

Jewish Contemporary Ethics Part 20: Judaism, Democratic Law and Autonomous Morality II

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The assertion that God is perfect and represents the Ultimate Good is a fundamental premise of Jewish thought (see Rabbi Moshe Chaim Luzzatto in *Derech HaShem* 1:2:3). It therefore follows that His

wisdom, as revealed through the Torah, must also be ethically flawless, complete and all-encompassing. Does the ethical precision and completeness of the Torah preclude the existence of an ethical system outside of Jewish law?

The Torah does hint to the existence of mankind's natural moral sensitivity and conscience, known to philosophers as 'Natural Morality', for it includes the universal, non-specific requirement to "do what is proper and good in the eyes of God" (Devarim 6:18). The Ramban (Nachmanides d. 1270) explains that it is impossible for the Torah to explicitly rule on every possible scenario. Therefore this verse requires us to employ our own ethical convictions for the general betterment of society, provided that they do not conflict with God's explicit commandments. Individuals do not have the right to abolish Divine law or upturn the legal judgments of the Talmudic sages, yet must also be capable of arbitrating the ethical dilemmas they face without a specific Divine edict, provided their decision serves to achieve God's purpose for creation.

This poses a problem. The very existence of autonomous morality triggers the question of how to reconcile the subjectivity of human moral endeavours with the objectivity of Divine authority. Our moral compass is affected by a range of subjective influences, cultural experiences and personal encounters with the outside world. Once we have satisfied the legal requirements of the Torah, if confronted with a moral choice without any specific Divine command, how can we know whether our moral

instincts are motivated by a genuine desire to do what is "proper and good in the eyes of God"? We might claim to be acting in the name of God, but how can we know whether our own prejudices are not clouding our ethical perspective?

The answer in fact is hiding in plain sight. God's wisdom, which He crystallised into the Written Torah, is not merely a repository of Jewish legal instruction. The Torah begins with the creation of the world, stories of our ancestors and our journey out of Egypt to enter the Holy Land. In his introduction to the Book of Bereishit, Rabbi Naftali Zvi Yehuda Berlin (known as the *Netziv*, d. 1893) notes that these non-legal episodes play a crucial role in shaping our moral ethos and engendering models of proper ethical-religious behaviour. Similarly, the *Aggadik* (non-legal) parts of the Oral Torah contain insights that can shape our ethical sensitivities and ideals.

It is therefore at least theoretically possible to develop a sound moral compass through both an adherence to Jewish law and a thorough understanding of the ethical lessons found in the non-legal aspects of Torah, in order to be able to discern proper ethical practice.

The next article will continue to explore the relationship between Natural Morality and Jewish Law through the eyes of contemporary authorities.

