Introduction

This thesis, “Maimonides’ Sons: Episodes in Modern Jewish Thought,” centers on three major contemporary figures of modern Jewish thought—Yeshayahu Leibowitz, David Hartman and Joseph Soloveitchik—and their respective philosophical relationships with the giant of Cordova and Cairo, Maimonides, the preeminent Jewish philosopher. Maimonides’ influence on subsequent Jewish philosophy up to and including the present is paralleled only by the reach of Aquinas among Catholic philosophers. One way to look at the intellectual history of Jewish philosophy, though surely it is not the only way, is to determine adherence to or deviance from the general philosophical outlook and particular religious principles set forth by Maimonides.

Each of the thinkers profiled herein our thesis considers himself an heir to the broad Maimonidean legacy, whose grandest project is the strategy of combining meticulous religious observance with the study of and appreciation for alternate modes of philosophical and speculative discourse. But the Maimonidean legacy, as we will show, can be channeled in many directions. For Leibowitz, Maimonides is a positivist; for Hartman, he is a rationalist; and for Soloveitchik, the Rambam’s philosophy contains elements of both positivism and rationality. Yet, in varying degrees, each of three can claim legitimacy as Maimonides’ son, the inheritor of a religio-philosophic tradition that stretches over the centuries; sometimes dormant (as, for example, between the 14th and 17th centuries), sometimes flourishing. In the larger picture, what is at stake in the thesis is the shifting understandings of Jewish religious identity: that is, how is one to live with religious integrity while at the same time co-existing in a secular world often hostile or indifferent to religious expression? How does one maintain traditionalism in non-traditional societies, and how does one relate to this philosophically? These are some of the global questions embedded within the thesis. More directly, we address the equally important if somewhat narrower question about the degree of difficulty of harmonizing human reason and universal philosophy with a divinely revealed Law and the particulars of Torah.

The opening chapter is the most detailed. It begins with a survey of Maimonides' often conflicting opinions about the nature of Jewish law, halakha, in his magnum opus, *The Guide of the Perplexed*. The purpose of the chapter is three-fold: 1) to demonstrate the variety of potential interpretations concerning Maimonides' beliefs about the nature of halakha; 2) to show Leibowitz's attempt to cast 3.51 of the Guide in his own positivist mold; and 3) to ultimately defend that halakhic positivism reading by incorporating the scholarship of David Shatz, whose suggestive essay on the true end of the *Guide* helped orient our thoughts. Shatz argued, in our eyes persuasively, that 3.51 constituted the conclusion of the *Guide* rather than 3.54.

Leibowitz's Maimonides is first and foremost a halakhist, and philosophy is necessarily a handmaiden to legal exegesis. For Leibowitz, the philosopher, e.g. Aristotle, pursues knowledge that will give him[1] greater insight into the cosmos, his interior life, or man's proper duties in the world. Leibowitz suggests that Maimonides' pursuit was different. What he sought, contra the Greeks, was knowledge of God, a knowledge that it is not a detail or part of general human knowledge. Comprehension of the motion of planets, thus, is not comprehension of God. Leibowitz attempts to drive a wedge between secular, scientific consciousness and knowledge and religious consciousness. Both are very real, but say nothing to each other.

The next section proceeds to lay out Maimonides' attitudes towards the law from book one to 3.50, for example that the Law exists to tame matter, eradicate idolatry, or lead to the perfection of the body and soul. The preceding gave instrumental reasons for the observance of the Law, yet Leibowitz asserts that the *Guide*, in the end, locates the nature of halakha in a positivist understanding.

3.54 of the *Guide*, technically the final chapter, continues with the instrumentality of the Law, but refined. Maimonides maintains that the ultimate end of man, his true perfection, is the acquisition of rational virtues (in particular, knowledge of God by means of the Active Intellect). The Rambam states directly that the Law serves the singularly non-halakhic purpose of serving as preparatory training for this end. If, in fact, this chapter constitutes the conclusion of the *Guide*, then Leibowitz is wrong. He insists that the specific purpose of the Law is worship and not the fulfillment of a human such as the acquisition of rational virtues, no matter its philosophical sophistication.

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[1] A note on language: I have consciously and consistently employed the masculine pronoun to stand in as the generic Jewish human being. Because all three writers are traditional, and the positive Laws—such as studying Torah—in the tradition obligate only males, I have left aside the academic convention of using gender-neutral language.

The first hint that 3.51 may be the conclusion of the Guide comes at the beginning of the chapter, where Maimonides writes it represents a sort of conclusion. The reader is warned throughout the Guide that the author will disguise his true opinions, and demand of the attentive reader that he seek the roots under the topsoil. Even if Shatz and Leibowitz are incorrect, it will not be because of hubris or intentional distortion. Maimonides himself opens the *Guide* to such speculation.

The centerpiece of 3.51 is found where Maimonides lays out the true purpose of the Law. If Leibowitz is right, all of the instrumentality of the *Guide* here falls away. Everything discussed up to this point has been intellectual and moral training for the actual end of man: the worship of God through the halakha. David Shatz concludes that 3.54 thus conceptually precedes 3.51 because of its unsophisticated and deceptive depiction of human perfection and by extension the commandments. Only 3.51 highlights the stage of worship, instead of the emphasis of stage of apprehension. So it is that our reading of the Guide is given a Leibowitzean understanding. This is not to preclude other interpretations, but only to add to the stock of potential truths about the Maimonidean legacy.

Ultimately, Leibowitz's Maimonideanism seeks to segregate the religious from the secular, because each has its own independent standing and can best be judged by its own internal standards. We believe that Leibowitz's separation of religious and secular consciousness (through an admittedly idiosyncratic use of Maimonides), and his refusal to give into the psychologizing and humanizing tendencies of modern religion—Jewish or otherwise—represents the most philosophically thoughtful and religiously prudent way of being an observant Jew in the modern world. However, we recognize that his philosophical attitude is not merely a minority within this tradition, it is simply not acceptable to modern Jews, traditional or not. The demands of wrenching apart consciousness are too high, and perhaps of little appeal.

The intention of our chapter on David Hartman is to show that Maimonides can be used as the source for an account of Jewish life that serves as an extreme counter-balance to Leibowitz. He states that Leibowitz's project neglects the psychology of the believer, primarily in the relationship between man and God. Leibowitz denies any material or emotional tie between man and God (the only relationship—such as it is—takes place in the formal duties of the Law), while Hartman insists that bonds must exist or the believer has little reason or incentive for his belief. Hartman maintains that religious consciousness has room for and need of human wants and desire—that is to say, that human concerns are not religiously irrelevant, as Leibowitz claims.

Those things that Leibowitz either denies or de-emphasizes in the halakhic life, Hartman sees as central: a religious life is essentially a moral, rational one. For this religious life to give meaning and purpose in the modern world, then a focus on the individual's particular relationship to his tradition and to God is a controlling assumption. Only by such a relationship, although still well within the context of a community, can a Jew realize his autonomy and his facility for independent reasoning, both of which are vital to an individual expression of faith.

There are three central tenets to Hartman's Maimonidean philosophy: 1) a pluralistic sensibility that permits the individual Jew to cultivate his independent reason, for he cannot be asked to submit uncritically to the claims of authority. We argue that the benefits of such a political move within a religious tradition are slight, and the cost pluralism exacts is far too high. Hartman maintains that each Jew can create his own *ta'am*—reason—for observing the Law and that this will have the effect of making Judaism more palatable than the narrow legalism often associated with it. He points to Maimonides in his quest for pluralism. Maimonides in the *Guide* discloses the *taamei hamitzvot*, the reasons for the commandments, and Hartman thinks individual Jews of today can do the same. But the reasons for the commandments in the *Guide*, according to scholars such as Isadore Twersky, are as defined and neutral as any scientific discipline. So, while there may well be reasons for the Laws, the reasons are not constructed by individual understandings—they have a mathematical precision, a formula by which they must be judged and measured.

The second tenet is rationalism. Hartman wants to cast his rationalism in the mold of Maimonides; that some of the particulars may differ, but that the essentials are the same. Maimonides' use of reason in shaping his comprehension of religious life appeals to modern religious rationalists such as Hartman who do not want to discard tradition. True loyalty to God and worship of God, Hartman maintains, occurs only when a believer bolsters his belief with reason, and rebuffs the heteronomy of positivism. As indicated in our thesis, this attitude presents a religious problem. In politics, authority is often to be looked at skeptically. But Judaism is a top-down religion; its impulses are not democratic—or monarchial, or collectivist, as Judaism has no political allegiance. Reason for Maimonides, however, did not concern itself with the investigation of political authority, but instead physical and metaphysical matters—that is, how to best employ God-given reason to understand God's creation. As we note in the Hartman chapter, his rationalism simply has no resemblance to that of Maimonides' Aristotelianism. Hartman's emphasis on reason is regularly nothing more than common sense: it is a *philosophes'* creed rather than Maimonides'.

The last element in this chapter centers on the concept of *lifnim mi-shurat ha-din*. These are ostensibly ethical aspects above or outside the constrictions of the Law in Judaism. It is, for Hartman, an extra-halakhic aspect of Judaism, and one that he believes can be found in Maimonides as extra-halakhic. *Lifnim mi-shurat ha-din* plays an important role, for Hartman, in the commanded life. Hartman notes that the *Mishneh Torah*, a compendium of laws and religious directives, commences with a treatment of general philosophical themes. Hartman finds examples of *lifnim mi-shurat ha-din* in the *Mishneh Torah*: if a righteous man sees an animal whose burden has fallen off its back, he is obligated to help the owner place the burden back on the animal. According to Hartman, the righteous man waives his freedom from a task that compromises his honor or status. As a result, it is that only going beyond the strict letter of the Law can one demonstrate love for God. Nevertheless, Hartman is unable to demonstrate the material religious relevance of *lifnim mi-shurat ha-din*. We will argue, on the contrary, that *lifnim mi-shurat ha-din* does not involve a violation of halakha. It merely permits actions that the law does not require; it is optional, certainly commendable, but says nothing about the halakhic life. And nowhere does Maimonides counsel that all people should deviate from the middle path between excesses.

In terms of Jewish religious identity in the modern world, what we have said about Leibowitz is reversed in Hartman. Hartman's brand of broad rationalism, hitched to morality and a critical philosophical attitude, has had far greater influence among modern observant Jews. Despite this success, we fear that Hartman identifies his Maimonideanism too much with Enlightenment principles, and more particularly that he maintains that Judaism should change because the material conditions of Jewish life have changed. We do not believe this represents Maimonides at all.

Of the three thinkers profiled in the thesis, Joseph Soloveitchik is the one that has been most popularly identified with Maimonides. He saw the reverence for Maimonides in the examples of his grandfather and father. In Soloveitchik's writing Maimonides does not appear as a figure forced into the proceedings to be used as a truncheon to bludgeon others who do not agree with his understanding. Instead, Maimonides appears gently in Soloveitchik's texts like a background figure in one of Turgenev's lighter novels. Although Soloveitchik has received much scholarly attention than Leibowitz or Hartman, his utilization of Maimonides in *Halakhic Man* has gone largely unexplored. In particular, we examine the second part of *Halakhic Man* and its five central concepts, with their Maimonidean underpinnings.

The first concept is creation. Soloveitchik does not bother himself about the creation of the world, as Maimonides does in the *Guide*, but about a more immediate modernist conception of creation: self-creation. For Soloveitchik, the story of creation did not detail metaphysical concepts or truths as it did for Maimonides, it instead was a story that laid out practical halakhot, in particular, the obligation for man to engage in creation and the renewal of the cosmos. This is a move from the objective world to the subjective self, and it is definitely not Maimonidean. But Soloveitchik is fully Maimonidean when he discusses the new moon, and the blessing for which re-creates the world and replenishes creation—it is the creative structuring of the world through Law. The second aspect of *Halakhic Man* is repentance, which is the ultimate act of self-creation. For Soloveitchik, as well as Maimonides, the penitent man is a new man; he creates himself, as he resolves never again to return to that sin. We argue that his view of repentance comes close to non-Jewish notions of sin and repentance, that only by reaching the bottom of sin can man know the majesty of self-creation. The next element is time. The fractures in the understanding of time—Jewish, Newtonian, Bergsonian—received attention from Soloveitchik. We suggest that, unlike in the creation section, Soloveitchik is faithfully Maimonidean here. Both understand time as reflecting divine order in the world, that the world of ordinary, sequential time can be bent to the halakha, as during Passover, when one is to imagine himself a contemporary of Moses, being led out of Egypt. The fourth section centers on divine providence. We make a case for a parallel between Soloveitchik's man of God and Maimonides' perfected man of the closing chapters of the *Guide*. Both assert that man is responsible for his measure of divine care. The more he concentrates on knowledge of God or self-creation, the more protection he receives. Knowledge of God and self-creation are ways in which to rise above the coils of biological existence; it is an expression that men are not coarse Darwinian ciphers. We do contend, however, than S is unnecessarily vague about how to achieve this state. Maimonides was vague as well, but he laid out some of the elements of divine providence: a mind that is hooked to the Active Intellect. Soloveitchik fails to show the link between divine providence and the man of God. The final section is prophecy. Soloveitchik slightly shifts the model of the perfected man in the concluding part of Maimonides' *Guide* to the prophet. Despite this shift, each has a common end-point: the reception of the divine overflow. We contend that the crucial difference between the two centers on their respective personalities: the perfected man is essentially passive, but the divine overflow enables him to be a leader of men, while the prophet, in Soloveitchik's understanding, actively works toward the goal but refrains from making definitive decisions, unless pressed to do so. But ultimately both men are transformed, even if their purposes are different.

The larger implications of Soloveitchik's Maimonideanism for modern Jewish religious identity are evident in his emphasis on self-creation. He suggests that one can creatively use the *mesorah* (tradition), which includes Maimonides, to transform one's self into a man of God. Nevertheless, it is difficult to gauge the impact on this conception of self-creation for Jewish religious identity because Soloveitchik's philosophy is radically strange. However, we assume that it has wide appeal and application for modern Jews due to the fact that the tentacles of his thought have reached Jewish philosophers and laymen alike. Perhaps it is but the force of his personality that made the halakhic man, the man of God and the prophet such a powerful image, but the idea of creative impulses within a legal system like halakha has had and continues to have influence.

Ultimately, what we hope this thesis demonstrates is the variety and variability of Maimonidean interpretation among modern Jewish philosophers. Maimonides brought together so much in his thought, so much from so many sources: Jewish, Greek and Islamic. Due to this jumble of influences, perhaps only idiosyncratic interpretations of Maimonides are possible.