

Foundations of Morality: Understanding the Modern Debate

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There is a powerful disagreement in the world of morality and ethics these days. For years, it would seem that most individuals committed to morality and ethics would, essentially, agree on what was correct. The question, and the source of debate between committed individuals, was how to achieve the moral goal, not its essential definition. The disagreements in our present world seem to be broader. Disagreements are no longer just about how to achieve an objective; it would seem to be about the objective itself; people disagree on the very definition of the moral goal. Of course, this is not the first time in history that we have encountered a shift in moral paradigm and a concurrent orbit of debate. There is still a challenge to understand this modern moral dilemma. We are called upon to clearly describe the exact nature of the modern debate and to fully understand the Torah voice in it.

The Nature of Today's Moral Debate

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Whenever we encounter a debate or disagreement, it is demanded of us to define the exact nature of the conflict. When studying Torah, we ask: what is the *yesod hamachloket*? What is the essence of the dispute? How one defines the true nature of a disagreement – the essential variance in conceptual foundation underlying the conflict – will greatly affect how one will respond to the issue at hand and determine the nature of any decision or resolution.

This undertaking is not an easy one. Whatever the actual focus of a disagreement, the essence of the conflict – the underlying principles in dispute – often are not easy to determine. There are many reasons for this difficulty. One is the simple realization that there may be many layers that need to be uncovered in order to find the connection

between the actual issue at hand and the essence of the dispute. Whenever anyone says the issue is not the money but rather the principle, we find this type of difficulty. What exactly is the principle? The further problem is that the truth may actually be that it is the money.

A second general difficulty with this undertaking is that it often may demand of us the consideration of viewpoints that we have never even contemplated. We are all bound to our frames of reference which often make it impossible to see other frames of reference. Of course, recognizing a different viewpoint does not mean we have to embrace it; in fact, clarification of differing views through the recognition of the underlying variant perspectives can actually, in various circumstances, increase the intensity of the disagreement. Yet, we often still are reluctant to expand our perspective to contemplate fundamental differences in perspective, almost believing that by articulating such views we are giving some measure of acceptance to such views. The result is that we define disagreements upon assumed shared beliefs when, in fact, the disagreement is in the very nature of the underlying beliefs. We place disagreements in the realm of facts, not recognizing that the issue is the underlying principles. Often, as mentioned above, we also choose to define disagreements as reflecting a pragmatic argument on how to reach a certain goal when the true essence of the disagreement is a dispute over the very goal itself.

Another general difficulty is that we also tend to avoid subtlety and depth in defining a dispute. We are more comfortable in the realm of black-and-white, defining one view in a dispute as fully correct and the other as fully incorrect. Like the little angel and little devil in cartoons, we tend to define disputes as battles between good and evil, with the two lines clearly demarcated and easy to identify. In actuality, disputes often reflect a conflict between two positive principles. While it may still be incorrect to follow one positive principle when it is more correct to follow another positive principle, it is still important to understand that the conflict is between two positive principles which, in this particular case, may be mutually exclusive. We are often reluctant to see this for numerous reasons – we don't want to see that even in doing good there may be negative consequences, we don't want to give any consideration of value to an opposing view, we don't want to weaken the resolution of our conviction by recognizing value in the opposing view – but this nonetheless may still be the truth. Finding the true essence

of a disagreement may highlight the complexity of life and demand of us greater contemplation in making life decisions. Thus we may try to avoid this direction, yet, as in the very pursuit of all truths, such recognition is necessary – in order to make correct decisions; in order to fully understand areas of conflict and deal correctly with disagreements and opposing views; and, perhaps most importantly, in order to meet God's demand of us.

These considerations clearly must be applied whenever we investigate a *machloket* in learning. The fact is that these considerations are applicable in the investigation of any disagreement, even in the analysis of non-Torah positions. It is only through proper analysis that we can find the essential issue and essential problem. It is such considerations – attempting to find the underlying thoughts of those with whom I even fundamentally disagree -- that led me to the thoughts that I expressed in **The Middle East: The Perplexity of Din and Rachamim** (<http://www.nishma.org/articles/commentary/middle.html>). In a similar vein, in recent years, there have been other shifts in the moral horizon that can be most troublesome to one committed to Torah – and they need also to be addressed. It is not enough to summarily dismiss everything as the *yetzer harah*, the evil inclination, implying amoral and/or clearly immoral motivations. It is incumbent upon us to fully investigate the real motivation, if not for any other reason than to truly understand the Torah perspective and to foster the rejection of the opposing view. There is a battle being fought in our world today between two definitions of morality and ethics. It is important for us to understand the nature of this battle so that we may truly understand the Torah's voice within this battle.

The Moral Principle...or Principles

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Sifra, Kedoshim 45 (on **Vayikra 19:18**) presents an interesting disagreement between Rabbi Akiva and Ben Azzai. In reference to the famous statement of *V'ahavta l'rei'acha k'mocha*, which is problematically, generally translated as “you should love your neighbour as yourself,” Rabbi Akiva states that this is a great principle in Torah. Ben Azzai responds that the verse of *Zeh sefer toldot Adam*, “This is the book of the generations of Adam”, i.e. **Bereishit 5:1**, is a greater principle. Ben Azzai's reference to this seemingly insignificant verse raises wonderment. Why would this verse be so

important, even more important than the classic call of *v'ahavta l'rei'acha k'mocha*?

The answer may lie in the fact that this verse includes the statement that God created Adam in His likeness, i.e. Man is created in the likeness of God. **Rabbi Shimshon Raphael Hirsch, Bereishit 5:1**, who identifies this significance in the verse, further translates *toldot Adam* as the developments of Adam. In other words, it may be that Ben Azzai is stating that the principle declaring the significance of human endeavours – and, as such, human behaviour, civilization and history – as the product of humanity being created in the likeness of God, is a greater principle than *v'ahavta l'rei'acha k'mocha*. Ben Azzai is not necessarily disagreeing with Rabbi Akiva. He may agree that *v'ahavta l'rei'acha k'mocha* is an important principle within Torah thought. He is just adding that there is another principle that may be more important -- the principle expressed in **Bereishit 5:1**.

Many understand Rabbi Akiva and Ben Azzai as both presenting deep reflections on the basic moral imperative to care for others. See, for example, **Malbim, Vayikra 19:18**. **Rabbi Shimshon Raphael Hirsch, Bereishit 5:1** also understands their words in a similar manner, as reflecting upon the basic moral principle of empathy, caring and giving, although he also discusses the reference in this verse to the uniqueness inherent in the very nature of humanity being created in the image and likeness of God. At the root of such thought may be the basic perspective that it is indeed because humanity is created in the image of God that we have the moral sensitivity of caring for others. Yet is this indeed the case? Is this collective moral imperative that calls to us a reflection of the fact that Man is created in the image of God? Clearly, to some extent, this would be true. The third last *mitzvah* in the Torah, **Sefer Hachinuch, Mitzvah 611** (based on **Devarim 28:9**) declares, is the call to emulate God – just as He is compassionate, we are to be compassionate. Yet it is also the fact that we are created, each one individually, in the image of God that gives force and meaning to our individuality. See **Me'iri, Sanhedrin 37a**. Unlike the animals, whose individuality is fully subordinate to the nature of the species, the individual nature of the human being stands distinct even from the status of the human species. In a certain way, it is also the fact that we are created in the image of God that dampens the collective moral imperative.

It is my belief that Ben Azzai, in making his statement, is actually presenting a dialectic that must be inherent in the application of ethics. There is not one but, rather,

two moral principles that must be navigated in striving for the moral and ethical goal. One is the principle of caring. The other is the principle of dignity. To simply care, without considering the Torah directive of human dignity, is not sufficient. Similarly, to simply advocate for human dignity, without the necessary qualities of human empathy, also is insufficient. Rabbi Akiva, I believe, also knew this to be true and found this inherent in the very verse of *v'ahavta*. Ben Azzai wished to strengthen the message by declaring the importance of the verse that enunciates the principle that all of human behaviour flows from the human being created in the likeness of God.

These words need some further explanation. When we empathize with another, what we do is effectively see ourselves as similar. While part of this call may be to recognize that my friend, created in God's image, is just as important as I am, this very concept also calls upon me to consider the demands inherent in this recognition. To be created in God's image is to demand of me to strive to reach the heights of human dignity. In line with the famous *mussar* call of Slobodka – how could I, born in God's image, lower my dignity to sin? The corollary of this, though, is often the reality that one will also evaluate the other. To set a standard necessarily includes defining those that meet the standard and those that do not. The moral call of human dignity thus can challenge the call of empathy and caring. It is actually the rejection of a standard that can foster empathy and caring in its most universal application. In its broadest formulation, the call to care is a demand to care for all regardless of behaviour; to care for all regardless of how lacking in human dignity they may be. It is my belief that Ben Azzai is reinforcing the importance of the dialectic in morality and ethics. We must have both principles: caring and dignity. Not the synthesis of the two but the mutual co-existence of the two in the tension of the dialectic. We must call for dignity even though it will separate human beings through the reality of standard. We must also call for universal empathy and caring even though it will mute the call for human dignity.

The difficulty in our world is that this dialectic is under fire. The two principles of dignity and caring are at war, at the expense of each other. When dignity exists without caring, the call for humanity to meet its essence as a creation in the image of God can lead to defamation of one who is not meeting that standard. Of course, *din*, justice may require such judgement but the tempering nature of *rachamim* reminds us to consider the principle of empathy. When there is no *rachamim*, no recognition of our

common bond as creatures of God, the call for dignity can be cruel. This is aside from the problem that one may define the nature of dignity in an incorrect manner.

When caring exists without dignity, though, the very existence of a standard can be ignored. This idea was expressed, to some extent, in the above noted **The Middle East: The Perplexity of Din and Rachamim** to explain the liberal trend to empathize even with terrorists. Yet the depth of this position is still more profound. In an article I once read, it was presented that some advocates of gay rights declare that the great evil that prevents the furtherment of these rights is the idea, advanced by religion, that human beings are something special, above the animal. They argued that once it is recognized that human beings are but animals, programmed to follow their drives, people will be empathetic to the homosexual simply doing what he/she is biologically programmed to do. It is advanced by religion that humanity is more than an animal, imbued with some special Godly dignity, the article continues, and that is the source of human neurosis and many of our societal evils. Their call is for universal empathy, built upon the broad base that humanity is simply another species within the animal kingdom.

Torah calls for empathy even for the one who does not meet the standard of dignity – but it still demands dignity. Torah lives within the dialectic between these two poles. A morality based upon the call for dignity without this universal empathy has no tolerance when the human being fails. It ignores the fact that we are a hybrid of *guf* and *neshamah* with a goal to achieve a unity – but still with the dilemma of this tension. A morality based solely on empathy without a call for dignity, though, has no standard. Such individuals simply respond to the cry of pain without contemplation of whether there is even a consideration for the challenge of dignity. In fact, these individuals even believe that the total rejection of dignity may be understandable given the circumstances. The uniqueness of the human being created in God's image is ignored. Human beings are simply another species in the animal kingdom; the only call from this perspective is non-judgemental empathy in response to need.

The moral call of the Torah is continuously to consider these two principles of ethical development – dignity and empathy. Sometimes, the two principles do go in tandem. The advancements to restrict slavery, for example, furthered the recognition that human beings were dignified – all human beings were dignified – and that we should care that all human beings exercise this aspect of their being. In fact, as in the case of

slavery, empathy and dignity often worked in tandem as the empathy that was demanded was to recognize the dignity inherent in every human being.

Today's moral dilemmas are predicated on a new problem. The issue is not the advancement of one or both moral principles in the face of other considerations, as was often the case in history. The modern moral debate regards the advancement of one moral principle against the other. When Rosa Parks began the Civil Rights Movement it was a call to empathize with the other's desire for human dignity. In the modern Gay Rights Movement, there is the same strident call -- but solely for empathy. Empathy is still indeed demanded, but this call is for empathy in the face of dignity; it is a call for empathy for the collective as a species of the animal kingdom, not as humans created in the image of God. Yet to simply define the gay individual as evil is a twisted call for dignity in the face of empathy. The Torah demands the dialectic.

This is the challenge of morality in our present world. It is a battle of moral principles – without the Torah recognition that, to achieve true morality and ethics, we must live within the dialectic inherent in the reality of the co-existence of the moral principles. We must have dignity and empathy. The divergent moral calls that wish to advocate for new moral orders seem to be built upon orders that stand on only one moral principle. They are, thus, inherently weak. The Torah demands the dialectic of empathy and dignity.

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