**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Topics in Hashkafa**

**Rav Assaf Bednarsh**

***Shiur* #25: Natural Morality (1)**

Adapted by Leora Bednarsh

Is there morality without the Torah? Throughout the history of philosophy, philosophers have debated whether there exists a natural morality that is binding even in the absence of any legislated ethical rules. Similarly, Jewish philosophers have debated whether there would be objective moral right and wrong if God had not revealed His will and commanded us various moral obligations, from the seven Noahide laws through the six hundred and thirteen *mitzvot* of the Torah.[[1]](#footnote-2)

**The *Eish Kodesh*: No Natural Morality**

The Piaseczner Rebbe, in his collection of sermons *Eish Kodesh*,[[2]](#footnote-3) asserts that a gentile who acts ethically does so because he believes in the existence of an independent moral truth. According to this conception, the commandments of God reflect that pre-existing, independent truth. However, we Jews believe that God is the only valid source of moral truth. According to the Piaseczner, it is forbidden to steal only because the true God commanded us not to steal, and it is forbidden to murder only because the true God forbade murder. Those commandments created a moral truth because they issued from the true God.

He proves this contention from the fact that Halacha does permit moral wrongs in certain circumstances, which would not be possible if they were objectively forbidden. For example, theft is permissible when authorized by the court (*hefker beit din hefker*). More radically, God Himself explicitly permitted murder in the commandment to Avraham to sacrifice his son Yitzchak, which constituted a binding obligation, although it was eventually rescinded due to external considerations.

According to this approach, there is no objective moral right or wrong in the world. What we call natural moral intuition is merely the influence of secular ways of thought or the clever workings of the evil inclination. The only valid source of truth is Divine revelation.

This negation of any valid truth that emerges from human reasoning or intuition strikes us as very devout, and in fact corresponds to a general repudiation of the conclusions of unaided human reasoning, which is pervasive in certain religious communities. But is this perspective consistent with the source texts of our tradition?

**Two Talmudic Passages that Assume Natural Morality**

We find two Talmudic passages in which the Sages relate explicitly to the theoretical question of what would have been had God not revealed His will in the Torah. The Talmud states:

**R. Yochanan said: Even if the Torah had not been given, we would have learned modesty from the cat** [which covers its excrement], **and** that **stealing** is objectionable **from the ant** [which does not take grain from another ant], **and forbidden relations from the dove** [which is faithful to its partner]. (*Eruvin* 100b)

 One may wonder why we would have learned modesty from the cat and loyalty from the dove, and not lethal violence from the lion or evil cunning from the snake. It seems that R. Yochanan did not intend to suggest that we merely emulate what the animals around us do, but rather that we use our natural moral intuition to observe the behaviors of the various animal species and intuitively realize which of those features are worthy of emulation and which should be condemned. In any case, R. Yochanan clearly states that even if God had never revealed His will to us, we would be responsible to learn morality on our own.

Likewise, we find in another Talmudic passage:

**The Sages taught:** **“You shall do My ordinances** [and you shall keep My statutes to follow them, I am the Lord your God”] (Leviticus 18:4) – [“My ordinances” is a reference to] **matters that,** even **had they not been written,** it would have been **logical that they be written. They are** the prohibitions against **idol worship, prohibited sexual relations, bloodshed, theft, and blessing God** [a euphemism for cursing the Name of God]. **“And you shall keep my statutes” – [This** is a reference to] **matters that Satan** **challenges** because the reason for these *mitzvot* are not known. **They are:** The prohibitions against **eating pork and wearing *sha’atnez* (garments of wool and linen);** performing the chalitza ceremony with **a** yevama (a widow who must participate in a levirate marriage); **the purification** ceremony **of the leper; and the scapegoat. And lest you say these** **are meaningless acts [as they have no reason],** therefore **the verse states: “I am the Lord,”** to indicate: **I am the Lord – I decreed these statutes and you have no right to doubt them. (*Yoma* 67b)**

The Talmud explicitly states that those commandments of the Torah that are labeled *mishpatim* should have been legislated even if they were not written in the Torah. In other words, we are expected to intuit and follow certain rules of morality even in the absence of revelation.[[3]](#footnote-4)

**Ramban and Rambam Support Natural Morality**

This is also the position of Ramban, as expressed in his commentary to the story of the deluge.[[4]](#footnote-5) Ramban asks why, according to the midrashic tradition, the fate of the generation of the flood was sealed because of the sin of theft, as opposed to their many sexual perversions. He answers that the prohibition of theft is intuitive and is therefore binding even in the absence of prophetic revelation. The generation of Noach was punished for violating the natural moral law, even in the absence of revelation. Likewise, R. Yosef Albo[[5]](#footnote-6) explains that there exist three types of law, the first of which, called natural law, is binding in all times and places, even without an act of human or divine legislation.[[6]](#footnote-7)

Similarly, Rambam writes that the unaided human mind can deduce the existence of various moral precepts. He writes explicitly that the seven Noahide laws can be known by our moral intuition even in the absence of revelation,[[7]](#footnote-8) and he states that a gentile who obeys these seven Noahide commandments merely because of the inclination of human reason is considered wise, even though he is not pious, because he follows the path of wisdom even though he does not heed revelation.[[8]](#footnote-9)

**R. Saadia Gaon**

R. Saadia Gaon is perhaps the most ambitious in his formulation of the significance of natural morality. He explains that God implanted in human psychology a moral intuition that is capable of discerning moral truths that are universally binding.[[9]](#footnote-10) R. Saadia Gaon states clearly that even before the revelation of the Torah, we were obligated to follow the dictates of natural morality. He further assumes that the Torah cannot possibly contradict natural morality, and boldly asserts that if Moshe had descended from Mount Sinai and commanded us a Torah that contradicted the dictates of natural morality, we would have been bound to reject it. He even assumes that even God Himself is bound by natural morality, and it was therefore a moral imperative for God to promulgate the commandments found in the Torah, because natural morality dictates that a wise ruler who is able to encourage moral practice must do so.[[10]](#footnote-11)

**Summary**

The *Eish Kodesh* claims that from a religious perspective, there is no true morality other than that revealed by Divine command. We have demonstrated, based on two Talmudic passages and the statements of the great medieval Jewish philosophers, that from a Jewish perspective, the human mind is capable of attaining binding moral knowledge. God Himself, who implanted a moral intuition in human beings, expects all people to follow the dictates of natural morality even in the absence of revelation, and He holds us responsible if we fail to do so. Even a Jew, then, can agree that there is an objective moral truth independent of Divine commandments.

**R. Lichtenstein: Natural Morality is Superseded by Torah**

R. Aharon Lichtenstein, in an article about this topic entitled “Does Judaism Recognize an Ethic Independent of Halakhah,”[[11]](#footnote-12) likewise concluded that the mainstream Jewish tradition does recognize the existence of binding morality even in the absence of revealed commandments. R. Lichtenstein then asks a second question. If we assume that there is some system of morality that would be binding upon us had we not received the Torah, but we did in fact receive the Torah, what relevance does natural morality have for us now that we are bound by the Divine morality of the Torah?

R. Lichtenstein answers that, at least on an operative level, natural morality has no relevance to the life of a Jew who is obligated by the commandments of the Torah. The Torah, argues R. Lichtenstein, constitutes a complete moral system that includes all the principles of natural morality, in addition to the more advanced moral and spiritual demands that apply particularly to the Jewish People. Natural morality has thus been superseded by the Torah, and we may conclude that the natural moral order has no relevance whatsoever to a Jew, because following the commandments of the Torah will fulfill all the demands of natural morality, plus much more.

**R. Glasner: Natural Morality Supplements the Torah**

Another twentieth-century Jewish thinker and leader of religious Zionism, R. Moshe Shmuel Glasner, took a radically different approach to this issue.[[12]](#footnote-13) He suggests that while the Torah did command us all the moral precepts necessary for spiritual perfection, which could never have been discovered by natural means, the Torah omitted some moral obligations that are known by unaided human reason and were therefore deemed unnecessary to repeat. Examples of this include the prohibitions of cannibalism, eating disgusting creatures, and public nudity, and the obligation of a father to support his young children. R. Glasner explains that these moral obligations are binding on us even though they were not written in the Torah. Furthermore, one who violates the principles of natural morality commits a worse sin than one who violates a commandment of the Torah, as he betrays not only his commitment to Judaism, but his very humanity. Therefore, when faced with a choice between violating a Torah commandment or a principle of natural morality, one must choose the lesser evil of a Torah violation rather than the greater evil of transgressing natural morality. For example, one who is stranded on a desert island and must eat either non-kosher meat or human flesh in order to survive should eat the non-kosher meat, which constitutes a more serious halachic infraction, rather than the human flesh. which constitutes an infraction of natural morality.[[13]](#footnote-14)

**R. Kook: Natural Morality is the Foundation of the Torah**

 A third answer to this question is found in the writings of R. Kook. In contrast to R. Glasner, R. Kook is convinced that the Torah encompasses the whole of morality and omits nothing. However, experience proves that those who insist on following only that which they learn from the Torah, suppressing their natural moral intuition, do not achieve moral perfection and often act immorally while professing unswerving loyalty to the Torah.[[14]](#footnote-15) R. Kook explains that natural morality is crucially important and indispensable for a Jew who strives to serve God. However, natural morality is not more important than Torah observance, nor is it a necessary supplement to Torah observance.

According to R. Kook, there is nothing greater than the fear of Heaven and service of God expressed by following His Torah. However, not everyone who professes to follow the Torah is in fact interpreting the Torah properly, and not everyone who claims to act out of fear of Heaven, or even believes that he does so, is in fact inspired by true fear of Heaven. It is all too easy for the fear of Heaven to be adulterated and for the Torah to be misunderstood and corrupted so that it serves selfish and unethical motives instead of the true service of God. Even the Torah itself cannot guarantee that it will not be misinterpreted and its intention perverted. What, then, can guarantee that a student of Torah achieves a proper understanding of Torah and that one who strives to fear Heaven can attain an authentic fear of Heaven? According to R. Kook, this is the role of natural morality. The litmus test for authentic fear of Heaven is whether it suppresses our natural ethical instinct or raises that instinct to higher levels of power and sophistication.[[15]](#footnote-16) One possessed of a healthy moral intuition who leads an ethical life can then look into the Torah and find the path to spiritual perfection. In Rav Kook's words, "to such a person will be opened gates of enlightenment, which are broader, brighter, and holier than any enlightenment than can be achieved by human reason alone.” However, if one does not have the necessary moral infrastructure, and particularly if one approaches Torah with the idea that true commitment to Torah necessitates a suppression of one's moral instincts, then he cannot possibly find enlightenment or holiness in his Torah study.[[16]](#footnote-17)

Rav Kook describes the relationship between natural morality and Torah with a beautiful parable, comparing natural morality to a foundation and the Torah to a beautiful palace. The palace is incomparably greater than the foundation, and we want nothing more than to live in the grand and majestic palace. However, the foundation is a prerequisite for the existence of the palace. A palace built on a sturdy foundation will serve its function well, but a palace built without a foundation will quickly come crashing down and destroy its inhabitants.[[17]](#footnote-18) On a practical level, R. Kook concludes that we must embrace the educational vision of the Sages, who taught us that *derekh eretz kadma la-Torah*, ethics precedes the Torah.[[18]](#footnote-19) In every generation, we must teach natural morality as a prerequisite for understanding the Torah, and in fact there is no part of the Torah that can be appreciated properly without natural morality.[[19]](#footnote-20)

We have thus seen four approaches to the relationship between natural morality and Torah. The *Eish Kodesh* maintained that there is no such thing as natural morality; a Torah Jew must realize that morality is found only in the Torah and not anywhere else. R. Lichtenstein argued that there is a natural morality that is binding in God's eyes, but the Torah has superseded that morality and constitutes a complete and sufficient system of morality. R. Glasner claimed that even after we received the Torah, we need to heed the commands of our moral intuition, because not all of morality is found in the Torah, and those moral precepts which are not found in the Torah are even more binding than those explicated in the Torah. R. Kook held that the Torah subsumes all of morality, and one who properly understands Torah morality lacks nothing. However, the Torah was not meant to supplant natural morality, but rather to raise and advance it to immeasurably greater heights. One who begins with natural morality can reach higher levels of holiness and spirituality by following the Torah, but one who attempts to fulfill the Torah without the prerequisite of natural morality will instead corrupt the Torah and pervert its intention.

1. The question of whether morality exists in the absence of Divine revelation is not equivalent to the question of whether morality could exist without God, one side of which was memorably formulated by Dostoevsky: "If God does not exist... then all is permitted." It is certainly possible to claim that morality cannot exist in the absence of God but could exist without Divine revelation. In this *shiur*, we will not analyze the question of whether there could be morality if God did not exist. Since we believe that the entire world would not exist if God did not exist, it is impossible to inquire as to what would be were the world to exist without God. Instead, we will assume the existence of a world created by God and analyze whether God would hold us accountable to behave ethically if He had not commanded us to do so. [↑](#footnote-ref-2)
2. R. Kalonymus Kalman Shapira (Poland, 1889-1943), *Eish Kodesh,* p. 68. This particular sermon was delivered on Rosh Hashanah 1940 in the Warsaw Ghetto. [↑](#footnote-ref-3)
3. Marvin Fox (“Maimonides and Aquinas on Natural Law,” *Dine Yisrael* 3 [1972], pp. 5-27), who denies the existence of natural morality, interprets these two Talmudic passages as stating merely that it would have been practically beneficial to deduce and legislate these moral principles, not that they would have been ethically binding. However, this is not the straightforward reading of these passages, and it certainly contradicts the opinion of Ramban and other medieval Jewish philosophers quoted below. [↑](#footnote-ref-4)
4. Ramban to *Bereishit* 6:13. [↑](#footnote-ref-5)
5. R. Yosef Albo (Spain, c. 1380-1444), *Sefer Ha-Ikarim*, book 1, chapter 7. [↑](#footnote-ref-6)
6. His other two categories are conventional law, which is binding as a result of human legislation and aims to improve society in accordance with the specific needs of the time and place, and Divine law, which is ordained by Divine revelation and aims to achieve spirituality and holiness. [↑](#footnote-ref-7)
7. *Hilkhot Melakhim* 9:1. [↑](#footnote-ref-8)
8. *Hilkhot* *Melakhim* 8:11. An alternate version of this text of the Rambam states that such a gentile is neither pious nor wise. However, all the manuscript evidence supports the reading that we have adopted. See the critical notes in *Mishneh Torah*, *Sefer Shoftim*, ed. Shabse Frankel.

Rambam's position on the nature of moral knowledge is complex. In both texts from *Hilkhot* *Melakhim*, Rambam states that logic inclines towards these moral precepts, but not that it absolutely demonstrates their correctness. Likewise, in the introduction to his commentary on *Masekhet Avot*, known as *Shemonah Perakim*, Rambam takes umbrage at R. Saadia Gaon's characterization of those commandments that overlap with natural morality as “logical” commandments (*mitzvot sikhliyot*), because Rambam holds that moral knowledge does not have the same epistemological status as metaphysical knowledge and is not subject to strict logical proof. See *Shemonah Perakim*, ch. 6; *Moreh Nevukhim* I:2, III:27. For the purposes of this *shiur*, however, we will not differentiate between the position of Rambam and that of R. Saadia Gaon and other medieval Jewish philosophers. [↑](#footnote-ref-9)
9. Philosophers have proffered a number of theories regarding what the source of natural morality is. Many philosophers have theorized that natural morality consists of those obligations that can be derived from certain first principles that are assumed to be axiomatic, e.g., utilitarianism or Kant’s categorical imperative. Conversely, R. Saadia Gaon and other philosophers hold that the source of natural morality is not any philosophical system, but rather a moral intuition that is naturally found in the human mind. According to this conception, it is possible that there is natural morality but not natural law. In other words, we can inherently know the general principles that govern moral behavior, but not necessarily all the specific rules that constitute the application of moral principles to the real world. For the purposes of this *shiur*, however, we will not distinguish between the question of natural morality and that of natural law. [↑](#footnote-ref-10)
10. R. Saadia Gaon claims that even those parts of the Torah that deal with our ritual obligations towards God and could have not have been known via natural morality nonetheless fall under the obligations of natural morality. Morality dictates that we repay kindness with thanks and appreciation, and we are therefore morally bound to praise and serve God, because He created us. Natural morality, however, does not specify the particular ways in which we should express our appreciation to God. [↑](#footnote-ref-11)
11. R. Aharon Lichtenstein, “Does Judaism Recognize an Ethic Independent of Halakhah?,” reprinted in *Leaves of Faith: The World of Jewish Living,* vol. 2, pp. 33-56. [↑](#footnote-ref-12)
12. R. Moshe Shmuel Glasner (Hungary, 1856-1924), *Dor Revi’i, Petichah Kelalit*,section 2, pp. 57-58. [↑](#footnote-ref-13)
13. It is well known that the two founding Roshei Yeshiva of Yeshivat Har Etzion, R. Aharon Lichtenstein and R. Yehuda Amital, disagreed regarding this theoretical scenario. R. Amital, quoting R. Glasner, was of the opinion that one must consume the non-kosher meat rather than the human flesh, and R. Lichtenstein ruled that one must consume the human flesh before eating non-kosher meat. This fits R. Lichtenstein's approach as explained above. If, in fact, the Torah does include all necessary moral principles, then if the Torah did not include a severe prohibition of cannibalism, we must conclude that the prohibition of cannibalism is not particularly severe compared to that of consuming non-kosher meat. [↑](#footnote-ref-14)
14. It we were to envision such a person, R. Glasner would explain his failing as a neglect of those moral principles not found in the Torah. Based on R. Lichtenstein, we would have to assume that a true follower of the Torah could never be an unethical person, and therefore such a character must not have learned Torah properly. The *Eish* *Kodesh* would suggest that there is nothing wrong with such a character at all. If he authentically follows a valid interpretation of the Torah then, by definition, he is moral. If our ethical intuition judges otherwise, then we would we be required to ignore it and follow the Torah morality instead. [↑](#footnote-ref-15)
15. R. Avraham Yitzchak Ha-Kohen Kook, *Orot Ha-Kodesh,* vol. 3, p. 27. [↑](#footnote-ref-16)
16. R. Kook, *Mussar Avikha,* ch. 12, par. 5. [↑](#footnote-ref-17)
17. Ibid., par. 2. [↑](#footnote-ref-18)
18. *Vayikra Rabba* 9:3. [↑](#footnote-ref-19)
19. R. Kook, *Mussar Avikha,* ch. 12, par. 3. In a later essay (*By His Light,* appendix to ch. 1, pp. 21-23), R. Lichtenstein echoes R. Kook’s position and suggests that although the Torah supersedes natural morality on an operative level, morality serves as the basis for the Torah on an axiological level. He also uses the metaphor of a foundation and a building for the relationship between universal values and Torah. [↑](#footnote-ref-20)