YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**The Philosophy of Manitou**

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***Shiur* #05:**

**The Moral Act**

We have seen that God, Who is perfect, creates a world that is imperfect, so that mankind can work to perfect it and thereby earn its right to exist. This earning continues over the course of history, along the moral axis.

What is morality? As we have seen, Manitou maintains that according to the Torah, the principle of morality means making room for the other. He identifies this principle as manifesting itself at the very beginning of the Torah, in Creation — both on the basis of the literal meaning of the text and in accordance with the Ari's teachings about Divine emanation.

**What is the message of Jewish morality?**

Seemingly, it is relatively simple for us to define morality in terms of familiar formulas taken from Jewish tradition. For instance, if we looking for a term that parallels the concept of "morality,” one obvious possible answer would be *bein adam le-chavero*, the realm of interpersonal relations. This seems so simple and self-evident that it raises a question as to the innovation of Manitou's approach: What is he telling us that we didn't know before? What is the significance of his assertion that morality occupies a central place in Judaism? While it is clear that the principle that he highlights is certainly important and has always been regarded as such, we have to clarify what it is about his approach that is truly innovative.

Manitou often contrasts his approach with different philosophical and religious doctrines as a way of clarifying his statements and highlighting their significance. He regards the exposition of the Torah's message for the world as a major element of his mission. What is the great message that the Torah comes to convey, which we could not have known otherwise?

Often, the answer finds expression in the form of contrast with other philosophies and ideologies. While Rav Kook introduces many of his analyses and discussions by identifying the kernel of truth at the heart of each different view, Manitou emphasizes the distinction and differentiation between them. With regard to morality, too, Manitou compares the Torah view with the concept of morality as espoused by non-Jewish thinkers.

**Morality in secular philosophy**

Let us start with the view that focuses on the law, entrusting it with the task of regulating social relations. One might suggest that man's regulation of social interaction by establishing laws is motivated not by morality but rather by considerations pertaining to society's existential needs: a society consists of a great number of individuals; and in order for the society to function, there must be rules guiding behavior and how things are done. This is not a question of morality; it is the law. It is possible to view the law as defining values for society, but it is easy to see these values as merely a means to maintaining social order.

As an example, let us consider traffic laws. In general, they are not based on values; they simply represent the most efficient way to facilitate movement while avoiding accidents and injury. There is no real reason for granting right of way to drivers who are turning either right or left; it is simply a matter of deciding the matter to achieve the most efficient result. Sometimes the decision can even be arbitrary.

A more extreme example would be the laws of Sedom: this was a society that was fundamentally anti-moral but nevertheless sought to conduct itself in accordance with an accepted code. Their laws were harsh and cruel, but they were laws.

Now, if a man assaulted his fellow’s wife and caused her to miscarry, they would say [to the husband], “Give her to him, that she may become pregnant for you.”

If one cut off the ear of his fellow’s donkey, they would order, “Give it to him until it grows again.”

If one wounded his fellow they would say to him [the victim], “Give him a fee for bleeding you…”

Now, they had beds upon which travelers slept. If he [the guest] was too long, they shortened him [by lopping off his feet]; if too short, they stretched him out. (BT *Sanhedrin* 109b)

Now let us consider philosophies that maintain that there is morality that goes beyond the law and possesses its own intrinsic value. As we shall see, Manitou addresses two main approaches: the teleological/ utilitarian view and the Kantian categorical imperative.

At the outset we might state that every action comprises three elements: the action itself, the intention behind it, and the result. The different approaches in the realm of ethics are divided as to which element is paramount in evaluating its morality.

**Teleological approach: the proof is in the pudding**

One approach maintains that morality is measured by the result. A moral act is one that leads to a good outcome. This naturally leads us to ask how we define what is "good,” and this is a question that has occupied ethicists extensively. The first philosopher who devotes systematic attention to the question is Aristotle, and his answer is that a good outcome equals happiness, and that happiness is attained by one who engages in whatever it is that makes them special. Aristotle goes a step further, asserting that what makes man special is their insight/ wisdom/ understanding, and hence whatever leads to insight is considered moral. A different view, which likewise focuses on outcome, is hedonism. Since hedonism equates "goodness" with "pleasure,” according to this view, moral action is action that leads to pleasure. Another, later possibility, espoused in the 19th century by John Stuart Mill among others, is utilitarianism: morality is the maximum benefit to the maximum number of people.

While there is clearly a lack of agreement as to the definition of the "good" that morality seeks to achieve, a number of leading philosophers have supported the view that a "moral act" is one that leads to a good result.

**Kant: the categorical imperative**

In contrast with the teleological approach, which has been maintained in some form over many centuries of philosophy, an alternative view, focusing not on the result but rather on the action itself, is raised by 19th-century German philosopher Immanuel Kant.

Kant seeks to sever the connection between the moral act and its result, thereby also evading the philosophical debate over the definition of “good.” He posits that morality cannot be measured using extraneous parameters (including outcomes), and seeks instead an essential definition centered on the act itself. Morality, he believes, must be built on some inherent trait. Furthermore, that trait must be universally applicable, not just something that makes an act “moral” in a certain specific situation. Following lengthy analysis, Kant arrives at the rule of moral action: “Act only in accordance with that maxim through which you can at the same time will that it become a universal law.”

To understand this better, let us consider a practical example. Let us suppose that a criminal gang plans to murder someone, but the gangsters end up shooting one another by mistake, and the intended victim emerges unharmed. Ultimately, the result is positive (the target is still alive), but it is difficult to evaluate the gang’s behavior only on the basis of the outcome. Now let us suppose that a person makes a substantial donation to charity, motivated by a desire for the status and honor that they will receive as a result. Once again, although the outcome is good, it is difficult to define this as a moral act because it is prompted by a negative intention.

This would lead us to conclude that morality is measured not by the outcome, as the teleological view would have it, but rather by its intention. Kant highlights this perspective, according to which we may say that even if someone gives charity not for the sake of honor but rather almost unthinkingly, out of their innately generous nature and their tendency to give whenever they are asked, it is still not a moral act. This brings Kant to the following definition: a moral act is one that is performed with the intention of carrying out one’s moral duty; but this raises the question of how we are to determine our moral duty.

According to Kant, moral duty must be like a law of nature: universally applicable and obligatory in all situations and under all conditions. It must also be based on reason. How do we know when we are acting in accordance with the moral imperative? A person may decide this by means of a simple test: would they wish everyone in the world to act in the same way that they are now acting? When they ready themselves to speak the truth, they must ask themselves: would they want everyone in the world to speak the truth? Yes. When they are about to lie, to break a promise, to cheat on their taxes, or to steal, they must ask themselves: would they want everyone in the world to act in this way? Obviously not. A criminal acts on the assumption that most people are honest and would not do what they are about to do. This is the sign of an immoral act.

Kant insists that morality is not conditional on any authority or convention; it is independent of any religion or society. Man arrives at the moral imperative using their reason, guided by the question of whether an act could be obligatory and valid in relation to everyone.

His approach may be summed up as follows:

1. The measure of morality is the act itself, not the result;
2. A moral act is one that is done with the intention of carrying out a universal, reason-based moral law;
3. That reason-based moral law is autonomous and does not have its origin in some extraneous source.

**The dangers of both approaches**

Manitou sets forth the dangers inherent in each of these two approaches. The utilitarian approach raises the problem of the ends justifying the means, since the action in and of itself lies beyond the realm of morality. (As an example, concern for the maximum benefit for the greatest number of people might point in the direction of killing severely disabled members of society, to save the costs of their treatment and care.) We may well perform very problematic actions, justifying them on the basis of the result that they will bring:

We see that for philosophers who occupy themselves with ethics, there is no autonomous definition of “goodness.” They always define the good in terms of some other concept. If we ask why the good is good, they answer that the good is good because it is beneficial, because it accords with reason, because it brings pleasure, and so on. But utility is not the same as goodness. It may be the very opposite of morality. We know that reasonable people can bring catastrophe if they are not upright. A civilized philistine remains a philistine. The fact that he is civilized only makes him more dangerous…

There are systems of thought that define goodness as what society wants. Those who subscribe to this view are actually trying to exchange the moral problem for a social problem. They define man as a social subject, rather than as a moral subject. Instead of morality, there is sociology. Instead of man, there is the city, the state. Instead of the dignity of the person, we have the impersonality of society. Instead of a name, there is an identification number. We have the metropolis or the state — an inhuman administrative monster. (*Sod Midrash Ha-toladot* III, pp. 211-212)

Let us now consider the danger inherent in the second approach: Kant’s moral imperative. Here, the danger is precisely the opposite: we might come to turn a blind eye to results that are not moral, since our test of morality pertains only to the act itself, not to its outcome.

As an example, Kant is asked what would happen if a murderer comes to him and asks about the location of someone they are planning to kill. Would Kant reveal the target victim’s whereabouts? If we focus only on the act itself — the speech act — the moral course of action would be to tell the truth. However, in terms of the outcome, if one tells the truth, the murderer will find their victim and kill them. Is it conceivable that revealing the victim’s whereabouts is a moral act? Kant’s response is unequivocal: yes, the moral imperative demands that one tell the truth. What the murderer does with the information is their moral problem, not that of the speaker.

Immanuel Kant defines the good as obeying the law. If the law is formulated by a moral and upright, beneficent legislator, this makes sense. But if the law is the work of a vicious brute, what would we say? Immanuel Kant was a German, living in a society that had undergone centuries of Church education to “love your fellow.” What happened after all those generations? A group of evil brutes came along and put all sorts of inconceivable crimes into the lawbook. (Ibid.)

**Kant vs. Hillel the Elder**

In light of Manitou’s teaching, let us expand the discussion and consider the relationship between Kant’s approach and the morality of the Torah. Some people have drawn a connection between Kant’s moral imperative and the well-known teaching of Hillel the Elder:

On another occasion it happened that a certain non-Jew came before Shammai and said to him, “Convert me, on condition that you teach me the whole Torah while I stand on one foot.” Thereupon he repulsed him with the builder's cubit which was in his hand.

When he went before Hillel, he said to him, “That which is hateful to you, do not do to your fellow: that is the whole Torah, while the rest is the commentary thereof; go and learn it.” (BT *Shabbat* 31a)

In other words, when interacting with others, we must ask ourselves whether we ourselves would want to be spoken to or treated in that way. Along with the fact that this causes us to act towards others in the same way that we would like them to act towards us, Hillel’s teaching also meets the other criteria for Kant’s definition of morality: it is a general, universal law, and it is autonomous, meaning that each person must evaluate whether something is “hateful to you.” Each moral actor is the yardstick. The comparison between Kant’s ethics and the teaching of Hillel the Elder was disseminated by the *Chokhmat Yisrael* (Wisdom of Israel) movement, which was active at the height of the Enlightenment in Europe. A group of Jewish scholars was proud to stand up and declare that the Torah was compatible with Kant, who was considered to embody the pinnacle of human thought at the time. They argued that according to the Sages of Judaism as well, morality is autonomous.

This conclusion is not self-evident, and we might disagree with the comparison between the respective teachings of Hillel and Kant with regard to each of the three elements set forth above.

Firstly, we might argue that "that which is hateful to you" is defined by its result rather than the act itself. We might rephrase the principle thus: if a person would not would not want a given result themselves, they should not do to that to another.

Secondly, we might argue that the principle is not universal, but rather dependent on the specific individual and their particular likes and dislikes ("That which is hateful **to you,** do not do **to your fellow** "). The definition of the action as moral or immoral is arrived at here not through reason, but rather in terms of a subjective point of view ("hateful").

Thirdly, we might argue that morality, according to Hillel, is not autonomous; in acting morally one obeys not one's own human moral conscience but rather the Torah, and the source of authority is God. After all, the would-be convert who seeks Hillel's instruction (and who receives in response the teaching "That which is hateful to you…") asks to learn Torah, not morality.

One of the foremost voices rejecting the confluence of Kant's principle with that of Hillel is Professor Yeshayahu Leibowitz, who points out in *Yahadut, Am Yehudi U-mdinat Yisrael* (pp. 310-311) that Kant focuses on "You shall love your fellow as yourself” in *Vayikra* 19:18, but ignores the immediately following phrase which concludes the verse, “I am the Lord." According to Leibowitz, the Jewish tradition does not flow from any autonomous law, but rather from the obligation to obey God. If a person acts in accordance with a code of morality that they have formulated for themselves, then they are serving themselves.

**Morality must be a value in and of itself, and must be oriented towards the other**

Aside from the dangers inherent in both the teleological view and the Kantian view, Manitou points to another significant problem arising from each of these approaches. The problem with the teleological view is that if we evaluate an action in terms of its outcome, then morality is no longer a value in its own right; it becomes subservient to a different value. If we consider Aristotle's definition, for example, morality becomes subservient to happiness. This cannot be right, because a person experiences morality in their own mind as a significant and fundamental value in and of itself, not as a means to happiness or any other purpose.

Philosophers have always asked themselves what the basis of morality is, but the question has not received a satisfactory response. Why does the moral imperative obligate me? Why do I feel and sense that certain values — regardless of whether they are true values or not — obligate me? I am not aware of a single philosophical approach that has succeeded in establishing the source of morality. In every approach we find that the concept [of morality] has simply been exchanged for some other concept, such as utility, reason, obligation. (*Sod Midrash Ha-toladot* III*,* p. 45)

Through Manitou's criticism of the second approach (that of Kant), we can formulate his view of Torah morality. The moral imperative is not towards a law that a person holds in their own mind, concerning themselves, as Kant would argue, but rather an idea that proceeds towards the other. The foundation of the Torah, as we have seen, is the idea of making room for the other. Someone who reveals to a potential murderer the location of their intended victim is not thinking about and showing concern for the victim. The big question is whether morality confronts man with the other or with themselves. According to Manitou, morality has to generate a genuine relationship with the other; it cannot leave a person within the realm of their own thoughts and experience. Hillel's teaching, "That which is hateful to you, do not do to your fellow," forces a person to relate to the actual, real other who is standing in front of them. This is the source of the moral imperative. In Kant's morality, the other, and the personal connection with them, disappear.

In several places, including the source quoted above, Manitou hints to the German progression from Kant to Nazism. Adolf Eichmann, at his 1961 trial, claimed to have been faithful to Kant's moral imperative: he obeyed the orders of his superiors; he accepted the instructions that he received as a moral law that was intended for the common good. This does not necessarily mean that Nazism is the natural outcome of Kant's view, but Kant's view opens the door to such a possibility. His approach does not involve an encounter with another person; the encounter is with an abstract formula. As an abstract formula, it is possible to formulate a general law stating that a certain race is dominant, and inferior races — along with the elderly and the sick — should be eliminated. In Nazi Germany, this ideology was maintained by people whose morality did not engage with human beings.

Reason creates moral values from within itself, serving no extraneous purpose. Reason sets down categorical rules for itself. But still we must ask: who can guarantee that these categorical imperatives are for the benefit of mankind? Who can guarantee that so-and-so's reason acknowledges the importance of the other and his right to exist?

Kant's autonomous morality — or any autonomous morality whose source is man himself — may eventually turn out to be the epitome of immorality, cruelty and evil, if the person who determines what is good is not upright himself. The morality of the Torah is not autonomous but rather heteronomous: its source is not man's reason, but rather the Divine Will of the Creator Who willed, of His own accord and with no necessity, to create the other and bestow existence on him. This act — granting existence to the other — is the ultimate moral act. This is the foundation of all morality, according to the Jewish sages. (Ibid., pp. 45-47)

The comparison with these two approaches serves to clarify Manitou's perspective of morality as an encounter with the other. Like Hillel, who formulates his principle in terms of a person's attitude towards and treatment of their fellow, Manitou asserts that morality cannot remain confined to a person's own inner world; it must make room for the other. To reformulate the matter using terms borrowed from Jewish tradition, we might say that Kant's morality belongs to the realm of *din* (strict justice), while Manitou insists that morality must be infused with the spirit of *chesed* (lovingkindness), which goes beyond the letter of the law.

Translated by Kaeren Fish