A Philosophical Note
On *As a Driven Leaf*

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David Golinkin's new introduction (printed in this issue of *Zeramim*) to Milton Steinberg's classic historical novel, *As A Driven Leaf* (hereinafter, *AADL*),[1] differs from the 'introductions' by David Wolpe and Chaim Potok, prefacing the most recent American re-releases of *AADL*, in that Golinkin invites the new reader to focus on Steinberg's theme of the relationship between 'faith' and 'reason.'

That theme was certainly central to Steinberg's own philosophic thinking.[2]

And, indeed, *AADL* presents us, through the mouths of three of its principal characters, three different proposals for reconciling faith and reason.

As noted herein, the 'resolution' that *AADL* appears to favor, however, is one that Steinberg elsewhere acknowledged was *not* one that the Rabbis of the Talmud would have even considered Moreover, Steinberg himself observed near the very end of *AADL* that the apparently favored 'resolution' was itself problematic.

Accordingly, this note will first review the three proposals for 'reconciliation of faith and reason' set forth in *AADL*. We will then suggest that Steinberg might have been—and in any event *we*, today,

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[1] All references herein are to the pagination in the New York Berman House paperback edition of 1980.

[2] See, *e.g.*, Arthur Cohen's "Introduction" to *Anatomy of Faith* (NY: Harcourt, Brace & Co.; 1969)—a collection of articles and speeches by Milton Steinberg as compiled/edited by Cohen. See, *e.g.*, Cohen's introduction therein (at p. 63), to Steinberg's 1942 essay, "Toward the Rehabilitation of the Word 'Faith,'" noting that that essay "was a preliminary study in what was to have been a volume to be called THE ANATOMY OF FAITH."

See also Jonathan Steinberg, "Milton Steinberg, American Rabbi—Thoughts on his Centenary", *Jewish Quarterly Review* 95:3 (Summer 2005), pp. 579–600.

might be—interested in a relatively recent development in the 'neo-pragmatic' philosophic analysis of 'objectivity,' exemplified in the recent writings of Catherine Elgin,[3] and of Hilary (*z"l*) and Ruth Anna (*tibbadel lechayyim*) Putnam,[4] which might offer a fourth, and more satisfactory, path.

We are plainly *not* addressing herein features of the novel that have appealed to the vast majority of *AADL*'s readers over the years—and we do not mean to dissuade anyone from focusing on these many other attributes of *AADL*. Just as, however, we have learned much in the past 80 years about, *e.g.*, the history of the rabbinic movement in the years 70 CE–220 C.E., and about how to read critically the different layers of rabbinic literature, to see how the image of *AADL*'s central character, Elisha ben Avuyah, was transformed therein over time, so too, I suggest, there have been important developments in philosophic understanding these past 80 years, which warrant notice.[5]

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[3] See Catherine Elgin, *True Enough* (Cambridge, MA: MIT Press, 2017).

[4] See Hilary Putnam and Ruth Anna Putnam, *Pragmatism as a Way of Life*, edited by David McArthur (Cambridge, MA: Harvard University Press, 2017) (hereinafter: Putnam, *Pragmatism*). Hilary Putnam was the author, late in his life, of *Jewish Philosophy as a Guide to Life: Rosenzweig, Buber, Levinas, Wittgenstein* (Bloomington, Indiana: Indiana University Press, 2008). At the time of his death in 2016, he was a University Professor Emeritus at Harvard University. Ruth Anna Putnam, Professor Emerita of Philosophy at Wellesley College, is now 91. (It is traditional, when listing together one whose 'memory is for a blessing' with one who is still living to 'differentiate for life.')

[5] Steinberg, in his 'Author's Note' at the end of *AADL* (at p. 479), stated that "the author has attempted throughout to be true in spirit to the ancient world both Hellenistic and Jewish." And, as Cohen noted ("Introduction" to *Anatomy of Faith*, at p. 49), *AADL* reflects the research that Steinberg had undertaken when he was contemplating writing a doctoral thesis "on the influence of classical culture on rabbinic Judaism." While, indeed, Steinberg's setting reflected the historical understanding of his time, there have been subsequent changes.

For one view of recent developments in understanding the historical context of the rise of the rabbinic movement after 70 C.E., see, *e.g.*, Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: Mohr Siebeck, 1997), esp. at pp. 186–187, summarizing the current scholarly consensus that "[t]here is no …

Steinberg's First Proposal: Faith

Steinberg places in the mouth of the venerable sage Rabban Yochanan ben Zakkai (hereafter RYbZ) (in the "Prologue," at p. 13, reprised as Elisha's realization at p. 473) the position that

> There is no Truth without Faith. There is No Truth unless first there be a Faith on which it may be based.

I am not aware, however, of RYbZ—nor indeed any of the other rabbinic sages—asserting this position.[6]

Indeed, writing ten years later, in his 1949 essay "Kierkegaard and Judaism,"[7] Steinberg explains that 'faith vs. reason' was simply *not* an issue for the rabbis of the Talmud:

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evidence for the existence of a sanhedrin/great court/national council in the period 70–220 [CE]." See also E. P. Sanders, *Judaism: Practice and Belief, 63 BCE–66 CE* (London: SCM Press, 1992) at pp. 472–481, arguing that in that earlier period as well, "there was no body that combined judicial and legislative powers [with, *e.g.*,] appointments for life [and] majority vote. …. This whole picture is a scholarly invention …." See also my essay "*Takkanot* of Mattityahu ben Yohanan and David Ben-Gurion," *Conservative Judaism* (hereafter *CJ*) 59:2 (Winter 2007), pp. 68–84, esp. at pp. 70–76.

For those interested in pursuing further the characters of Elisha ben Avuyah, and Rabbi Akiba, as understood in current scholarship, see Alon Goshen-Gottstein, *The Sinner and the Amnesiac: The Rabbinic Invention of Elisha ben Avuya and Eleazar ben Arach* (Stanford: Stanford University Press, 2000), and ch. 7 in Azzan Yadin-Israel, *Scripture and Tradition: Rabbi Akiva and the Triumph of Midrash* (Philadelphia: University of Pennsylvania Press, 2015).

Whether or not *AADL* is still "true in spirit" in light of current historiography, however, there is certainly still value, as a philosophical thought-experiment, in seeing how various alternative philosophical ideas play out, even in an imagined context.

6   David Golinkin, in his "*As A Driven Leaf* by Milton Steinberg—Notes and Sources," *Responsa in a Moment* 9:7 (July 2015) (Schechter Institute) (available online), does not proffer any citation therefor. See http://www.schechter.edu/as-a-driven-leaf-by-rabbi-milton-steinberg-notes-and-sources/ as accessed on March 12, 2019.

7   Reprinted in *Anatomy of Faith*, *supra* (quotation from pp. 144–145).

Least clearly definable is the position of Judaism on the first of [Kierkegaard's] five antinomies, that between faith and reason. Of conflicts on the philosophy-*versus*-religion or science-versus-religion level Jewish thought has its quota. Such is the purport of the first chapter of Saadya's *Emunoth v'Deoth* and of the entire Maimunist controversy. Like other men professing a revealed religion, Jews have debated whether speculative inquiry is necessary or permissible and, if so, what may be the status of its conclusions vis-à-vis religious verities. But the possibility that faith and reason should be ideally exclusive of each other, has little troubled traditionally minded Jewish thinkers.

They neglected to consider that possibility for one simple reason: they had no reason to. Paradox may inhere in all religious affirmation, but where Christianity must glory in it, Judaism need not. Its central position is neither "absurd" nor an "affront" to reason. It is involved in no mysteries like that of the Trinity-Unity, of which one has no choice but to say *credo quid absurdum est* ("I believe because it is absurd"). It sets forth no Gods who are yet mortals. It does not rest on the premise that the death of one man can atone for the sins of other men. All these are notions truly impenetrable to reason. Against them Jewish theology is purely of God, an object of faith to be sure, but by no means of faith against reason; of revelation, miraculous of course, but scarcely a scandal to rationality; of the election of Israel and human redeemability by moral effort, positions complex and difficult enough, and undemonstrable to boot; but in every case, compared to Christian dogma, com-prehensibility itself. As is attested by the fact that "natural religion" approaches many of these basic Jewish positions.

Historic Judaism does include some elements totally im-penetrable to the intellect—such a tenet, for example, as Resurrection; such a ritual as the *Parah Adumah* (the red heifer, Numbers 19). But even with these, neither virtue

nor principle is made of obscurity or mystery. To the contrary, the prevailing effort has always been to rationalize.

Note also that the first of the *bakkashot* ('requests') that we make in the weekday *Amidah*—the quintessential rabbinic prayer—is *not* for faith, but rather for *understanding*.[8]

(The closest 'source' for the statement attributed to RYbZ of which I am aware is the mistranslation of Isaiah 7:9 in the Septuagint, later relied-upon by Augustine and Anselm, construing the latter half of that sentence *as if* it said: "If you will not believe, then neither will you understand."[9])

I would suggest that the problem that Jewish philosophers often now call 'the problem of faith vs. reason' entered medieval Jewish thought by, rather, a *different* route than the one associated with Christian theology. Following Sarah Stroumsa's account: it appears that so-called 'freethinkers' in early medieval Islam began to advocate a theory to the effect that (in our terms) a functioning 'civil society' *could* be constructed based solely upon rational civil law, backstopped by a rather minimalist conception of a deity—so that the Koran's revelation of the detailed rules for Moslem society was

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[8] Jules Harlow, in *Siddur Sim Shalom* (NY: Rabbinical Assembly, 1985), translates:

> You graciously endow mortals with intelligence, teaching wisdom and understanding. Grant us knowledge, discernment and wisdom. Praised are You, Lord, who graciously grants intelligence.

[9] See Glen Menzies, "To What Does Faith Lead? The Two-Stranded Textual Tradition of Isaiah 7.9b," *Journal for the Study of the Old Testament* 80 (1998), pp. 111–128. The traditional Jewish reading of that phrase, following RaDaK (Rabbi David Kimchi, 1160–1235, Provence), and adopted in the *old* Jewish Publication Society translation, focuses on the context—in which Isaiah is warning King Ahaz to avoid an alliance with Assyria. Accordingly, on this reading, Isaiah was saying to Ahaz: "If ye will not have faith (*taʼaminu*) [*i.e.*, in this prophecy], surely ye [*i.e.*, your kingdom] shall not be established (*teʼamenu*) [*i.e.*, firmly maintained)"—playing on two senses of the verbal root *alef-mem-nun*.

unnecessary.[10]

That 'freethinker' position correspondingly posed a challenge to medieval Jewish philosophy's understanding of the need for the revelation to Moses of the rules for Israelite/Jewish society. This challenge—to the need for revelation as a basis for political society—is, however, plainly, very different from the Christian 'individualist' challenge noted by Steinberg in his 'Kierkegaard' essay, *supra*.[11]

Having said this, however: Steinberg was not, it seems to me (and others)[12], interested in the 'political' version of the question, but rather indeed was interested in the 'Christian' version. Steinberg accordingly criticized Mordecai Kaplan for adopting a sociological understanding of religion generally, and of Judaism in particular, without sufficiently addressing the need (as felt by Steinberg) for how an individual Jew could think about (and address) a transcendental

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[10] See, *e.g.*, Sarah Stroumsa, "Prophecy versus Civil Religion in Medieval Jewish Philosophy: The Cases of Judah Halevi and Maimonides," pp. 79–102 in Sara Klein-Braslavy, Binyamin Abrahamov, and Joseph Sadan (eds.), *Tribute to Michael: Studies in Jewish and Muslim Thought Presented to Professor Michael Schwarz* (Tel Aviv: Tel Aviv University, 2009).

[11] See also Hilary Putnam, in his commentary on selections (from Saadiah Gaon, Judah Halevi and Maimonides) on the topic of "Revelation and Reason" in Michael Walzer, Menachem Lorberbaum, Noam J. Zohar, and Yair Lorberbaum (eds.), *The Jewish Political Tradition: vol. 1, Authority* (New Haven: Yale University Press, 2000). Putnam explains:

> Since the seventeenth century, the central question about reason and revelation has usually been, Is it possible rationally to prove the existence of God? But that isn't the question that these selections address. All these thinkers… philosophized within a classical tradition in which the possibility of establishing the existence of God… was assumed. The question they deal with here is what are we to do *after* we have accepted the existence of a supreme being. (At pp. 73–74; Putnam's italics.)

[12] See Jonathan Steinberg, *supra*, fn. 2, at p. 599: "I believe that the late theology of Steinberg slid imperceptibly into a Protestant theological frame without his knowing it."

deity.[13] Arguably, this concern is symptomatic of thinking of Judaism as a 'religion' in Protestant terms—as Batnitzky had described that phenomenon.[14] And it is a consequence, I suggest, of Steinberg's abandonment of the concept of Israel as God's 'chosen people'[15]—a theme that, of necessity, focuses on Israel as a people or ethnicity, and not (just) as a religion.

Moreover, the 'start with faith' position is itself problematic, as Steinberg himself noted near the very of *AADL*. Thus Elisha is presented as saying to Rabbi Meir (at p. 474) that he cannot rejoin the existing 'faith' community of Israel, for they "insist, at least in our generation, on the total acceptance, without reservation, of their revealed religion", without any *room* for "the liberty of my mind."

'Faith' unrestrained by reason and ethics can also lead to unjustifiable violence and other misconduct towards others, as reviewed recently by Alan Mittleman.[16]

In any event, even if Steinberg—in 1939, in *AADL*—endorsed 'faith,' it seems that, by 1949, by the time of his 'Kierkegaard' essay, he had at least moderated his view in that regard. As Neil Gillman observed, in his essay "In Appreciation – Milton Steinberg,"[17] "Steinberg changed his mind, late in life, on a whole series of significant issues of personal meaning." "Where would he have ended up if he had been granted another five, ten or twenty years of life and thought?"[18]

Steinberg's Second Proposal: Foundationalism

The central figure in *AADL*, Elisha ben Avuyah, is pictured by

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[13] See, *e.g.*, Steinberg's 1950 lecture, "New Currents in Religious Thought," in *Anatomy of Faith* at pp. 247–249; and see fn. 43, *infra*.

[14] Leora Batnitzky, *How Judaism Became A Religion: An Introduction to Modern Jewish Thought* (Princeton: Princeton University Press, 2011), esp. ch. 1.

[15] *Cf.* Jonathan Steinberg, *supra* fn. 2, at p. 600.

[16] See Alan L. Mittleman, *Does Judaism Condone Violence? Holiness and Ethics in the Jewish Tradition* (Princeton: Princeton University Press, 2018), esp. ch. 3.

[17] *CJ* 59:4 (Summer 2007) at 66–72.

[18] Quotes from pp. 70 and 69.

Steinberg as seeking to anchor all of metaphysics on the foundation of 'truth' as derived from Euclid's geometry. Thus Steinberg attributes to his fictional Elisha authorship of an essay titled

> Prerequisites for All Metaphysical Systems Derived from the Methods Suggested by Aristotle in his ['logic' writings], and more particularly from those implied in Euclid's Elements of Geometry.[19]

Elisha is told by a Greek philosopher that such a search for a 'certain' foundation is futile—but Elisha chooses to pursue the search anyway.[20] Of course, in the end, Elisha learns that the search is futile—for he realizes that Euclid's basic assumption that two parallel lines never meet is itself uncertain.[21]

Now, Steinberg was well aware that the 19th century Russian mathematician Lobachevsky had already shown that there are non-Euclidean geometries, where 'parallel' lines behave in all sorts of different ways.[22] Steinberg must have also been aware that Spinoza, in his *Ethics*, had sought to establish a foundation for all metaphysics

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[19] At p. 359.

[20] At pp. 366–370.

[21] At pp. 462–467.

[22] In his final lectures, in 1950, Steinberg explained (*Anatomy of Faith* at p. 217):

> So far as inductive reasoning is concerned, it has never been supposed to yield more than a high measure of probability. The fact that the sun has risen each morning for countless mornings in the past is in itself no reason why it should rise tomorrow. Classic deductive logic, fashioned as it was upon the model of Euclidean geometry, afforded certainty only so long as its geometric character remained uncompromised. We have learned, however, since the days of Lobachevsky that the principles of geometry are no longer as self-evident as we once thought them to be.

See also the reference to "Lobachevsk[y] and his non-Euclidian geometry" in Steinberg's 1949 speech, "The Theological Issues of the Hour" (*Anatomy of Faith* at p. 160).

using a geometric method—although Spinoza's system, it turns out, requires some additional unarticulated and questionable assumptions.[23] Steinberg would also have been aware of how Godel's Incompleteness Theories, published in 1931, undermined Bertrand Russell's effort to establish a foundation for mathematics in logic.[24]

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[23] See Rebecca Newberger Goldstein, *Betraying Spinoza* (NY: Schocken [Nextbook], 2006), esp. at pp. 57–63. Goldstein explains (at p. 57) that

> the fundamental intuition underlying Spinoza's thinking was simply this: all facts have explanations. For every fact that is true, there is a reason why it is true. There simply cannot be, for Spinoza, the inexplicably given, a fact which is a fact for no other reason than that it is a fact. In other words, no inexplicable dangling threads protrude from the fabric of the world.

But, as Goldstein reviews (at pp. 57–58), Spinoza never *proves* this assumption. This assumption was revived, in our day, when Einstein rejected quantum mechanics because of its essential randomness (at pp. 61–62), but, in this regard, at least as science stands today, Einstein was wrong.

[24] Strikingly, there do not appear to be any references in *Anatomy of Faith* to logical positivism, the Vienna Circle, Wittgenstein, Carnap, Tarski, or Godel. Yet, Steinberg was back in New York City (following a first pulpit in Indianapolis) in 1933 (see Cohen, "Introduction" at pp. 42–43) when Steinberg's favorite teacher in college (Steinberg graduated summa cum laude from City College in 1924, see Jonathan Steinberg, supra fn. 2 at p. 583), Morris Raphael Cohen—who was certainly familiar with these developments—published (together with a student, Ernest Nagel) a well-regarded text, *An Introduction to Logic and Scientific Method* (NY: Harcourt, Brace & Co, 1934). Also, Wittgenstein's '*Tractatus*' was published in 1921, and translated into English in 1922 (by C. K. Ogden, London: Routledge & Kegan Paul), when Steinberg was still studying in college with Morris Cohen; and Godel was a visiting professor at Princeton in 1933–1934 and lectured there on his Incompleteness Theories in Spring 1934 (and these lecture notes were subsequently published).

While Steinberg does refer to Bertrand Russell in a 1947 essay, "The Common Sense of Religious Faith" (in *Anatomy of Faith*—see at pp. 93–96), he discusses only Russell's classic 1903 essay endorsing atheism,

In short, Steinberg dealt his fictional Elisha a losing hand in picturing him as searching for a 'certain' foundation for all knowledge. Yet, we *do* feel a need for some 'objectivity,' for some relatively secure method for thinking about religious concepts.

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and not any of Russell's subsequent work seeking to establish a foundation for mathematics in logic—which work Morris Cohen endorsed in his own thinking at the time, but which, Godel showed, could never achieve that goal .

Having said this: a comment that Steinberg made in his 1942 essay "Toward the Rehabilitation of the Word 'Faith'" may allude to Godel and Wittgenstein. Steinberg asserts (in *Anatomy of Faith* at p. 69) that 'science' cannot be invoked to challenge theology, since even "the sciences are shot through with acts of faith, with assumptions and affirmations which admittedly are not and cannot be established in logic."

Elsewhere, Steinberg seems to take a different approach, trying to separate the domains of science and religion in his 1947 essay "The Common Sense of Religious Faith" (in *Anatomy of Faith*, at pp. 85–88), where Steinberg contends:

> Let religionists leave to science the enterprise of photographing realty. Let scientists admit that even when their job is finished, another task awaits doing, that of construing and evaluating.

The 'neo-pragmatism' discussed in the second part of this essay aims to *overcome* this naïve insistence on a dichotomy between 'pure observation' and interpretation/judgment/understanding. See, *e.g.*, Hilary Putnam, *The Collapse of the Fact/Value Dichotomy and Other Essays* (Cambridge, MA: Harvard University Press, 2002), esp. at pp. 33–45.

The inference I draw from all this is that Steinberg in the 1930s and 1940s did not yet foresee how the 'neo-pragmatism' that first developed beginning 50 or so years *later* could help his position. Steinberg cannot be blamed for not being a prophet in these regards; however, his apparent puzzlement suggests that he would have welcomed the recent developments reviewed below.

Steinberg's Third Proposal: Naïve Pragmatism

Steinberg attributes to Rabbi Akiva (as Steinberg characterizes him) what might be called a 'naïve pragmatic'[25] position:

> "The purpose of life", said Akiba softly, "is to live well. Whatever contributes towards that end is right and true. My first and last criterion concerning my proposition is: Does it help man to live better? . . . If any doctrine enlarges life, then it possesses truth in realms beyond Aristotle's logic."[26]

And as applied to the people Israel, R. Akiva insists, "What can enable such [a downtrodden] people [as Israel] to persist except a conviction of a special relationship to God?"

Elisha is frustrated with this view of 'truth' (*id.*):

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[25] See, *e.g.*, McArthur's "Introduction" (at p. 3) in *Putnam, Pragmatism*, explaining (fn. omitted):

> The present volume also represents the Putnams' defense of pragmatism from a more widespread and insidious misreading—one that has blocked access to the texts of James and Dewey in major philosophy departments for too long. For many readers, pragmatism is inextricably associated with a hopelessly inadequate version of James's idea that "the truth is what works"—so that, according to conventional wisdom, pragmatists identify truth with success or usefulness or wishful thinking. This egregious misreading then sets up the pragmatist theory of truth— indeed, pragmatism itself—as an object of derision: So it is no surprise that here we find Hilary Putnam providing a detailed defense of the powerful motivations and philosophical sophistication of James's theory of truth—which is not to say he does not have his own criticisms of that view…

[26] At pp. 241–242. Again, I am not aware of the rabbinic literature attributing any such statements to R. Akiva.

> "Why, every fool who cherishes some superstition, every rogue who seeks to persuade someone else of a lie, can justify himself by insisting that so he will live the better."[27]

In short (at p. 242), Elisha asks, in reference to R. Akiva's conviction in the Election of Israel: where is "the objective truth of that conviction?"[28]

And R. Akiva has no good answer—nor did the early pragmatists, such as William James, have any good answer, when their 'pragmatic' definition of 'truth' was attacked as indeed having no good basis.[29]

Towards A Neo-Pragmatism

There has been a revival, in recent years, of interest in 'pragmatism' as an American philosophy.

That interest has led to two different readings of the pragmatic tradition—which we might associate with, on the one side, Richard Rorty[30] (1931–2007), and the other side, Hilary Putnam. In short, Rorty has pushed towards a subjectivist relativist world-view while Putnam has found in a revised pragmatism a basis for seeing both scientific inquiry and moral inquiry as each capable of reaching objective—albeit pluralist—resolutions.

Putnam sought to summarize this divergence as follows:[31]

> Not surprisingly, Rorty frames all of this in terms of his

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27 At p. 242.

28 *Id.*.

29 See fn. 25.

30 Rorty's principal work, written when he was teaching at Princeton, was *Philosophy and the Mirror of Nature* (Princeton: Princeton University Press, 1979).

31 Hilary Putnam, "Reply to Richard Rorty," in Randall E. Auxier, Douglas R. Anderson, and Lewis Edwin Hahn (eds.), *The Philosophy of Hilary Putnam* (Chicago: Open Court, 2015) at p. 884 (italics by Putnam).

own version of pragmatism. "The culminating achievement of Dewey's philosophy," Rorty tells us, "was to treat evaluative terms such as 'true'' and 'right' not as signifying a relation to some antecedently existing thing—such as God's Will, or Moral Law, or the Intrinsic Nature of Objective Reality—but as expressions of satisfaction at having found a solution to a problem: a problem which may someday seem obsolete, and a satisfaction which may someday seem misplaced." But Rorty misreads Dewey here. First of all, Dewey insists that "satisfaction" by itself is not a good criterion for being valuable; what *is* a good criterion, Dewey argues, is *intelligently evaluated* satisfaction. Secondly, although Rorty insists that "although objectivity is a useful goal when one is trying to calculate means to ends by predicting consequences of action, it is of little relevance when deciding what sort of person or nation to be," it was Dewey who claimed that "plans of remedial procedure (for 'moral evils') can be projected in objective terms." No notion is more central or more insistent in Dewey's writing than the notion of the *objective* resolution of a problematical situation.

For a concrete example (mine, not Elgin's or Putnam's, but borrowing in spirit from, in particular, Elgin) of the new methodology that this new approach is advocating, consider Gordon Wood's path-breaking (if controversial—as featured in the 'Hah-vahd bar' scene in *Good Will Hunting*[32]) inquiry as to whether we should understand the American Revolution as involving social, as well as political, change, and his argument that the American Revolution "was as radical and social as any revolution in history, but it was radical and social in a very special eighteenth-century sense."[33]

Wood is asking a question, and then seeking to answer it, by calling for an *understanding*, providing us with a new *perspective*, using general comparisons to call attention to specific facts, and broader

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[32] 1987, directed by Gus Van Sant, produced by Miramax.

[33] Gordon S. Wood, *The Radicalism of the American Revolution* (NY: Alfred A. Knopf, 1992), at p. 5.

patterns, to which we may have not paid attention.

Wood's methodological approach is not, however, unique to the domain of history: for a scientist seeking to *understand* whether a particular chemical might be harnessed to cure a particular disease proceeds in very much the same way, using idealized experiments (*e.g.*, on a particular strain of mice) to imagine how the drug might affect humans.

Nor, finally, is this search for *understanding* very different from how we go about addressing a moral/ethical problem—such as the permissible scope of civil disobedience in an overall-relatively-just democratic society.[34]

What is common in all these examples is that our search is not for knowledge of facts but, rather, for *understanding*—encompassing facts, but viewing them from a particular pragmatic perspective.

What allows these different types of inquiry, in their different domains, to share nevertheless a sense of objective solution to the problem posed is a methodology for deliberation known as "reflective equilibrium." (The term was coined by John Rawls in *A Theory of Justice*,[35] with due citation to Nelson Goodman, who had previously advocated such a procedure in connection with 'inductive logic' but did not name it.)

The idea here is that we all start with various beliefs and principles, but as we try to think about them systematically, and discuss them with others, and/or play-out in our minds how those beliefs would work in practice, in real life, we may discover that some of our beliefs or principles contradict others, or cannot be defended by good reasons, or would lead to practical chaos if everyone adopted them. Having discovered such internal inconsistencies, we may revise our starting-point beliefs in view of such reasons, or we may revise our overall system of commitments, until we reach a point when our considered judgments yield a stable, balanced understanding.

Because this back-and-forth process involves a balancing of competing considerations, it may be that different persons may end-up at different stable balancing-points—but this pluralism in outcomes is *not* the same as relativism, because inherent in the process

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[34] See, *e.g.*, John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971) § 55.

[35] *Ibid.*, at pp. 20–21 and fn. 7.

is the element of public discussion and shared criticism, and an insistence on a connection to 'reality,' and to reasons.

An *understanding* that is in reflective equilibrium—whether it is an understanding of the American Revolution or of the efficacy of a medication, or of the morality of a course of conduct—may thus attain objectivity, in the sense that we can all understand how this reflective equilibrium can be justified, and connected to the real world, even if you or I would balance certain considerations differently.[36]

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I have not (yet) seen the methodology of reflective equilibrium expressly applied in the context of Jewish theology—but, I suggest, it may be productive. Suppose I believe that a commitment to 'holiness,' as a value, plays an important role in actually living a moral and meaningful life. In particular, the Torah teaches that the holiness of the Shabbat somehow reinvigorates both humans (Exodus 23:12) and God (*ibid.* 31:17, *vayyinnafash*),[37] to pursue their efforts to create a

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[36] The foregoing is my adoption of the endorsement of reflective equilibrium by, *e.g.*, Elgin, at pp. 66–90 and Ruth Anna Putnam, "Weaving a Seamless Web," (ch. 5) in Putnam, *Pragmatism*, *supra*. See also T. M. Scanlon, Being Realistic About Reasons (NY: Oxford University Press, 2014), at pp. 76–84.

[37] Exodus 23:12, part of the 'Covenant Code,' provides that (in accordance with the New Jewish Publication Society translation—hereafter NJPS):

> Six days you shall do your work, but on the seventh day you shall cease from labor, in order that your ox and ass may rest (*yanu'ach*), and that your bondsman and the stranger may be refreshed (*veyinnafesh*).

Exodus 31:17, part of the *Veshameru* text that we sing at Kiddush on Shabbat (and elsewhere in the liturgy), states (NJPS):

> It shall be a sign for all times between Me and the people of Israel. For in six days the Lord made heaven and earth, and on the seventh day He ceased from work and was refreshed.

morally good world during the other six days of the week.[38] Or, more generally, suppose I believe that holiness somehow works together with goodness but yet can strengthen goodness.[39]

And this is not just an abstract belief — I *feel* strengthened, and inspired, at the end of Shabbat, to resume the struggle for a more just society.[40]

Next, suppose I believe that, perhaps paradoxically, the source of this refreshment, and inspiration, lies in the never-ending search to express, whether in music or art or mathematics or poetry or even prayer — some focal point that can never quite be grasped yet that somehow has the capacity to unite us by way of this search. (I think this is what Michael Fishbane was seeking to articulate in *Sacred Attunement: A Jewish Theology*.[41])

While the image of God being refreshed may seem surprisingly anthropomorphic, it is consistent with the overall theology of the source known as 'P.' See William Propp, *Exodus 19–40* (NY: Doubleday [Anchor Bible], 2006) at p. 494. Mark S. Smith, *The Priestly Vision of Genesis 1* (Minneapolis: Fortress Press, 2010), at pp. 105–106, adds:

> The priestly notion in Exodus 31:17 that the Sabbath is a day to refresh or restore oneself may build on earlier nuances of the word, such as the king's rest from enemies following victory. . . . It is this victory that leads to divine enthronement and rest, the ideal condition for a king.

Further, see Smith's footnotes, for references to Ancient Near Eastern parallels.

[38] See my discussion of holiness in "Judaism and American Civil/Political Society in the Age of Trump," *Zeramim* vol. II, issue 2 (Winter 2017–2018), pp. 111–129, esp. at pp. 125–128.

[39] See Mittleman, *supra*, ch. 2. I have learned much from Prof. Mittleman, but I split off in respect of the possibility of a secular, non-holy, but yet ethical, society. *Cf.* Mittleman, p. 197, fn. 11.

[40] Mittleman, at pp. 102–112, argues that there is, indeed, an 'evolutionary' basis for the development of a sense of holiness, within our interpersonal relationships.

[41] Michael Fishbane, *Sacred Attunement: A Jewish Theology* (Chicago: University of Chicago Press, 2008). Fishbane argues that: (a) "theology must be grounded in earthly experience and understood from within

Finally, suppose this line of reasoning about holiness makes sense to, and is meaningful to, a *community*, after discussion and shared criticism of the concept, and is reflected in the moral and meaningful lives and expressions of the community.

Then, I would suggest, the conditions for a theological reflective equilibrium have been met, and 'holiness' can be identified as an objective value.

Does 'holiness' then 'exist,' as something 'real?' I would rephrase the question: does 'holiness' play a role in the shared *understanding* of my community as to how to relate to the real world, and to the real problems of other human beings? And the answer to that, I suggest, is—yes.[42]

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its forms" (at p. 13); (b) having said that, we certainly experience, via art, music and poetry, concepts of meaning and understanding (at pp. 22–32); in Fishbane's words, "[i]n and through their agency, we are implacably seized and thrown toward the void—silenced by the silence beyond words. This brings us to theology" (at p. 32); (c) theology then "arises within mortal finitude, but yearns for more" (*id.*), and "[t]heology tries to transform this perception of elementariness into a sustained way of life and thought." (at p. 33); and so (d)

> A task of theology is therefore to *attune the self* to the unfolding occurrence of things in all their particularities and conjunctions, and help one remain steadfast at each new crossing point where raw elementariness, radically given, becomes human experience. Theology is thus situated at the border of the known and unknown, of the manifest and concealed. (P. 34. Italics by Fishbane.)

My proposal is that we can regard 'holiness', or '*kedushah*,' as the border-crossing link, and that in choosing to endorse a value of 'holiness' as part of our understanding of what makes our lives in this world meaningful, we are 'attuning' ourselves to a shared yearning that we can identify with the 'divine.'

See also "A *CJ* Forum on Michael Fishbane's *Sacred Attunement*," *CJ* 62:3–4 (Spring–Summer 2011) at pp. 136–191.

[42] Compare Niek Brunsveld, *The Many Faces of Religious Truth: Hilary Putnam's Pragmatic Pluralism on Religion* (Leuven: Peeters;, 2017) at pp. 250 and 252.

Conclusion

Does the foregoing differ enough from Rabbi Akiva's naïve pragmatism to satisfy both Steinberg's criticism thereof (as put into the mouth of Elisha) and Steinberg's criticism of Mordecai Kaplan's pragmatism?[43]

Does the method of reflective equilibrium provide enough stability to satisfy Elisha's search for an objective methodology?

Would Steinberg have been satisfied with such a sense of religious—and in particular, a distinctly Jewish—*understanding*, that could not, however, point to any particular, foundational, 'true' fact about God, and yet did not require any predicate assumption of 'faith?'

I like to think that Steinberg would have felt that these new developments in contemporary philosophy are at least helpful and suggest a path forward for continued theological reasoning.

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[43] Steinberg (see *Anatomy of Faith* at p. 249) criticized Kaplan for avoiding what Steinberg believed was the critical question:

> it is terribly important to know whether God is anything in Himself or whether He is merely a name by which I have described virtues purely natural in origin and lacking in ultimate status in the universe?

I think that Elgin, and the Putnams, would argue that their model of *understanding* in effect resolves, and/or rejects, the dichotomy proposed by Steinberg. See also my essay, "Is Theological Pluralism Possible?" in *CJ* 64:4 (Summer 2013), pp. 49–70, esp. pp. 57–63.