Halacha as a social-ethical responsibility : a philosophical study in A.J. Heschel's theology

Halacha as a Social–Ethical Responsibility: A Philosophical Study in A. J. Heschel's Theology

By *Hanoch Ben Pazi**

Abstract

This study will examine the significance that Abraham Joshua Heschel assigns to Halacha as an ethical response to divine revelation. It attempts to contribute a Halachic perspective to the understanding of Heschel's ethical and social writings in light of his commitment to the Halachic tradition. In other words, it will read Heschel's theological-ethical thinking within the framework of the Halachic mind, and provide a philosophical interpretation of Halacha as a method to understanding his ethical thought.[1]

Abraham Joshua Heschel ascribes tremendous importance to the idea of revelation[2] and to man's response to the divine call directed towards him. In his thought, we find a strong and direct bond between the religious realm and the social-ethical world. He attempts to understand the inner meaning of the religious experience by demonstrating ethical sensitivity to one's fellow man and to society. Furthermore, one of the most important characteristics of Heschel's writings is his commitment to the world of Halacha, and his ethical interpretation of Halacha and the Halachic way. The uniqueness of his position lies in its establishing a demanding ethical critique of

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1 The domain of "philosophy of Halacha" deals with a number of areas: uncovering the meaning behind Halakhic texts; philosophical expressions of the *Posek* or the writer; as well as his self-reflection. On the significance of this branch of philosophy, see AMICHAI BERHOLZ (ed.), *The Quest for Halakha Interdisciplinary Perspectives on Jewish Law*, Tel Aviv: Yediot Aharonot/Bet Morasha 2003.

2 Scholars have different opinions regarding the meaning and importance of Halacha in Heschel's thought – some see it as religious law while others see it as the continuity of tradition and human ethics. See MARVIN FOX, "Heschel, Intuition, and the Halakhah", in: JACOB NEUSNER (ed.), *Collected Essays on Philosophy and on Judaism*, Binghamton, N.Y.: Global Publications 2001, pp. 55-64; ARNOLD M. EISEN, "Re-reading Heschel on the Commandments", in: *Modern Judaism* 9 (1989), pp. 1-33; SAMUEL DRESNER, *Heschel, Hassidism and Halakha*, New York: Fordham University Press 2002.

the society in which the individual acts and in its granting divine authority to human action in correcting societal ills. As Heschel expresses it:

The glory of a free society lies not only in the consciousness of my right to be free, and my capacity to be free, but also in the realization of my fellow man's right to be free, and his capacity to be free. The issue we face is how to save man's belief in his capacity to be free. Our age may be characterized as the *age of suspicion.* It has become an axiom that the shortest way to the understanding of man is to suspect his motives. This seems to be the contemporary version of the Golden Rule: *Suspect thy neighbor as thyself.* Suspicion breeds suspicion. It creates a chain reaction. Honesty is not necessarily an anachronism.[3]

In order to understand Heschel's ethical position in a Halachic context, I would like to examine his writings and derive a philosophical interpretation of Halacha from his perspective of 'ethical monotheism'.[4] Although, Heschel's teachings and writings touch upon biblical studies, Hasidic thought and Dialogical philosophy, as do Martin Buber's, I will focus upon Heschel's relationship to Hermann Cohen's religious philosophy and his concept of 'correlation' as a philosophical understanding of Halacha.[5]

In Cohen's later writings, he discusses the ethical implications that emanate from the idea of revelation through reason. Cohen examines the philosophical meaning of monotheistic thought and accords unique significance to ethics, as explained in his *Religion of Reason out of the Sources of Judaism.*[6] A similar tendency is found in the thought of Franz Rosenzweig in his

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3 ABRAHAM JOSHUA HESCHEL, *Between God and Man: An Interpretation of Judaism from the writings of Abraham J. Heschel,* selected and edited by FRITZ A. ROTHSCHILD, New York / London: The Free Press 1959 [reprint 1999], p. 251

4 On Ethical Monotheism see: THEODORE M. VIAL / MARK A. HADLEY (eds.), *Ethical Monotheism, Past and Present; Essays in Honor of Wendell S. Dietrich*, Providence, R.I.: Brown Judaic Studies 2001.

5 There are very few researchers dealing with this reference and linkage between Hermann Cohen and Heschel and most of them are just anecdotally. See ELIEZER BERKOVITS, *Major Themes in Modern Philosophies of Judaism,* New York: Ktav Publ. House 1974. Heschel knew Rosenzweig from the *Freies Jüdisches Lehrhaus* in Frankfurt (Main), where Heschel himself got the chair in 1938; see EDWARD K. KAPLAN / SAMUEL H. DRESNER, *Abraham Joshua Heschel – Prophetic Witness*, New Haven / London: Yale University Press ²2007, pp. 209-217, 244-255.

6 See HERMANN COHEN, *Religion of Reason: Out of the Sources of Judaism*, trans. Simon Kaplan, New York: Frederick Unger 1972, pp. 71-93; on the meaning of *Reason* in Hermann Cohen's system see the important work of TRUDE WEISS ROSMARIN, *Religion of Reason: Hermann Cohen's System of Religious Philosophy*, New York: Bloch Pub. Co. 1936.

Star of Redemption.[7] The significance of this attitude is the way in which Cohen extracted profound philosophical meaning for Halachic discourse, by applying an ethical understanding to its religious terminology. I suggest reading Heschel's thought as a continuous discourse of German Jewish Philosophy that looks for social and ethical implications to theology. The philosophical interpretation of religious thinking and Jewish writings in this circle of scholars opens the door to new religious and ethical discourses, as Heschel writes:

We are taught that God gave man not only life but also a law. The supreme imperative is not merely to believe in God but to do the will of God. [8]

A. J. Heschel developed a complicated way of thinking that gives theological meaning to ethical norms and ethical meaning to religious thinking. He demands that humanity rebuild society in an ethical manner in the light of utopian religious thought. He further maintains that an ethical and social way of life has theological value.[9] According to Heschel, this religious understanding reveals the profound significance of Halacha, and describes the way in which Halachic tradition requires the human being to achieve *Tikun Olam* through the performance of the commandments.

Ethical Monotheism and Developing of Religious Ethical Discourse

The concept of 'ethical monotheism' was created in the *milieu* of Jewish Enlightenment in Germany and continued to develop in the circles of Jewish religious Reform of the nineteenth century.[10] This idea attributes ethical implications to Jewish Law and to divine revelation. One of the most famous Jewish thinkers to develop this way of thinking was Moritz Lazarus

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7 On the connection between ethics and revelation in Rosenzweig's philosophy see NORBERT MAX SAMUELSON, "Rosenzweig's Concept of (Jewish) Ethics", in: REINIER MUNK / F. J. HOOGEWOUD (eds.), *Joodse filosofie tussen rede en traditie*, Kampen: Kok 1993, pp. 209-222; MARTIN KAVKA, "A Jewish Modified divine Command Theory", in: *Journal of Religious Ethics* 32 (2004), pp. 387-414.

8 HESCHEL, *Between God and Man* (see note 3), p. 158.

9 The ethical meaning of religious Utopia is characterized these modern Jewish thinkers, see HANOCH BEN PAZI, "Messianism as Ethical Mission", in: *Daat* 54 (2004), pp. 97-123.

10 The interpretation of Judaism as an ethical monotheism was central to the Reform movement in Germany, see for example, GEORGE Y. KOHLER, "Maimonides and Ethical Monotheism – The influence of the Guide of the Perplexed on German Reform Judaism", in: JAMES T. ROBINSON (ed.), *The Cultures of Maimonideanism*, Leiden / Boston: Brill 2009, pp.309-334.

(1824 – 1903), as we learn from his book *Die Ethik des Judenthums.*[11] In his work, the attribution of ethical importance to Judaism is a response to the philosophical challenge of Kant's Ethics. On the one hand, Lazarus's attempts to present Jewish ethics as being comparable to Kantian thinking on ethics. On the other hand, he seeks to explore distinctive articulations of the high ethical values that are required in Jewish Halachic writings and rabbinical sources. We should also refer to the writings and thinking of Shmuel David Luzzatto (1800 – 1865), Italian Rabbi and scholar, who was part of the *Wissenschaft des Judentums* movement and known by his acronym *Shadal.* In his works, we find an intensive engagement with ethical questions regarding the way in which ethical values relate to Judaism and Jewish sources. Shadal published his student lectures on Jewish ethics as *Discorsi Morali agli Studenti Israeliti* (Padua, 1857); *Lezioni di Teologia Morale Israelitica* (Padua, 1862) and *Lezioni di Teologia Dogmatica Israelitica* (Triest, 1864). Luzzatto searched for the meaning of religious ethics by emphasizing compassion (חמלה *khemlah*) as an ethical religious demand. By delving into his writings, which include Biblical interpretation, philosophy, theology and Halachic thinking, we recognize his intensive efforts to ascribe ethical meaning to Judaism and Jewish Thought.

However, Hermann Cohen was the outstanding philosopher who gave *Ethical Monotheism* its fullest expression and its philosophical grounding for humanity in the modern age. Employing a strict philosophical method, he inquires about the notion of religion and sees 'reason' as its foundation. Cohen, while searching for the relevance of the contribution of religion and Judaism to modernity and its importance to humanity, explains the unique ethical aspects of Judaism.[12] His non-apologetic approach finds deep meaning in religious thinking by looking at the unique aspects of religion from the standpoint of human reason. Using this method, he investigates Maimonides' ethics and explains it as a form of religious ethics, which goes

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11 MORITZ LAZARUS, *Die Ethik des Judenthums* (part I, 1898; 2nd ed., 1899; translated into English by Henrietta Szold, Philadelphia: Jewish Publication Society of America 1900. – See Herman Cohen's critique on these books: HERMAN COHEN, "Das Problem der Jüdischen Sittenlehre, eine Kritik von Lazarus' 'Ethik des Judenthums'," in: *Monatsschrift für Geschichte und Wissenschaft des Judentums* 43 (1899), pp. 385-400, 433-449.

12 See HERMANN COHEN, "Judaism's Significance for the Religious Progress of Mankind", in: *Reason and Hope: Selections from the Jewish Writings of Hermann Cohen*, trans. Eva Jospe, New York: Norton 1971, pp. 220-225, and IDEM, "Judaism's Relevance for Modern Man", in: ibid. pp. 219-220.

beyond Platonic and Aristotelian ethical philosophy. He then considers religion and philosophy in his period, and explores their religious ethical meaning in light of the philosophy of nineteenth century and Kantian thought. The philosophical achievements of Kant embodied in the first and the second critiques, the categorical imperative, and universal validity, all require a new way of thinking about religion. According to Cohen, monotheistic consciousness establishes an ethical approach that emphasizes the uniqueness of each human being: the importance of the subject and his relation to the 'other' and to his fellow human being.[13] Monotheism negates pantheism, and argues against the oneness of the universe. Its importance is in the duality it proposes between the divine and the earthly; in other words, its understanding of the separateness between God and the world. In monotheistic thought, standing before God involves the ability to perceive His uniqueness of his being, which is beyond human reason. The monotheistic world-view reveals the uniqueness of God, and this awareness assists one to understand and to stand before the 'other' and his uniqueness. The importance of religious ethics is in its ability to help man appreciate the uniqueness of the 'other'.[14]

In *Religion of Reason*, Cohen establishes the meaning of reason with a rigorous philosophical method that constructs the meanings of 'creation' and 'revelation'. For Cohen, the meaning of 'revelation' is founded on 'reason' and the creation of reason. This approach provides the explanation of the idea of *Correlation*.[15] In Cohen's philosophy, 'correlation' is a method of ethical inquiry, but also a way to think about and understand religious insight. The fundamental meaning of correlation is a parallel relationship between

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13 See HERMANN COHEN, "Affinities between the Philosophy of Kant and Judaism", in: *Reason and Hope* (see note 12), pp. 77-89.

14 See HERMANN COHEN, "Uniqueness Rather than Unity of God", in: *Reason and Hope* (see note 12), pp. 90-101. On the importance of this differentiation, see ZE'EV LEVY, "Über die Spinoza-Kritik Hermann Cohens", in: ETIENNE BALIBAR / HELMUT SEIDEL / MANFRED WALTHER (eds.), *Freiheit und Notwendigkeit; ethische und politische Aspekte bei Spinoza und in der Geschichte des (Anti-)Spinozismus*, Würzburg: Königshausen & Neumann 1994, pp. 209-218; HELMUT HOLZHEY, "Pantheismus, Ethik und Politik: Hermann Cohens Spinozakritik", in: MARCEL SENN / MANFRED WALTHER (eds.), *Ethik, Recht und Politik bei Spinoza; Vorträge gehalten anlässlich des 6. Internationalen Kongresses der Spinoza-Gesellschaft,* Zürich: Schulthess 2001, pp. 239-254.

15 On the meaning of Correlation see ERIC MILLER, "Man's Relationship with God: through 'Correlation' or 'Revelation'," in: *Queen's College Journal of Jewish Studies* 5 (2003), pp. 59-67.

man and God, and the command for man to follow God's ways. As a Neo-Kantian thinker, Cohen thinks systematically about 'correlation', and uses it to define the difference between man and God. For Cohen, the idea of 'correlation' between divine and human behaviour retains the independence of both elements, while expressing the difference between them, thus articulating both the similarity and analogy of the human and the divine. The multifaceted significance of the idea of 'correlation' is best understood by its interpretation of the meaning of Halacha: to be commanded by transcendence and to comprehend the command by internalizing it. What is derived from this monotheistic approach is an emphasis on the uniqueness of each person: one subject can stand before another person as an individual, with his relationship towards God being singular and unique. This way of thinking enables a person to stand before another person as the 'other', and relate to him as unique human being and not only as a one part of a larger group. Ethical monotheism creates a bond between God and humanity by giving religious meaning to the ethical deed in the mundane world.

Between Man and God: The Meaning of Partnership

The relationship between man and God in Heschel's thought is well known, and constitutes one of the essential ideas in his theology.[16] In his writings, we find both man's search for God and the spiritual sphere, and the notion of God's search for humankind. The reciprocal aspect of this relationship between God and man, between the divine and earthly, establishes two modes in his thought: the ethical and the theological. According to Heschel, the theological and the ethical are not on two different and separate levels, but are rather different aspects of one relationship between the divine and the earthly, and it is that aspect that establishes ethical-theological thought.

Its meanings range from the acts performed by the high priest in the Temple to the most humble gesture of kindness to one's fellow man, from acts of external performance to inner attitudes, in relation to others as well as in relation to oneself. It is often used in the wide sense of *religion* or *religious*. It combines all levels of human and spiritual living. Every act done in agreement with the will of God is a Mitzvah.[17]

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16 Most of his writings are dedicated to this notion, esp. ABRAHAM JOSHUA HESCHEL, *God in Search of Man: A Philosophy of Judaism*, New York: Farrar, Straus & Giroux 1955; IDEM, *Man is not alone: a Philosophy of Religion*, New York: Harper & Row 1951.

17 HESCHEL, *Between God and Man* (see note 3), p. 186.

But the scope of meaning of the word mitzvah is even wider. Beyond the meanings it denotes – namely commandment, law, obligation, and deed – it connotes numerous attributes which are implied in addition to its primary meanings. It has the connotations of goodness, value, virtue, meritoriousness, piety and even holiness. Thus while it is possible to say good, virtuous, valuable, meritorious, pious, or holy Deed, it would be a tautology to say a good, meritorious, pious, or holy mitzvah.[18]

This analysis raises the issue of Heschel's mystical and philosophical sources, and their antecedents in Jewish sources and western culture. One of the most important elements in his background is his relationship, both personal and philosophical, to Martin Buber. Heschel developed his theology not only through on his own independent search for spirituality, but also as continuation of Martin Buber's philosophy of dialogue.[19] We can see the connection between these two thinkers in the dialogical aspects of their thinking, and in the theological and the ethical implications in their writings. Just as Buber established his dialogical philosophy based upon his mystical and Hasidic background with its social and ethical implications, we may also see Heschel as a thinker who generates theological – philosophical theories based upon his Hasidic upbringing with its social and ethical implications. Buber understands the dialogical relationship *Ich und Du* - "I and Thou" - as a way of creating a bond between the two subjects, between the human being and the Infinite Other. Heschel also writes about the dialogical relationship, that is, the way that humanity stands before infinity. Heschel's writings and studies confer an ethical meaning to this divine-earthly relationship. I believe that one may read these God-human relationships in accordance with Hermann Cohen's philosophy. We can make use of Cohen's philosophical term 'correlation' to help us understand the philosophical and rational meaning of the God-humanity connection. Using the term 'correlation' clarifies the meaning of the 'partnership' that Heschel ascribes to the reciprocal searching of God towards humanity, and humanity towards God. Alexander Even-Chen sees the dialogical aspect of Halacha as a response to divine call: "The Halacha is a response. This is the Israel's response to the divine call that united the present and the infinite".[20] Man has to relate to the Halacha as a 'whole' – a systematic practical order that prepares man

18 HESCHEL, *Between God and Man* (see note 3), p. 186.

19 ALEXANDER EVEN-CHEN / EPHRAIM MEIR, *Between Heschel and Buber – A Comperative Study*, Boston 2012.

20 ALEXANDER EVEN-CHEN, *A Voice from the Darkness,* Tel Aviv 1999 [Heb.], p. 157.

and provides him with the spiritual capacity to confront God. The primary meaning of Halacha in Heschel's thought is spiritual sensitivity for the dialogue with divinity.[21] Another aspect of Halacha in Heschel's thought involves man as God's partner:

As we have seen, religion is not a feeling for something that is, but an answer to Him who is asking us to live in a certain way. It is in its very origin a consciousness of duty, of being committed to higher ends; a realization that life is not only man's but also God's sphere of interest.[22]

Faith is the beginning of intense craving to enter a synthesis with Him who is beyond the mystery, to bring together all the might that is within us with all that is spiritual beyond us. At the root of our yearning for integrity is a stir of the inexpressible within us to commune with the ineffable beyond us.[23]

By engaging in Halachic practice with consciousness and proper religious intention, man reveals his divine aspect, the צלם אלהים (*tzelem Elohim*): "Man is created in the likeness of the vision of God. Halacha is neither the ultimate nor the all-embracing term for Jewish learning and living".[24]

According to Heschel, man has to be aware of the reciprocal nature of the God-Man relationship, in order to establish the partnership between the divine and the earthly.[25] God is not an external command-giver who relates to the universe and humanity as a stranger. God is a command-giver who faces his world and issues commands, and looks for man to be his partner. In the same way, man looks to God not as an outsider but as part of the universe—that is, God's own universe.[26] Heschel cites the Hasidic etymology of the word for commandment – *Mitzva* in Hebrew –, which derives

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21 Heschel ascribes importance to Halakha and the internal meaning of Halakha, but he did not compose Halachic works. See EVEN-CHEN, *Voice from the Darkness* (see note 2), p. 189. Even-Chen explains this phenomenon by an analogy with the difference between Babylonian Rabbinical Scholars and Palestinian Rabbinical Scholars (Eretz Israel).

22 HESCHEL, *Man is not Alone* (see note 16), p. 175.

23 HESCHEL, *Man is not Alone* (see note 16), p. 175.

24 HESCHEL, *God in Search of Man* (see note 16), p. 323; see EVEN-CHEN, *Voice from the Darkness* (see note 20), p. 159.

25 On the meaning of partnership see BYRON L. SHERWIN, *In Partnership with God: Contemporary Jewish Law and Ethics,* Syracuse, N.Y.: Syracuse University Press 1990; JOHN C. MERKLE, *Abraham Joshua Heschel: Exploring His Life and Thought*, New York: Macmillan Publ. 1985, pp. 49-59.

26 The philosophical reference on this stance is Martin Buber: see ASHER BIEMANN (ed.), *The Martin Buber Reader: Essential Writings*, New York: Palgrave Macmillan 2002, pp. 109-114; also see EDWARD KAPLAN, "Sacred Versus Symbolic

from the term meaning being together, or working together as part of a group: מצוה (*mitzva*) and צוותא (*tzavta*). The last term describes people sitting together as friends, or working together as a unit. Heschel used this play on words to develop his idea of the partnership between God and the human being.

His [God's] presence is retained in moments, in which *God is not alone,* in which we try to be present in His presence, to let Him enter our daily deeds, in which we coin our thoughts in the mint of eternity. The presence is not one realm and the sacred deed another; the sacred deed is the divine in disguise. The destiny of man is to be a partner of God and a mitzvah is an act in which man is present, an act of participation; while sin is an act in which God is alone; an act of alienation.[27]

Dwelling on the idea of a partnership between Man and God raises philosophical questions: does this partnership obscure the difference between the divine and the earthly? Does this partnership negate the separateness between God and humanity?

I want to suggest that the importance of Halacha in Heschel's thought is in that it constitutes a pointed response to these philosophical problems. The Halachic tradition presents a theological approach that engages these issues while preserving the separateness of God and man and at the same time, overcoming it.

Halacha in Heschel's Writings

Unlike Buber, Heschel ascribes prominence to the Halacha and sees it as part of 'the all', one of the main religious aspects of Judaism. Despite the strong influence of Buber on Heschel's religious thinking, unlike Buber, Heschel relates to the Halacha with respect and commitment. Heschel attributes ethical and theological meaning to the Halacha and the Halachic mind. Ephraim Meir and Alexander Even-Chen describe the differences between their respective positions as follows: "In Buber's mind, the commandments were part of a fixed religious framework, which he opposed to the living dialogical and prophetic religiosity".[28] Heschel, in other side, does

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Religion: Abraham Joshua Heschel and Martin Buber", in: *Modern Judaism* 14 (1994), pp. 213-231.

27 HESCHEL, *Between God and Man* (see note 3), p. 80.

28 EVEN-CHEN / MEIR, *Between Heschel and Buber* (see note 19), p. 160; see also ibid. pp. 181-182, where they describe Buber's relation to the commandments as belonging to the sphere of the It-world.

not "reduce the meaning of the commandments".[29] Samuel Dresner emphasizes this dissimilarity by citing Heschel's personal testimony of his attitude towards Buber's position. He criticizes Buber for his anti-nomism.[30] Heschel is able to emphasize the dialogical aspects of Judaism, but not at the expense of the Halacha, which is an essential building block of his theology.

Heschel's position on Halacha reminds us of Franz Rosenzweig's attitude towards the commandments and his concept of Halacha. In his famous essay "The Builders" ["Die Bauleute"],[31] Rosenzweig engages directly with the meaning of Halacha.[32] He chooses the term "the builders" to describe the true meaning of the "act" – מעשה (*ma'aseh*). The builders about whom Rosenzweig writes are the students of Torah – תלמידי חכמים (*talmidei ḫakhamim*). The well-known rabbinic interpretation refers to the verse: "And all your Children shall be instructed by the Lord, and great shall be the happiness of your children (Isaiah 54, 13). The Talmud has a wordplay on the words בניך (*banayikh*) and בו]ניך[(*bonayikh*) – "your children" and "your builders", two words that sound very similar in Hebrew. According to Rosenzweig, the ultimate significance of study is through linking it to action – learning Torah must be connected to one's deeds. Rosenzweig's essay is addressed to Martin Buber whose work he assesses as enlarging the borders of the Torah by ignoring the distinction between the essential and the non-essential. In Buber's view, the meaning of Judaism is revealed precisely in the ignoring this distinction. Furthermore, the content of the Torah is infinite, and only in its broad and comprehensive study is Torah itself created. Buber taught that to study Torah is not to know the known and to understand what the idea of Torah was in the past. Rather, the Torah's true meaning is revealed by continuing the development and progress of Torah. Even study is not just study but rather creative study. Revelation now becomes the second step of Judaism's development.

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29 EVEN-CHEN / MEIR, *Between Heschel and Buber* (see note 19), p. 160.

30 SAMUEL DRESNER, *Hasidism and Halacha,* New York 2002, pp. 87-88.

31 FRANZ ROSENZWEIG, "The Builders: Concerning the Law", in: NAHUM N. GLATZER (ed.), *Franz Rosenzweig: On Jewish Learning*, New York: Schocken Books 1965, pp. 73-92; in German: "Die Bauleute", in: FRANZ ROSENZWEIG, *Kleinere Schriften*, pp. 107-113.

32 See HANOCH BEN-PAZI, "*Na'aseh ve-nishma*": a generative foundation of Judaism in Franz Rosenzweig's Thought", in: WOLFDIETRICH SCHMIED-KOWARZIK (ed.), *Franz Rosenzweigs 'neues Denken'. Internationaler Kongress Kassel 2004*, Freiburg i.Br 2006, pp. 1013-1029.

Although Heschel was close to Buber and his religious thought, on the question of Halacha his thinking moves in the opposite direction. As Heschel wrote:

> Judaism is not another word for legalism. The rules of observance are law in form and love in substance. The Torah contains both law and love. Law is what holds the world together; love is what brings the world forwards. The law is the means, not the end; the way, not the goal. One of the goals is 'ye shalt be holy'. The Torah is guidance to an end through a law. It is both a vision and a law.[33]

It is interesting to see that Heschel uses Buber's dialogue to create an ethical interpretation of the Halacha and the Halachic tradition. In returning to the theological question of the relative separateness and proximity between God and humanity, we see in the Halachic mind a philosophical response to this question. Undeniably, Heschel himself did not develop this idea philosophically but rather describes it metaphorically, using rabbinical sources and Hasidic literature.

Nevertheless, we would like to provide a philosophical account of Heschel's theology, and suggest using Cohen's concept of correlation as the philosophical basis for Heschel's partnership. The essence of this philosophical connection is found in its perspective of attributing importance to the Halacha. For Cohen, Halacha establishes the religious significance of ethics, both towards one's fellowman and towards humanity as a whole, while Heschel sees in the Halacha an expression of ethics and the human commitment to other individuals and to humanity at large.

Cohen's concept of 'Reason' establishes the transcendent meaning of God, and the religious implications of this idea. Using systematic philosophical methodology, Cohen created the concept of 'correlation' to preserve the duality of God and humanity, and to construct ethical meanings and commands. Perhaps Heschel's idea of partnership may be seen as similar to Cohen's idea of correlation. Philosophically, there is a perceived separation between God and humanity, but the religious experience can create a dialogue between them, thus making for a partnership between God and man.

By utilizing Halachic categories, Heschel offers a human component to this partnership. While he continues to operate with Hasidic and mystical categories, he identifies these terms in a rational sense as ethical commands and Halachic thinking. The human quest for the divine is important because while looking for God, man discovers that the religious quest directs him

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33 HESCHEL, *God in Search of Man* (see note 16), p. 323.

back towards his earthly concerns.[34] Human existence involves standing and acting in God's presence, but it does not end there. When a human being stands before God, he turns his face towards the universe, and accepts responsibility for its תיקון (*tikkun*) – its repair, as it were. Man and God have a partnership in the divine idea and in the capacity to translate these ideas into concrete and earthly terms and actions.[35] According to Heschel, the essential meaning of ethics is founded in the Halachic mind-set and its theological interpretation:

> Our religious traditions claim that man is capable of sacrifice, discipline, of moral and spiritual exaltation, that every man is capable of an ultimate commitment. Ultimate commitment includes the consciousness of being accountable for the acts we perform under freedom; the awareness that what we own we owe; the capacity for repentance; that a life without the service of God is a secret scandal.[36]

Only from the ethical understanding of the God-man partnership may one understand the profound meaning of religion, and only from this partnership can one structure the ethical deed in and for the world. According to this view, the inner meaning of the Halacha is not of a divine law that exists—as is—for the benefit of people. Halacha cannot be coerced or be derived directly from an external being—the Torah that has been in heaven.[37] Halacha is not a book with all the orders and commands that man received or found, and which he is commanded to fulfill (as much as he can). Heschel changes his perspective concerning this notion: man is the author of the book of Halacha, since he is the one who is situated in the world. He is called upon to hear the divine idea, listen to nature and the society around him, and then to try to fit it all in between the divine and the earthly.[38] The correlation of God and humanity creates the capacity of the

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34 On the differentiation between monotheistic and Kantian ethics, see HERMANN COHEN, "Affinities between the Philosophy of Kant and Judaism", in: *Reason* an *Hope* (see note 12), pp. 77-89.

35 See Rosenzweig on the meaning of redemption: FRANZ ROSENZWEIG, *Star of Redemption*, trans. William W. Hallo, Boston: Beacon Press 1972, pp. 330-389; JOHN R. BETZ, "Schelling in Rosenzweigs *Stern der Erlösung*", in: *Neue Zeitschrift für systematische Theologie und Religionsphilosophie* 45 (2003), pp. 208-226.

36 HESCHEL, *Between God and Man* (see note 3), p. 251.

37 Perhaps the most important book on this notion is Heschel's canonical work: *Torah from Heaven*. The way that Heschel constructs or describes Rabbi Yishmael' school, allows us to understand that the question of Torah from Heaven or from Earth is not a dichotomy. See footnote 40 below.

38 See Buber on the meaning of God-Man dialogue from the biblical writings: Martin Buber, *On the Bible: Eighteen Studies*, ed. NAHUM GLATZER, New York:

human being to achieve self-fulfilment and to attain his spiritual purpose. Moreover, God fulfils himself within the world only through the partnership with man who attempts to turn divine ideal into earthly deed. Human ability is based on the Halachic calling – to take Aggadic laws and form them into the details of human acts.[39] Heschel's revolutionary thought concerning the Halacha is tantamount to the idea that man is writing the book of God. This is not a secular view of the religion. Rather, for Heschel this is the fundamental meaning of monotheism—the partnership between God and man towards humanity.

According to Heschel, religious discourse is based on the traditional differentiation between two types of writings: the Halacha and the Aggada. The Aggada desires to understand God's ways and divine action,[40] while the Halacha wants to fashion human behaviour. However, these two kinds of literature are two aspects of one unified principle, which describes the partnership between God and human beings. This complex thought is revealed in the relationship between different kinds of writings in the Jewish tradition: rational scholarship, Hasidic literature and the importance of earthly intentions.

Internal Listening as Revelation

God has to bury the truth in order to create man. How does one ever encounter the truth? The truth is underground, hidden from the eye. Its nature and man's condition are such that he can neither produce nor invent it. However, there is a way. If you bury the lies, truth will spring up. Upon the grave of the specious, we encounter the valid [...] The genuine task of our traditions is to educate a sense for the inexpedient, a sensitivity to God's demand.[41]

Schocken Books 1982; MARTIN BUBER, *Moses: The Revelation and the Covanent,* New York: Harper 1958; IDEM, *Two Types of Faiths,* trans. Norman P. Goldhawk, New York: Harper 1951.

39 See EVEN-CHEN, *Voice from the Darkness* (see note 20), pp. 154-165; SAMUEL H. DRESNER, "Heschel and Halakhah: The Vital Center", in: *Conservative Judaism* 43 (1991), pp. 18-31.

40 On the differentiation of Halacha and Aggada in Heschel's thought see ABRAHAM JOSHUA HESCHEL, *Heavenly Torah – as Reflected through the Generations*, eds. and trans. GORDON TUCKER / LEONARD LEVIN, New York: Continuum 2005, Introducation and pp. 50-58, 200-209; see also one example of this topic concerning prayer in the study of RIVKA HORWITZ, "Abraham Joshua Heschel, On Prayer and his Hasidic Sources", in: *Modern Judaism* 19 (1999), pp. 293-310.

41 HESCHEL, *Between God and Man* (see note 3), p. 254.

According to Heschel, the partnership between Man and God is based on the human capacity for listening to the divine.[42] As I want to suggest, we may understand this concept of Halacha philosophically by turning to Cohen's writings. Human reason is the essential meaning of revelation. Reason is the basis for understanding the transcendence of the divine and the correlation between a human being and God. Divine revelation is made known in the internal human response to the transcendence of God. Human beings can make a pact between heaven and earth, between transcendent God and immanent humanity, because of reason and the human potential of hearing and response. I think that there is a deep connection between Cohen's correlation and Heschel's partnership, because of the similarity in their respective interpretations of revelation. According to Cohen, Jewish Law (Halacha) should be understood through the philosophical meaning of monotheism that includes the meaning of revelation and the rational explanation of *Brit* – the pact between God and humanity.[43] According to Heschel, we have to understand the Halacha as ethical law, following the theological understanding of revelation as a partnership between God and humanity.

Holiness is not exemplified by the solemn atmosphere of the sanctuary, neither is it a quality reserved for actions of a heroic nature, nor is it the singular domain of hermits and priests. In his great Code, Maimonides, unlike the editor of the Mishnah, called the section, which deals with the laws of the Temple-cult the Book of (Divine) Service, while the section dealing with laws of marital relationships and dietary laws he called the Book of Holiness. The strength of holiness lies within, in the somatic. Its primary focus is the way in which we gratify physical needs, which is how the seed of holiness is planted. Originally, the holy (קדוש *qadoš)* meant something that is set apart, isolated, segregated. In Jewish piety, it assumed a new meaning, denoting a quality that is immersed in common, earthly endeavours; carried out primarily by individuals; private, simple deeds rather than public ceremonies. 'Man should always regard himself as if the Holy dwelled within his body, for it is written: 'The Holy One is within you' (Hosea 11, 9), therefore one should not mortify his body' (bTaan 11b)'.[44]

Man is the source and the initiator of holiness in this world. 'If a man will sanctify himself a little, God will sanctify him more and more; if he

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42 See EVEN-CHEN, *Voice from the Darkness* (see note 20), pp. 65-75.

43 See MILLER, "Man's relationship with God" (see note 15), pp. 59-67; WOLF-DIETRICH SCHMIED-KOWARZIK, "Cohen and Rosenzweig: zu Vernunft und Offenbarung", in: *Revista Portuguesa de Filosofia* 62/2-4 (2006), pp. 511-533.

44 HESCHEL. *Man is not Alone* (see note 16), pp. 266-267.

sanctified himself below, he will be sanctified from above' (bYoma 39a).[45] For Cohen, the revelation of Sinai is not a one-time deed or event, but a rich and full continuum from Sinai onward.[46] All Halachic creations or innovations based on the unique Sinai experience constitute an eternal revelation.[47]

In Cohen's view, revelation does not reveal a visible or voiced divinity. It is not a realization of divinity. Israel did not hear "words" (דברים), but the "sound of words" (קול דברים), and as Cohen interpreted it: an internal listening, listening to the self:

Therefore hearing must here be understood not only as understanding, as the verse says: 'All the Eternal has spoken, we will do and understand'; *na'aseh ve-nishma'* – but 'understanding' must be comprehended more exactly in the usual meaning of hearkening, i.e., obeying, so that hearing means only the inner spiritual hearing that has as its consequence the doing.[48]

Heschel translates this verse "A great voice that goes on forever",[49] the mysterious, eternal divine call. By means of his response alone, man becomes the witness of this divine call. Cohen regards hearing (in the biblical verse – נעשה ונשמע *na'aseh ve-nišma'*) not as the physical sensation of a voice heard, but as an internal listening, which has the power to lead a person to act. Revelation does not include any physical or material dimension. Instead, it refers to an inner acceptance situated in the correlation between God and the human being, in the relationship between the oneness of God and the human consciousness. The bond between human wisdom and the divine stipulates the realization of this pact.[50] Revelation is not

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45 HESCHEL. *Man is not Alone* (see note 16), p. 267.

46 Historically, Hermann Cohen was not the first thinker to ascribe a continuous meaning to revelation. However, his attitude of changing the meaning of this notion and shaping it in a very modern form and thought. Hermann Cohen did succeed to re-interpret revelation and made it possible for modern thinkers to see it as a relevant idea. See YOCHANAN DAVID SILMAN, *Voice heard at Sinai*, Jerusalem 1999; SHALOM ROSENBERG, *Lo ba-Shamayim Hi*, Alon Shevut 1997; TAMAR ROSS, *Expanding the Palace of Torah,* Hanover, N.H.: Brandeis University Press 2004.

47 On the meaning of *Revelation* in modern Jewish Thought see DAVID NOVAK, "Revelation", in: NICHOLAS DE LANGE / MIRI FREUD-KANDEL (eds.), *Modern Judaism: an Oxford Guide*, Oxford 2005, pp. 278-289.

48 COHEN, *Religion of Reason* (see note 6), p. 74.

49 HESCHEL, *God in Search of Man* (see note 16), p. 138.

50 On the meaning of Pact in the Jewish Thought and the manner in which Heschel deals with this concept see see DAVID HARTMAN, *A Living Covenant:*

something that occurred once and Israel's response is not something that occurred only once. Revelation is based on the acceptance of divinity through human wisdom.

Halacha as a Way of Partnership in Heschel's Thought

We may say that the religious structure of the God-man partnership, which is the theological meaning of Halacha in Heschel's thought is one more stage in the development of ethical monotheism, and the adaptation of this attitude for our time.

Heschel's interpretation of the idea of creation is derived from the ethical demand that God directs toward human beings. The importance of Creation is its ability to transform the mere existence of human beings into becoming subjected to demands and expectations. This idea develops into a command to observe the world not from one's own eyes, but from the divine perspective. Man is requested to look for uniqueness – the unique aspects of man himself and the uniqueness of the 'other'. The human being reveals himself when he responds to God's command and to God's search for man. The correlation of joining Man and God is interpreted as the duty of man to realize the divine in the concrete and earthly life:

> The Bible points to a way of understanding the world from the point of view of God. It does not deal with *being as being* but with *being as creation.* Its concern is not with ontology or *metaphysics* but with history and *meta-history*; its concern is with time rather than space.
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> Science proceeds by way of equations; the Bible refers to the unique and the unprecedented. The end of science is to explore the facts and processes of nature; the end of religion is to understand nature in relation to the will of God. The intention of scientific thinking is to answer man's questions and to satisfy his need for knowledge. The ultimate intention of religious thinking is to answer a question, which is not man's, and to satisfy God's need for man.[51]

However, for Heschel, the act of one person is not enough. He is looking for תיקון עולם (*tikkun olam*) – which entails the cooperation of many people

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The Innovative Spirit in Traditional Judaism, New York: Free Press, 1985; DANIEL JUDAH ELAZAR / STUART A. COHEN, *The Jewish Polity: Jewish Political Organization from Biblical Times to the Present,* Bloomington: Indiana University Press, 1985; DAVID NOVAK, "The Theopolitics of Abraham Joshua Heschel", in: *Modern Judaism* 29 (2009), pp. 106-116; MICHAEL LERNER, "Heschel's Legacy for the Politics of the Twenty-First Century", in: *Modern Judaism* 29 (2009), pp. 34-43.

51 HESCHEL, *God in Search of Man* (see note 16), p. 16.

acting together. Since we are not dealing just with the question of the intentions of the heart but with the duty to be God's partner in the real world, we have to foster a way of life that inculcates obligation and responsibility to the world in which we live.

> The world needs more than the secret holiness of individual inwardness. It needs more than sacred sentiments and good intentions. God asks for the heart because He needs the lives. It is by lives that the world will be redeemed, by lives that beat in concordance with God, by deeds that out beat the finite charity of the human heart.[52]

Spirituality can assist us in building a way of life that takes responsibility for concrete reality. Moreover, since the meaning of man's response to God's request is not a question of one person alone, but rather a response in concert with others – Halacha takes upon renewed importance as a traditional order of living. As Heschel says, "The individual's insight alone is unable to cope with all the problems of living."[53] The main reason is that "The power of selfishness may easily subdue the pangs of conscience."[54]

The reader who is looking solely for ethical language in Heschel's writings will find himself surprised upon encountering Heschel's very conservative and traditional attitude towards the Halacha. For him, Halacha is not simply the result of one's personal interpretation of God's will to one's own life and actions – that man is demanded by God to perform. It is not just the internal listening – as Cohen contends – that man is being asked for. A person is expected also to be ready to heed the heteronymous law, the law that is issued from beyond man:

> Judaism calls upon us to listen *not only* to the voice of the conscience but also to the norms of heteronomous law. The good is not an abstract idea but a commandment, and the ultimate meaning of its fulfilment is in its being *an answer* to God.[55]

A modern Jew may be disappointed by this idea, and, Heschel says, he could feel "an aversion" to it.[56] However, as Heschel said: "The *law is an answer* to him who knows that *life is a problem*".[57]

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52 HESCHEL, *God in Search of Man* (see note 16), p. 296.
53 HESCHEL, *God in Search of Man* (see note 16), p. 298.
54 HESCHEL, *God in Search of Man* (see note 16), p. 298.
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57 HESCHEL, *God in Search of Man* (see note 16), p. 299.

The prophets do not demand of humanity the love of God alone, but they also echo God's call to partnership and His demand to be obligated to human תיקון *tikkun*:

The object of the prophets was to guide and to demand, not only to console and to reassure. Judaism is meaningless as an optional attitude to be assumed at our convenience. To the Jewish mind, life is a complex of obligations, and the fundamental category of Judaism is a demand rather than a dogma, a commitment rather than feeling. God's will stands higher than man's creed. Reverence for the authority of the law is an expression of our love for God.[58]

We can hear in this an echo of Rosenzweig's explanation of the commandments as an expression of God's love for man. The beloved man is commanded to respond to God's love by working to achieve the redemption of the world. Similarly, Heschel seeks to understand the wider meaning of hearing and listening to God's call. According to Heschel, the aim of the commandments is not to give humanity the ability to stand before God or to enforce obedience to divine commands. Rather, both the theological and ethical commandments combine to establish the partnership of man and God in the task of תיקון עולם (*tiqqun 'olam*).

Kant asks man, "What ought I to do?"[59] Which is interpreted as meaning that human intentions are the most important.[60] However, for Heschel, the religious question is a meta-ethical request: what are the rights and duties of man in his deeds in the world?

We are endowed with the ability to conquer and to control the forces of nature. In exercising power, we submit to our will a world that we did not create, invading realms that do not belong to us. Are we the kings of the universe or mere pirates? By whose grace, by what right, do we exploit, consume and enjoy the fruits of the trees, the blessings of the earth? Who is responsible for the power to exploit, for the privilege to consume?

It is not an academic problem but an issue we face at every moment. By will alone man becomes the most destructive of all beings. This is our predicament: our power may become our undoing. We stand on a razor's edge.

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58 HESCHEL, *God in Search of Man* (see note 16), p. 300.

59 HESCHEL, *God in Search of Man* (see note 16), p. 285.

60 See LAWRENCE PERLMAN, "Heschel's critique of Kant", in: JACOB NEUSNER / ERNEST S. FRERICHS / NAHUM M. SARNA (eds.), *From Ancient Israel to Modern Judaism ;Intellect in Quest of Understanding. Essays in Honor of Marvin Fox*, vol. III, Atlanta: Scholars Press 1989, pp. 213-226; and see EDWARD K. KAPLAN, *Holiness in Words,* Albany, N.Y.: State University of New York Press 1996, pp. 33-43, on "The Divine Perspective".

It is so easy to hurt, to destroy, to insult, to kill. Giving birth to one child is a mystery; bringing death to millions is but a skill. It is not quite within the power of the human will to generate life; it is quite within the power of the will to destroy life.[61]

Man is not being asked only to be a righteous person and an ethical personality, but he is being asked to take responsibility within his partnership with God. And this is to be accomplished, in the earthly reality – the world of deed: "Man is responsible for His deeds, and God is responsible for man's responsibility."[62]

Religion is not the private domain of human beings, and it is not only a spiritual quest. Religion is the request of the divine directed toward human beings, and God is searching out of a human being to be His partner in the earthly world. The meaning of *mitzva* is *tzavta,* with man and God working together. As Heschel says, justice is an idea that needs human beings in order to become reality: "What does God ask of me"?[63]

The Aggada enables man to think from God's meta-ethical perspective.[64] It is not a finished work, since man has to continue writing it in every generation. The Halacha is the human effort which provides a practical response to the divine perspective. The role of the Aggada is to enable man to see the world from God's perspective, and then to construct a Halachic response to the Aggadic call. [65]

In conclusion, we will use a musical metaphor employed by Heschel, portraying Halacha and the commandments as the tools to make spiritual music:

In this world, music is played on physical instruments, and to the Jew the mitzvot are the instruments on which the holy is carried out.[66]

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61 HESCHEL, *God in Search of Man* (see note 16), p. 286.

62 HESCHEL, *God in Search of Man* (see note 16), p. 286

63 HESCHEL, *God in Search of Man* (see note 16), p. 339

64 See modern interpretation of this notion in the work of NEIL GILLMAN, *The Way into Encountering God in Judaism,* Woodstock, Vt.: Jewish Lights Pub. 2000.

65 See also Jacob Neusner's work on Aggada and Halacha: JACOB NEUSNER, *Theology in Action: How the Rabbis of the Talmud Present Theology (Aggadah) in the Medium of the Law (Halakhah): an Anthology*, Lanham, MD [etc.] 2006, Introduction.

66 HEŠCHEL, *God in Search of Man* (see note 16), p. 297.