

"Commandments Were Not Given to Enjoy": Emotions in God's Service and the Metaphysics of Halakha

Israel Cohen (Hebrew University)

In what way, if any, should keeping God's commandments involve enjoyment? This question is, in essence, a normative question. In contrast, the question of how the Halakhic laws make a difference in normative reality seems to be essentially a metaphysical question. In this paper, I want to identify, following a Talmudic discussion, subtle connections between the normative question and the metaphysical question. The analysis I propose for the Talmudic discussion allows distinguishing between different versions of "Halakhic Non-Naturalism," which has so far been characterized in the literature only in a preliminary, broad, and general manner (Wozner 2008; Lorberbaum, 2015). Finally, my discussion of emotions in God's service, along with the proposed metaphysical analysis, leads me to an extreme version of the non-naturalism position that reflects a striking halachic theology.

The paper consists of three parts:

In part I, I start by presenting the normative question, using a well-known halachic principle, according to which "commandments were not given to enjoy" (Babylonian Talmud, Eruvin 31a; Rosh-Hashana, 28b; Hullin 89a). Based on this principle, it was ruled that even if a certain object is prohibited for enjoyment according to the Halakha, it is still permissible to perform a mitzvah with it. For example, if a person has vowed not to enjoy a specific spring, which prohibits him according to the Halakha from enjoying this spring, he is still allowed to dip in that spring in order to ritually purify himself. The reasoning given for this halakhic ruling, and other similar rulings, is based on the mentioned principle; since the commandments were not given to enjoy, it is permissible to observe the mitzvah even using things that are forbidden for enjoyment.

However, as various commentators have already argued, the mentioned Talmudic line of reasoning seems problematic. The problem arises from the distinction presented by Rava in the Talmudic discussion. According to Rava, the permission to dip in the forbidden spring is only during the rainy days, when one does not enjoy the very act of dipping in the spring. On the other hand, on hot days, when there is pleasure in bathing in the spring, it is forbidden to dip in the forbidden spring. The justification for the distinction is that although the mitzvah of immersion was not given for enjoyment, since there is nevertheless enjoyment in immersion alongside the fulfillment of the mitzvah, this enjoyment prohibits immersion. Following this distinction, the commentators ask, why does this principle permit the observance of a mitzvah with a prohibited

object at all? After all, it is possible to accept the principle that "commandments were *not given* to enjoy" but acknowledge that *in fact* the person who fulfills the mitzvah enjoys the performance of the mitzvah.

A careful reconstruction of dealing with the problem leads to the addition of several assumptions to the discussion. First, a normative assumption is when the enjoyment of some forbidden object is indirect, there is no halakhic problem. Secondly, a factual assumption is that although the phenomenological statement that the mitzvot bring enjoyment is true, it is an indirect pleasure. Third, another factual assumption is that, in contrast to the enjoyment of the mitzvot, ordinary material enjoyment – for example, the enjoyment of bathing in the spring on a hot day – is a direct result of the object. A combination of these three assumptions solves the mentioned problem. In the present discussion, I will accept the first assumption as a given and I will focus on the last two assumptions that distinguish between material enjoyment and enjoyment of God's Service.

The indirectness claim takes me to part II of the paper where I move on to discuss the metaphysical question: how, in fact, do the Halakhic laws make a difference in the normative reality? My discussion is based on an analysis of three proposals to distinguish between the indirectness of divine-service enjoyment and the directness of material enjoyment. I show that the three ways of justifying the distinction reflect three different theses regarding the grounding relationship that exists between natural facts and halachic facts. What the three ways have in common is the halachic non-naturalism thesis, according to which natural facts do not fully ground the halachic facts. However, the difference between the three theses relates to the manner in which the natural facts take part in establishing the halachic facts. In order to formulate the three ways, I turn to the contemporary philosophical literature that deals with metaphysical grounding (Rosen 2010; Trogdon, 2013) and the way in which general normative laws ground particular normative facts (Jackson, 1998; Dancy, 2004, Ch. 3; Enoch, 2019; Salinger, 2022).

Finally, in part III, following this discussion, while taking into account the phenomenology of observing the mitzvot, I come to the surprising conclusion, which I call "Halakhic Occasionalism". This position is an extreme version that I propose for "Halakhic Non-Naturalism". According to this position, the natural facts only provide an occasion for the word of God to apply to the specific case, but the full grounding of the halachic fact in the specific case is the word of God alone. This position reflects a halachic theology of a constant encounter with God through keeping His commandments, as an alternative to meeting God through nature.

References

- Enoch, D. (2020). "How Principles Ground". In *Oxford Studies in Metaethics Volume 14*: Oxford University Press.
- Jackson, F. (1998). *From Metaphysics to Ethics: A Defence of Conceptual Analysis*. Oxford University Press.
- Rosen, G. (2010). *Metaphysical Dependence: Grounding and Reduction*. In: Hale B. & Hoffmann A. (eds.), *Modality: Metaphysics, Logic, and Epistemology*. : Oxford University Press.
- Lorberbaum Y. (2015). "Halakhic Realism – Conceptual, Phenomenological and Methodological Remarks, Nominalism and Realism in Halakhah Revisited". *Dine Israel*, 30: 9-78.
- Salinger, Elliot (2022). Moral laws and moral worth. *Philosophical Studies* 179 (7):2347-2360.
- Trogon, Kelly (2013), "Grounding: Necessary or Contingent?". *Pacific Philosophical Quarterly*, 94: 465-485.
- Wozner S.A. (2008). "Ontological and Naturalist Thought in Talmudic Law and in Lithuanian Yeshivot," *Dine Israel* 25: 41–97 [Hebrew].

Worship, Not Love: Or, Why Worship is More Suitable than Love as the Central Command of Jewish Observance

Shlomo Zuckier (Princeton University)

In a variety of areas in both philosophy of religion and social ontology, scholars often apply the category of love to try to make sense out of complex categories. Prominent phenomena that are defined as love include forgiveness, both human and divine, as well as the worship.

Despite its prevalence in the literature, love as a concept is not well-suited to do what philosophers want it to do in developing analytic definitions of these categories. In fact, often those asserting that “worship is love” or “forgiveness is love” are then forced to offer a further definition of love in order to arrive at a precise definition. It would be both more efficient and more analytically precise to remove love from the definition altogether, instead of having it serve as a “dummy variable” to be redefined by the *actual* definition of the term or concept.

Furthermore, it seems clear that one can forgive or worship without recourse to love. Jewish tradition preserves a robust account of how worship could be conducted out of fear as well instead of love. (See, e.g., bSan 61b-62a.) Many philosophers convincingly argue that one can forgive without loving the other party, or that an impersonal God incapable of love can still forgive (in light of Ps. 103:3 and similar). It seems that love is not only redundant in providing an analytic definition of these concepts, but it actually introduces inaccuracies. It would seem more accurate to remove love from the definition and instead see it as a particular style or valence that sometimes attends worship/forgiveness and sometimes does not.

Despite these problems, love often not only enters but plays a central role in these definitions offered by recent scholarship. We might account for this prevalence of love in definitions despite the problems it introduces in light of the heavy influence of Christian tradition on analytic theology.

The Christian focus on love as the central theological category traces back to Jesus’ dual “love commandments” (Matt. 22:37,39), which are traditionally seen as the most important commandments or even the only commandments, superseding all else. It is built upon by Aquinas in his work systematizing Catholic theology, which has a tendency to define a wide range of categories as “love.” Contemporary philosophy of religion has inherited this definition, as this tendency continues in a range of works of contemporary Christian theology, including in recent work by Eleonore Stump and Michael Rea.

This paper endeavors to provide a corrective to this interpretive trend and to present an account of worship that removes love from places where it does not belong, namely definitions of worship and forgiveness.

There is not much recent writing in Jewish analytic theology on the question of the role of love in worship. However, this phenomenon does appear in the recent work of Yehuda Gellman, which this paper will relate to directly. Gellman sees love as playing a central role in the relationship between the religious subject (especially the Jewish subject) and God. He gives love pride of place in defining his criteria for a religious adequate conception of God, namely a “God such that it be most appropriate to love God with a love than which there can be no greater.” Relatedly, love serves as the grounding of all commandments on Gellman’s account. Notably, Gellman does not mention worship of God in his account beyond seeing it as a subset or synonym of love of God (see “Constructive Jewish,” p. 454), and his account gives it only minimal significance.

The paper will present Gellman’s view, problematize it, present my alternative construction, and note the ways it improves upon Gellman’s, as well as some drawbacks my approach holds.

The primary objection I will raise with Gellman’s approach is that love of God is not traditionally understood as a grounding for all the commandments. It is a specific commandment, with a variety of understandings – its content may be more intellectual (Maimonides) or emotional (Hasidic sources); it might be fulfilled by achieving a certain emotional state, actualizing that emotion with action, or some complex combination of the two (Soloveitchik). However one understands the commandment to love God, though, it cannot reasonably be said to ground or encompass all the other commandments in the Torah. Given that there are traditionally understood to be 613 such commandments, it is somewhat unusual to see this as a grounding basis within Jewish tradition.

I will argue that, while love fails to ground all the commandments, a different commandment does serve as this grounding – the command to worship (וְיָרָא) God. This command has both a general and a specific sense – in a general vein, it includes the full set of responsibilities as instantiations of worship; its more specific meaning relates to ritual acts that function as worship, particularly sacrifice and prayer. This two-tiered account is explicitly presented in Maimonides (Sefer ha-Mitzvot, Positive Commandment #5) and I will argue that this represents the standard account of classical rabbinic theology (rabbinic views from the first six centuries CE).

I will distinguish between three definitions relating to worship: a definition of (a) worship simpliciter; (b) the ideal case of worship; and (c) the more specific sense of worship. The definition of worship will largely consist of the idea of setting one’s will to follow that of God, and/or of instantiating that will so set; the ideal case will be doing so out of love and for principled reasons;

the specific sense of worship is the categories of prayer and sacrifice, (which rabbinic literature closely connects to matters of will).

The capaciousness and flexibility of this category, accompanied by its clear definition, make worship – not love – a strong category to set at the center and grounding of Jewish commandedness.

Bibliography

Gellman, Jerome. “A Constructive Jewish Theology of God and Perfect Goodness,” in *Cambridge Companion to Jewish Theology*, ed. Steven Kepnes, (Cambridge University Press, 2020), 453-466.

Gellman, Jerome. “The God of the Jews and the Jewish God.” In *Routledge Companion to Theism*, 38-53. Edited by Charles Taliaferro, Victoria Harrison, and Stewart Goetz. Abingdon-on-Thames: Routledge, 2012.

Gellman, Jerome Yehuda. *Perfect Goodness and the God of the Jews*. Boston, MA: Academic Studies Press, 2019.

Rea, Michael. “Worship and Self-Annihilation,” unpublished paper, 2021.

Stump, Eleonore. *Atonement* (Oxford University Press, 2018).

Ordinary Shame and Religious Shame

Benjamin Davis (University of Leeds)

This paper argues that our philosophical understanding of shame fails to accommodate shame occasioned in religious contexts. Consequently, accounts of shame *simpliciter* – or, ‘ordinary shame’ – needs to be extended to make sense of shame occasioned in religious contexts – or, ‘religious shame’. To make my case, I present two important accounts of shame: Velleman’s self-presentation account (2001) and O’Brien’s (2020) social diminution account. I argue that neither of these captures the experience of religious shame since both these models are committed to notions of *social participation* e.g., social agency, being part of a social group and a basic desire for social intercourse. This commitment occludes a satisfying apprehension of religious shame because, as I shall so argue, this emotion makes no reference to social participation. Instead, religious shame comprises a kind of shameful self-consciousness felt in virtue of a dynamic between a subject qua individual set apart from others, and God.

In this paper, I take Velleman’s lead in two respects. Firstly, I too turn my attention to Genesis’ Garden of Eden story. I do this philosophical exegesis with the view to provide a platform with which to understand religious shame. Secondly, I provide a genetic account of religious shame. I argue that religious shame stems from (what I call), a ‘phenomenological fallacy’ that occurs in the experience of *having* an intention. Specifically, the fallacy is constituted by the feeling that ‘nothing can stop me’ subjects possesses when they have an intention to do some act, ϕ . Furthermore, this feeling is intimately connected with a subject’s sense of agency.

The fallacy is redolent of divine power. If God is the sort of thing that has intentions, then they would never fail to be fulfilled. God’s practical knowledge, Aquinas says, is ‘the cause of what it understands’ (Paul, 2009, p.1). That is, by dint of having a certain thought, the world is instantly made to comply to that thought. God’s ‘intentions’ are the efficient causes of his ‘actions’. For God, there is no distance between intending and doing. In feeling like ‘nothing can stop me’ the fallacy makes subjects feel as if their intentions are the efficient cause of their actions. Therefore, the phenomenological fallacy accompanying intention lies in a mistaken estimation of our *power*. This feeling is revealed as a fallacy in episodes when we *fail* to fulfil our intentions. So much for the genetic account of religious shame. I shall proceed to outline four key features of religious shame which are not captured by existent models of ordinary shame.

- Religious shame consists in a subject’s awareness of their *powerlessness*, whereas ordinary shame consists in a subject’s awareness of undergoing a loss of power. This self-

consciousness of one's powerlessness, is *painful*. As Maimonides writes in his *Code*, when one registers a sense of one's own powerlessness, one 'immediately recoils from himself affrighted, and he will know that he is a small creature, lowly and obscure, with fickle and miniscule intelligence, before the One who is perfect in knowledge' (Foundations, 2:2).

- Religious shame doesn't appeal to *normative standards*, but ordinary shame, as it is thus far accounted for, appeals to normative standards.
- Religious shame doesn't have a role for *observers*, but it is usually thought that shame requires observation – in some sense – to be present for it to be felt.
- Religious shame possesses an *eternal* or *permanent* quality. Someone who is liable to experience religious shame bears another liability to *always* feel that emotion. This is different to how ordinary shame is understood. If I feel shame because I have an awareness of losing power before, say, some social group, then power lost is always an opportunity for power regained. But religious shame is an emotion felt before God, there is no opportunity to overturn my losses or regain them. Comparisons are made to Kant's *Achtung* and Camus' absurdity to help elucidate this type of eternal quality I see as crucial to understanding religious shame.

In light of this, I aver that our conception of shame must have greater latitude to allow theoretic space for religious shame. Religious shame is *bone fide* shame. But it eludes our grasp if we limit our understanding of shame by tying it to notions of social participation, losing power, and its being temporary.

After the main part of my argument which is, at root, a *descriptive* exercise, I orient my focus to the *normative* question. Namely, I ask what *value*, if it has any, religious shame possesses. Particular consideration is given to religious shame's role in the process of a subject's *teshuva*. I argue that this consideration evinces that religious shame constitutes a *pro tanto* valuable emotional experience provided certain conditions are met: (i) its reasonableness, (ii) frequency, (iii) intensity, and (iv) the possibility of 'escape'.

References

- Maimonides, M. (n.d.). *Code (Mishneh Torah)* (M. Hyamson, Trans.). Sefaria. Retrieved 24 September 2021, from https://www.sefaria.org/Mishneh_Torah_Foundations_of_the_Torah.2.2.
- O'Brien, L. (2020). Shameful self-consciousness. *European Journal of Philosophy*, 28(3), 545–566.
- Paul, S. K. (2009). How we know what we're doing. *Philosophers' Imprint*, 9(11), 1–24.
- Velleman, J. D. (2001). The genesis of shame. *Philosophy & Public Affairs*, 30(1), 27–52.

Emotional and Religious Dichotomy in Joseph Soloveitchik's Dialectic

Amiya Hashkes (Hebrew University)

Many of Joseph Soloveitchik's philosophical works contain some reference to an existential dialectic rife with intellectual, emotional, and religious tension. My talk seeks define what, precisely, this dialectic is, how it relates to Soloveitchik's view of religious worship, and what consequences this may have for one's religious life. Accordingly, I first attempt to characterize the existential dialectic found in Soloveitchik's writing, focusing especially on its presentation in "Majesty and Humility" and *The Lonely Man of Faith*.^{1,2} In each work Soloveitchik distinguishes the majestic man (or cosmic man) from the covenantal man (also termed origin man, or the man of faith). Majestic man is characterized chiefly by his intelligence and creative drive, which he applies universally to creation. This lends his existence a certain dignity and, consequently, responsibility. Meanwhile, covenantal man engages with the world in a very different manner and for a different purpose, as his wonder at the world prompts him not to conquer it, but to seek redemption as he considers the metaphysical questions of why the world exists, what its purpose is, and who God is.

It is further apparent that the two archetypes' paths to knowing and experiencing the divine are marked by different emotional states. Cosmic man finds an infinite God "in the majesty and grandeur of the cosmos", at moments marked by joy and even elation as "he feels that living is a dignified affair."³ Meanwhile, origin man experiences a personal God close to him "in such moments of black despair".⁴ Though Soloveitchik doesn't explicitly state how, precisely, these emotional states relate to each archetype (is their connection necessary and/or exclusive?), I argue that he seems to intend for there to be an epistemic connection of sorts between emotional state and mode of relation to God, so that one comes to know a specific aspect of God through a particular emotional state.

In the second part of the talk, I outline the consequences that the dialectic seems to bear for the emotional and religious life of the believer. First, I note that Soloveitchik sets up a dialectic that is by its nature irreconcilable, for it lacks a synthesis to aim towards. His dialectic involves two poles inherent in man's personality; since they are contradictory, the dialectic cannot be settled without erasing an essential and valuable part of man. Soloveitchik consequently imbues the

¹ Soloveitchik, Joseph B. *The Lonely Man of Faith*. Maggid Books in cooperation with OU Press, 2012 (first published 1965).

² Soloveitchik, Joseph B. "Majesty and Humility". *Confrontation and Other Essays*. Ed. Haym Soloveitchik, Maggid Books, 2015 (first delivered 1973). Pp. 25-40.

³ *Ibid.*, 34.

⁴ *Ibid.*, 35.

dialectic with a highly charged, negative phenomenality: he states that man “is torn by conflict”, and “always in a state of ontological tenseness and perplexity”, so that his endeavors are “associated with agony”, his existence as “a tragic living reality.”⁵ The dialectic is thus not a mere oscillation, but a dichotomy fraught with existential angst.

Second, I discuss the impact that the dialectic appears to have on Soloveitchik’s view of Jewish praxis and morality. Soloveitchik views religious worship or morality as an attempt to imitate God and walk in His ways; since the two sides of man experience God differently, it stands to reason that man’s attempts to walk in His ways will take two separate forms. Thus, after being separated completely from the majestic and creative tendencies of cosmic man, Soloveitchik’s ethic for the covenantal man is one that demands not merely self-control, but submission and withdrawal in emotional and cognitive spheres in the manner described in “Catharsis”.⁶

Thus, I contend that the dichotomous nature of the dialectic bears two potential disadvantages: first is simply the angst of being caught in an irresolvable dichotomy. Secondly, and perhaps more dangerously, is the association of religious life with the radical vision of “catharsis”, where man’s majestic tendencies are crowded out, as it were, and dominated by the radical ethic of submission assigned to the man of faith, with potentially disastrous emotional and ethical results.

⁵ *Ibid.*, 26.

⁶ Soloveitchik, Joseph B. “Catharsis”. *Tradition*, Spring 1978 Issue 17.2 (first delivered 1962). Accessed July 2021, <https://traditiononline.org/catharsis/>.