

In memory of Matt Eisenfeld, murdered in a bus bombing in Yerushalayim on 5 Adar 5756

Last year Jerry Zuriff wrote to ask why my nearly-annual essay on commandedness (and autonomy) seemed to resolutely avoid utilizing the classical Jewish categories of *ahavah*, *yir'ah*, and *skhar va'onesh*. I responded with a *b'li neder* commitment to address the question this year, and, quite remarkably, he remembered my promise and reminded me of it several weeks ago. So here we go:

The first issue is whether “commandedness” captures a mode of religious experience that is constituted by all or some other elements of our relationship with the Ribono Shel Olam, or rather is an experience separate and apart, entire unto itself.

The second question is whether reconciliation of the value of autonomy with the obligation to obey G-d's Law requires taking the side that commandedness is separate and apart. In other words, Jerry suggested that obedience motivated by love, reverence, or desire for reward is chosen noncoercively, and that any further definition of commandedness therefore needs a justification other than the need or desire to account for the value of autonomy.

With regard to the second question I say this: Isaiah Berlin famously distinguishes between “freedom from” and “freedom to”. To choose in the absence of coercion is not the same as choosing autonomously, which requires choosing in accordance with one's own values and sense of self. When I obey someone because I love them, or revere them, or because they will give me something I want – and really these may collapse into one, as what I want from my objects of love and reverence is their affection and approval – I am subordinating my own values rather than expressing them.

This may not be self-evident – after all, might I not love someone, or revere them, because I identify with their values and the way their lives and personalities embody those values?

Yes – but we can also imagine love and reverence that in no way occasion obedience – “I could not love thee half so much loved I not honor more”. It follows, therefore, that love and reverence are not sufficient causes of autonomous obedience, although they can happily coexist with it. To revere someone for how their being accords with my values, I must begin with my values; and if I love someone despite their failure to accord with my values, what justifies obedience?

This is ultimately analogous to the debate, ably and provocatively analyzed by Dr. Baruch Brody, as to whether it is a violation of autonomy to offer someone a bribe they cannot refuse – for example, to offer a starving Indian villager enough money to feed his family for a century (or enough to pay one's Manhattan rent for a month) if he will allow one of his kidneys to be harvested. One side argues that the offer contaminates the moral environment in a way that makes autonomy impossible. To my mind, if the offer is in exchange for total obedience, it certainly prevents autonomy.

Regardless, I think the answer to the first question is that commandedness is its own category of religious experience or emotion. My evidence for this is, first of all, Biblical/halakhic; loving G-d and

fearing/being in awe of G-d are either particular commandments, or else qualities that can be added to obedience – they are never offered as the ground of obedience.<sup>1</sup>

The same is true regarding *avodah zarah* where worship “out of love or awe” is distinguished from “accepting it as a G-d”<sup>2</sup>.

Last year, as part of an attempt at developing a pragmatic definition of “Orthodox”, I argued that membership in a community of commandedness entailed willingness to submit to a communal judgment as to means so long as there was agreement as to ends. The broader definition was that commandedness involves a subordination of practical rather than moral or ethical judgment, or that “for Divine commands to be legitimate they must be justified by appeal to a standard we recognize independently”.

I don't think this is sufficient, however. Rather, I wish to expand and refine the definition by incorporating a perhaps creative reading Megillat Esther 4:13-14:

ויאמר מרדכי להשיב אל אסתר: "אל תדמי בנפשך להמלט בית המלך מכל היהודים, כי אם החרש תחרישי בעת הזאת, רוח והצלה יעמוד ליהודים ממקום אחר, ואת ובית אביך תאבדו! ומי יודע אם לעת כזאת הגעת למלכות?"  
Mordechai said, as a response to Esther: “Don't imagine yourself finding refuge in the palace from among all the Jews, rather if you play mute at this time, release and rescue will arise for the Jews from some other place, while you and your family will be lost! Who knows if it was for a time like this that you reached queenship?”

Mordechai's appeal here is remarkably complex philosophically. He has argued previously that Esther must go to Achashversoh to plead for the Jews, presumably on consequentialist grounds, namely that the Jews will otherwise be killed. Here, however, he explicitly states that the killings will not happen regardless, so that from a consequentialist perspective, Esther would be acting only for the sake of her family! Why does he shift his ground, and what is his new ground?

<sup>1</sup> See for example Devarim 10:12-13:

ועתה ישראל - מה ה' אלקיך שאל מעמך, כי אם  
ליראה את יקוק אלקיך ללכת בכל דרכיו  
ולאהבה אתו ולעבד את יקוק אלקיך בכל לבבך ובכל נפשך:  
לשמר את מצות יקוק ואת חקתיו אשר אנכי מצוך היום לטוב לך:

<sup>2</sup> see especially in this regard Yad Ramah Sanhedrin 61b:

איתמר:  
העובד ע"ג מאהבה ומיראה  
מאהבתו האדם (שעובדה) [שעובדו] או מיראתו אותו.  
דבר אחר  
מאהבתו בה או מיראתו אותה שמא יזקנו השר שלה.  
אביי אמר חייב בשוגג ואתידע ליה חטאת במזיד ואתרו ביה סקילה  
רבא אמר פטור דהא לא קבלי' באלהו' עליה.

Esther's response to Mordechai's initial command, framed as a command to her messenger, can be understood as an argument that her chances of success are unlikely if she goes spontaneously, whereas if they simply wait, she is likely to be called to the king in any case. She does not suggest that she will disobey, and the Megillah has emphasized earlier that she acts in accordance with his *ma'amar* just as when he had formal authority over her. Rather, she offers him the opportunity to reconsider, as perhaps on reflection he will agree with her judgment as to means.

Mordechai changes his ground because he does not, in fact, believe that she is statistically wrong as to which course of action is most likely to preserve the Jews. Rather, he thinks that for Esther, action is preferable to inaction, even if the odds are at least even that inactivity will be as effective.

Mordechai's new argument is that it would be wrong for Esther to behave in a manner that leaves open the possibility that she alone will be saved. It would be a violation of her identity to remain passive, even if for a hypothetical alien with the same choices, passivity would be justified. Indeed, perhaps he is suggesting that if Esther waits, Achashverosh will, guided by Providence, end up calling someone else to the throne room who will intercede – perhaps, for example, the king will suddenly recall that Mordechai was never rewarded for informing on Bigsan and Teresh, and offer him anything he desires as compensation.

To be obligated in this way, Esther does not need to love, fear, be in awe of, or want something from, the Jewish people. She needs to identify as Jewish.

Perhaps there is room for a definition of commandedness that arises out of self-identifying as a member of G-d's Nation, in the spirit of Rav Saadia Gaon's notion that accepting the Torah constituted us as a people.

I wish to note in closing that love and awe can generate conflicting imperatives, let alone love and fear, or fear and desire for reward. There is no necessary reason to assume that acting out of commandedness will always be congruent with acting out of love or awe, and I take no position here as to how one should behave in the event of such a conflict.

Shabbat shalom

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