and dispute without risk” (Rousseau 1979, 304).

of the Christian camp. I do not say that this is done intentionally, although sometimes it is. But for most purposes, it makes no difference. What passes for “Jewish” philosophy is usually the product of a strenuous, if often unconscious, effort to be pleasing to the surrounding environment. One need only consider the great Jewish philosopher Hermann Cohen writing about Jesus as the “Messiah of mankind” (Cohen 1995, 239-240), or Martin Buber arguing that what “erroneously and misleadingly is called early, original Christianity... could with greater justification be called original Judaism,” to have a sense of what I am talking about (Buber 1967, 45). What had been anathema to all the generations of Jews that came before them, was for them entirely natural and desirable, as a result of their immersion in a Christian (and post-Christian) environment whose judgments they accepted as their own. Nor was this a superficial and cosmetic gesture. Rather, it reflected a deep affinity between their philosophical systems and those of the dominant civilization of which they sought to be a part.

I suspect that it is this kind of accommodation with Christianity that was, in part, behind the well-known comments of R. Joseph Soloveitchik concerning the perils of theological exchange with non-Jews. Arguing that “there is no identity without uniqueness,” he provocatively insisted that the relationship of Judaism toward Christianity in matters of theology is, and must continue to be, one of “confrontation,” even though real common interests do bring us together (Soloveitchik 1964, 18). With respect to the kind of theological compromises that were so characteristic of German-Jewish intellectuals in the century before the death camps, R. Soloveitchik writes:

We certainly have not been authorized by our history, sanctified by the martyrdom of millions, to even hint to another faith community that we are mentally ready to revise historical attitudes, to trade favors pertaining to fundamental matters of faith, and to reconcile “some” differences. Such a suggestion would be nothing but a betrayal of our great tradition and heritage.... [resulting in] compromises which are only indicative of a feeling of insecurity and inner emptiness. We cannot command the respect of our confronters by displaying a servile attitude. Only a candid, frank and unequivocal policy reflecting unconditional commitment to our God... will impress the peers of the other faith community, among whom we have both adversaries and friends (Soloveitchik 1964, 25).

These are strong words, but I think they should be taken seriously indeed. Jewish philosophy in the accommodatist style of Cohen or Buber should be a cautionary tale. In the end, their pursuit of theological accommodation with Christianity failed to win the acceptance they sought from their German surroundings. Nor did their efforts contribute significantly to Christianity’s understanding of Judaism, for what their teachings were in fact able to do was primarily to hold up a small mirror to German Protestantism, in which it could gaze at a Jewish-tinted image of itself.⁶²

⁶² For discussion of the issue of Jewish character and the confrontation with the surrounding environment in the writings of Herzl, Nordau and others, see Hazony (2003, 107-144).

Speaking for myself, I find nothing appealing in this route, and I will not walk it. To the extent that non-Jewish theologians and philosophers are interested in a Jewish view on matters of mutual interest, I will do my best to provide it. But I will not blur the distinctions between what is Jewish and what is Christian for the sake of a conversation in which everyone gets to leave the room feeling unchallenged and at ease. As the distinguished Harvard psychologist Steven Pinker recently wrote in another, not unrelated context, “Discomfort is another word for tolerance. It is the price we pay... for participating in the open exchange of ideas” (Pinker 2014). In other words, the live possibility that we will express a view that will cause discomfort—and that someone will dislike us for—is an indicator that what is being said is a genuine attempt to get at the truth.

With these things in mind, let us now return to Lebens’ accusation that my book is anti-Christian. As I have said, this accusation does not derive from any hostility toward Christians or their traditions on my part. Its source is, rather, in Lebens’ discomfort with the fact that my book draws attention in a clear and uncompromising way to certain differences between Judaism and Christianity—differences that I believe must find expression in any contemporary Jewish theology and philosophy if it is to avoid collapsing into mimicry of the larger ocean of Christian thought around us. There are a number of such points in *The Philosophy of Hebrew Scripture*, of which Lebens chooses to address only one in his paper. This is just as well, because Lebens has chosen an instructive example. So let’s take a look at it.

In *The Philosophy of Hebrew Scripture*, I make what I take to be an obvious and uncontroversial point concerning Abraham’s binding of Isaac on the altar in Moria. I write that this story is meant to emphasize the radical difference between the gods of other nations in the ancient Near East, who take pleasure in child sacrifice; and the God of Israel, who deplors the shedding of innocent blood, hates child sacrifice, and accepts—this time, and for all time—the sacrifice of a sheep in place of Abraham’s son (Hazony 2012, 116-117).⁶³ Many others before me have made similar points, including the Talmud and Midrash Raba, which both say explicitly that God never intended for Isaac to die (Talmud Ta’anit 4a, Genesis Raba 56:8). In a footnote, I write that I am not aware of any dissenting opinions. In a second footnote, I take issue with the Christian philosopher Eleonore Stump, criticizing her important recent book on the philosophy of biblical narrative, in which she suggests that Abraham’s willingness to obey God’s command was based in part on a calculation that if he slaughtered Isaac, God could and would resurrect him. This interpretation draws powerfully on New Testament comparisons between Abraham’s putative willingness to sacrifice Isaac and God’s willingness to sacrifice “his only son” Jesus on the cross. Such New Testament-based readings, I suggest, undercut the plain sense of the original biblical story by opening up the possibility

⁶³ Among many scholars who have previously analyzed this story along similar lines are Spiegel (1967 [1993], 73); Levy (2007, 85-108); Goodman (1996, 19-22). Among the many biblical sources against child sacrifice are Leviticus 18:21, 20:2, Deuteronomy 12:30-31, 18:10. The prophet Hoshea describes the alternative: “[T]hey who sacrifice men, kiss calves.” Hoshea 13:2.

that God was not unequivocally opposed to the slaughter and burning of Isaac on the altar.⁶⁴

Lebens finds this troubling, taking it to be an “anti-Christian” reading of the story of the binding of Isaac. In response, he claims that my discussion has ignored a “prominent” and “famous” rabbinic tradition according to which God offers the Jewish people deliverance from punishment “in no small part because Isaac was sacrificed for their sins before being resurrected.” This rabbinic tradition sounds “pretty Christological” to Lebens, and he goes on to upbraid me for my inability to appreciate this Christological “dimension” of the original biblical text in Genesis.⁶⁵

In this discussion, Lebens crosses a line that I believe a responsible interpreter of Jewish sources should not be willing to cross. In the essay I quoted earlier, R. Soloveitchik warns in particular against the habit, so common among Jews who involve themselves in theological discourse with Christians, of seeking a common theological language that can serve to bring the two traditions closer together. When we embark on such enterprises, R. Soloveitchik writes, “one of the confronters will be impelled to avail himself of the language of his opponent. This in itself would mean a surrender of individuality and distinctiveness” (Soloveitchik 1964, 24). R. Soloveitchik is right in drawing attention to this phenomenon, and in emphasizing the danger in it. And it may be that no scholar involved in presenting Jewish ideas in the academic setting can succeed in defeating it altogether. However, in claiming to have discerned what is in effect a tradition of “Christology” in Judaism, and in reading into various Jewish texts the characteristic New Testament trope that Jesus “died for our sins,” and then in demanding that I (and presumably all other Jews) learn to “appreciate” this “dimension” of the biblical story of Abraham at Moria, Lebens comes crashing through the barrier that R. Soloveitchik tried to establish. In doing so, he leaves us (on this point, at least) with precious little to discuss with our Christian friends other than how very similar we all are; and how, really, Jewish objections to Christian doctrine, for the sake of which so many were martyred, could have been dispensed with if only we had better appreciated one another’s insights into the different dimensions of the Hebrew Scriptures.

The details of my disagreements with Lebens on how to read rabbinic texts are many, and quickly lead into subjects too esoteric to be of interest here. But I will touch on one text so as to give the flavor of the thing. In a number of passages in the Talmud and Midrash, we find references to “the ashes of Isaac” or to “the blood of Isaac.” As has often been suggested, the rabbis invoke an image of God looking upon Isaac’s ashes on the altar in order to elicit a sense of God’s horror—and of his grief and regret—as he contemplates what might so easily have been, had he not called

⁶⁴ “By faith, Abraham offered up Isaac... his only son.... For he reckoned that God had the power to even to raise from the dead—and from the dead, he did, in a sense, receive him back.” (Hebrews 11:17-19); Stump (2010, 300); Hazony (2012, 117 n. 80).

⁶⁵ “Hazony’s inability to look at the binding of Isaac through what he takes to be Christian eyes, speaks to his lack of appreciation of this dimension of biblical literature. It seems to me that some of Hazony’s disdain for Christianity is that Christianity is too Jewish for this Hebrew philosopher” (Lebens 2014, 257-258).

out to Abraham to put down the knife.⁶⁶ This heart-rending image folds within it the sense, reflected in the biblical text itself (and discussed in my book at some length), that neither Abraham nor Isaac walked away from Moria undamaged. On the view that finds expression in these rabbinic texts, even God himself did not escape being damaged at Moria, and the trauma of what might have been is something that is always with him as he contemplates what our forefathers and mothers endured for his sake.⁶⁷

There is much more to be said about this anguished image, and the theological implications of the rabbis' choosing to depict God's nature in this manner. But whatever may be said about it, it clearly does not imply that the rabbis believed Isaac was in fact sacrificed on the altar and then resurrected. We know this for certain because in the best-known appearances of this image, the ashes in question are not presented as the physical remains of a burnt body, having a brief existence in the world before they come together again in an act of resurrection. On the contrary, these "ashes of Isaac" are something that exists eternally, for all time—like burn marks on the face of reality—at the place of where the sacrifice might have taken place but did not. Indeed, one story in the Talmud reports that these ashes were still there on the Temple Mount in the time of David (Talmud Shabbat 62b); another reports that these ashes were still there after the Temple was destroyed by the Babylonians and lay in ruins (Talmud Zevahim 62a). Thus the Talmud suggests that these "ashes of Isaac" were still around a thousand years after the original binding of Isaac was thought to have taken place, the strong implication being that they are still there on the Temple Mount even today. And if these references to the "ashes of Isaac" are indeed talking about something that continues to exist for all eternity, then they cannot possibly be referring to a literal pile of ashes that actually came back together again in the form of a living Isaac in the time of Abraham. To claim that a belief in the actual resurrection of Isaac is implied by these sources (for example in the text from Midrash Raba that Lebens cites) is to simply misread the Talmudic texts. Moreover, since the references to the "ashes of Isaac" do not refer to a rabbinic belief that Isaac was actually sacrificed and resurrected, they also cannot be part of a tradition in which Isaac is believed to have "died for our sins."⁶⁸

⁶⁶ See, for example, Sarah Friedlander Ben-Arza, "Twilight of Death and Resurrection," available at the *Hazmana Lepiyut* website: <http://www.piyut.org.il/articles/570.html> [Hebrew]

⁶⁷ On the damage done at Moria, see Hazony (2012 119-120). Notice that the "ashes of Isaac," and more generally the concept of *zechut avot* (the "merit of the patriarchs," Talmud Shabbat 55a) for which it operates as a symbol, is not about how our forefathers and mothers were sacrificed by God for the sake of other human beings. Rather, it is about what our forefathers and mothers suffered, by the choices *they* freely made, for God's sake and for the sake of his name. This dynamic cannot be understood outside of a picture of God as wanting, needing, and receiving things from the patriarchs and from us.

⁶⁸ Note that this reading of the "ashes of Isaac" as referring to Isaac dying for Israel's sins is Lebens' interpretation. The actual sources he quotes, Rashi's commentary on Leviticus 26:42 and Leviticus Raba 36.5, say nothing of the kind. They only say that that God sees "the ashes of Isaac piled and resting on the altar before me." This having been said, it is true that there are certain Midrashic texts and poems, especially from the period of Jewish martyrdom during the Crusades, that do say Isaac died and was resurrected at Moria, and even that God desired this outcome. The most notorious of these is a poem by R. Efraim ben Ya'akov of Bonn, who was forced to flee his home in 1146 during the

I will not go further into the analysis of rabbinic texts here. But I will close with the following point. In seeking support for his claim that a prominent “Christological” rabbinic tradition held that Isaac died for Israel’s sins and was then resurrected, Lebens cites a single work on rabbinic literature, Shalom Spiegel’s *The Last Trial*. This is an odd choice since, as Lebens surely knows, the positions this work stakes out on the questions we are discussing are virtually indistinguishable from the ones I defend in my book: like me, Spiegel argues that the original purpose of the biblical story of Abraham in Moria is to declare war on human-sacrifice traditions of the ancient world, according to which God could be pleased with the sacrifice of a first-born child and would provide various benefits—such as the remission of sin—in exchange for such a gift (Speigel 1967, 73). And like me, Spiegel writes that in drawing a parallel between the crucifixion and resurrection of Jesus and the story of the binding of Isaac, the New Testament works against the message of the original story in Genesis, whose purpose was to announce that God has no desire for human sacrifice. Moreover, Spiegel goes further and makes a claim which I do not, namely, that the principal Christian doctrine of atonement through God’s sacrifice of his only son is a “continuation and a return” to ancient pagan beliefs of atonement through human sacrifice—the very beliefs that the authors of the Hebrew Bible had set out to banish from the world (Speigel 1967, 82, 85-86).⁶⁹ Finally, and again along lines parallel to my argument, Spiegel is unequivocal that the Talmud and Midrash are at one with the Hebrew Bible in its campaign to eradicate once and for all the concept of a God who would ever desire human sacrifice as a form of atonement (Speigel 1967, 79).

So was Spiegel’s book “anti-Christian” because it made these points? No. Spiegel was not anti-Christian. But he did understand that if we are to make an unashamed presentation of normative Jewish belief on the subject of Abraham’s binding of Isaac on the altar at Moria, we must not be afraid to “give offense exactly as you need to” when treating certain New Testament modes of reading this text. For if Spiegel is right, then Lebens is simply wrong in saying that I am failing to appreciate a crucial “dimension” of the story in Genesis. Rather, the reason that I do not appreciate this Christological dimension of the story of Abraham at Moria is because it is not there. And to the extent that our aim is to understand what is

Second Crusade, which has been much discussed since it was published for the first time by Shalom Spiegel in 1950. See Spiegel (1993 [1967], 143-152). I will not here seek to judge those who lived through this period, in which Jewish fathers in Europe killed their own children to prevent them from being captured and converted to Christianity. But I do think it is important to keep a text of this kind in proportion: R. Efraim’s poem dates from a time more than two thousand years after the text in Genesis was set down. Even during the medieval period, in which this poem was conceived and written, none of the major Jewish Bible commentators read the story of Abraham in Moria in this manner. Moreover, recent attempts to read this poem as representing an earlier pattern of thought that has been suppressed are at this point frankly conjectural. Far from being a prominent part of Jewish tradition, such texts are a marginal phenomenon. As one scholar of rabbinic literature wrote to me with reference to this poem, “given the amount of scholarly detective work needed to uncover this tradition, even if ancient, it can hardly be considered a historically mainstream understanding of the akeida [binding of Isaac].”

⁶⁹ For further discussion of Spiegel’s view of Christianity, see Band (1998-1999, 80-90).

actually written in the Hebrew Bible, and what these texts were actually meant to teach us, this is quite an important fact.

Precisely because our exegetical traditions and training are so different from those of much of the Christian community, Jews have a decisive role to play in bringing such facts to light, and in moving philosophical and theological discourse in directions that might not otherwise emerge. But for this to happen, Jews have to be resolute and unyielding in everything having to do with maintaining the theological autonomy of our tradition in its reading of Scripture and rabbinic texts. The moment we Jews begin to speak, for example, as though Christological doctrines of salvation are Jewish no less than Christian, any creative tension that might have existed in an open discussion and debate between our two traditions collapses, and the entire enterprise becomes worthless, or worse. Worthless for Christians, who need no assistance from us in elaborating their doctrine of salvation; worse than worthless for Jews, who in speaking in this way, brush aside (or soft pedal, or shortchange) commitments that have stood at the very heart of the Jews' theological and philosophical understanding from prophetic times until now.

Christian philosophers, I note with admiration (and not a little envy), have succeeded in recent years in bringing their own philosophies into the academic mainstream, publishing and teaching in light of their tradition—although it is certain that Christian philosophy causes no little discomfort among some of their materialist colleagues.⁷⁰ The uncompromising posture of Christian philosophy and its success in the contemporary academic setting should be an inspiration to Jewish philosophers and theologians, encouraging us to present our own tradition with clarity and force to a broad audience that is seeking such a presentation of our views at this time.

Bibliography

- Aquinas, Thomas. 1948/1981. *Summa Theologica*. Translated by the Fathers of the English Dominican Province. Thomas More Press.
- Band, Arnold J. 1998/1999. "Scholarship as Lamentation: Shalom Spiegel on 'The Binding of Isaac.'" *Jewish Social Studies*. 80-90.
- Barton, John. 2003. *Understanding Old Testament Ethics*. Westminster John Knox Press.
- Barton, John. 2015. *Ethics in Ancient Israel*. Oxford University Press.
- Berman, Joshua. 2008. *Created Equal: How the Bible Broke With Ancient Political Thought*. Oxford University Press.
- Bottéro, Jean. 1987. *Mesopotamia: Writing, Reasoning and the Gods*. Trans. Zainab Bahrani and Marc van de Mieroop. Chicago University Press.

⁷⁰ I don't suppose, however, that this has come to Christians easily. See Plantinga (1984, 253-271).

- Brinks, C.L. 2014. "Response to Yoram Hazony, *The Philosophy of Hebrew Scripture*." *Journal of Analytic Theology* 2. 238-249.
- Buber, Martin. 1967 [1918]. *On Judaism*. Schocken.
- Calvin, John. 1989. *Institutes of the Christian Religion*. Trans. Henry Beveridge. Eerdmans Press.
- Chazan, Robert. 1977. "The Barcelona 'Disputation' of 1263: Christian Missionizing and Jewish Response." *Speculum* 52.
- Clark, Andy. 2011. *Supersizing the Mind: Embodiment, Action and Cognitive Extension*. Oxford University Press.
- Cohen, Hermann. 1995 [1919]. *Religion of Reason: Out of the Sources of Judaism*. Trans. Simon Kaplan. Scholars Press.
- Engel, Mary Potter. 1988. *John Calvin's Perspectival Anthropology*. Eugene, Oregon: Wipf and Stock.
- Finnis, John. 2011 [1996]. "Natural Law." In *Reason in Action*. Oxford University Press.
- Frankfort, Henri. 1978. *Kingship and the Gods*. University of Chicago Press.
- Fretheim, Terrence. 1984. *The Suffering God: An Old Testament Perspective*. Fortress Press.
- Goodman, Lenn Evan. 1996. *God of Abraham*. New York: Oxford University Press.
- Hadamard, Jacques. 1996 [1945]. *The Psychology of Invention in the Mathematical Field*. Princeton University Press.
- Haivry, Ofir. 2011. "John Selden and the Early Modern Debate Over the Foundations of the Political Order." *Annuaire de l'Institut Michel Villey* 3. 1-27.
- Halpern, Baruch. 1984. *The First Historians: The Hebrew Bible and History*. Pennsylvania State University Press.
- Hazony, Yoram. 2000. *The Dawn: Politics and Theology of the Book of Esther*. Shalem Press.
- Hazony, Yoram. 2003. "Character." *Azure* 14. pp. 107-144.
- Hazony, Yoram. 2012. *The Philosophy of Hebrew Scripture*. Cambridge University Press.
- Hazony, Yoram. 2014a. "Open Orthodoxy?". In *Torah Musings*, available at: <http://www.torahmusings.com/2014/05/open-orthodoxy/>
- Hazony, Yoram. 2014b. "Newtonian Explanatory Reduction and Hume's System of the Sciences." In *Newton and Empiricism*. Eds. Zvi Biener and Eric Schliesser. Oxford University Press.
- Jones, Meirav. 2013. "Philo Judaeus and Hugo Grotius's Modern Natural Law." *Journal of the History of Ideas* 74. 339-359.

- Koester, Helmut. 1970. "The Concept of Natural Law in Greek Thought." In *Religions in Antiquity: Essays in Memory of Erwin Goodenough*. Edited by Jacob Neusner. Brill Press.
- Lebens, Samuel. 2014. "Hebrew Philosophy or Jewish Theology? A False Dichotomy." *Journal of Analytic Theology* 2. 250-260.
- Levenson, Jon. 2012. "Category Error." In *Jewish Review of Books*.
- Levering, Matthew. 2008. *Biblical Natural Law*. Oxford University Press.
- Levy, Ze'ev. 2007. "On the *Aqedah* in Modern Philosophy." *Journal of Jewish Thought and Philosophy*. 85-108.
- Maimonides, Moses. 1974. *Guide of the Perplexed: Vol. 1*. Trans. Shlomo Pines. University of Chicago.
- Novak, David. 1998. *Natural Law in Judaism*. Cambridge University Press.
- Philo. 1993. *On the Life of Moses*. In *Works*. Trans. C.D. Yonge. Hendrickson.
- Pinker, Steven. 2014. Letter to Harvard President Drew Faust and Provost Alan Garber, December 14, 2014.
- Plantinga, Alvin. 1984. "Advice to Christian Philosophers." *Faith and Philosophy* 1. 253-271. An expanded version is available at: https://www.calvin.edu/academic/philosophy/virtual_library/articles/plantinga_alvin/advice_to_christian_philosophers.pdf
- Plantinga, Alvin. 2000. *Warranted Christian Belief*. Oxford University Press.
- Popper, Karl. 1959. *The Logic of Scientific Discovery*. Routledge Press.
- Rausser, Randal. 2014. "The Antitheist meets the Shepherd: A response to Yoram Hazony's *The Philosophy of Hebrew Scripture*." *Journal of Analytic Theology* 2. 261-270.
- Rommen, Heinrich. 1998 [1947]. *The Natural Law*. Liberty Fund.
- Rousseau, Jean-Jacques. 1979. *Emile*. Trans. Alan Bloom. Basic Books.
- Sa'adia Gaon. 1948. *The Book of Beliefs and Opinions*. Translated by Samuel Rosenblatt. Yale University Press.
- Selden, John. Forthcoming. *On the Law of Nature and the Law of the Nations According to the Teachings of the Hebrews*. Shalem Press.
- Snell, Bruno. 1982. *The Discovery of the Mind in Greek Philosophy and Literature*. Dover Press.
- Soloveitchik, Joseph. 1964. "Confrontation." *Tradition* 6 (2).
- Spiegel, Shalom. 1993 [1967]. *The Last Trial*. Pantheon.
- Sternberg, Robert J. and Davidson, Janet E. 1995. *The Nature of Insight*. Massachusetts Institute of Technology Press.

- Stubenberg, Leopold. 2003. "Neutral Monism." *Stanford Encyclopedia of Philosophy*. Ed. Edward N. Zalta.
- Stump, Eleonore. 2010. *Wandering in Darkness*. Oxford University Press.
- Swinburne, Richard. 2007. *Revelation*. Oxford University Press.
- Taylor, Charles. 1989. *Sources of the Self: The Making of Modern Identity*. Harvard University Press.
- Tresmontant, Claude. 1960. *A Study of Hebrew Thought*. Trans. Michael Francis Gibson. Desclee Press.
- Twersky, Isadore. 1979. *Rabad of Posquières: A Twelfth Century Talmudist*. Harvard University Press.
- Walzer, Michael. 2012. *In God's Shadow: Politics in the Hebrew Bible*. Yale University Press.
- Wilson, Jessica. 2014. "Narrative as Philosophy: Methodological Issues in Abstracting from Hebrew Scripture." *Journal of Analytic Theology* 2. 271-281.
- Wolterstorff, Nicholas. 1995. *Divine Discourse*. Cambridge University Press.