

ⁱACHILLES AND THE TORTOISE 7th Revision

*An Essay on the Logical Foundations of Torah Study;
 SELF EVIDENCE, INTUITION, AND THE SEARCH FOR TRUTH*
 by Gerald Parkoff

בס"ד

7th Revision
 טו סיון תשע"ב
 June 5, 2012

Who has the Truth? And who represents *Am Yisroel*, the nation of Israel? How can we reassert the authority of Torah in a world where only opinions take main stage?

Rabbi Yosef Epstein ztz'l writes in his *Hakdama to Mitzvot HaBayit* (p. 21):

"If the Torah would not have been given, Man would have discovered the Parsha on Proper Conduct himself, through his own intellect. The Avot learned Torah from their own internal mental processes. They recognized obligations by themselves. From their great wisdom they came to the basic principles of the Torah." Rabbi Epstein here quotes a *Tshuva* of the Rashba, (I:94): "There are no parts of the *mitzvot* which do not hint at the elements of wisdom, because it is wisdom which creates the obligation to behave properly. It follows that wisdom obligates proper action and proper refraining from action. Proper action and proper refraining from action in turn informs us as to what is hinted at by wisdom. The *Avot* through their great wisdom came to the basic principles of action and restriction. *Chazal* said that Avraham, gained wisdom from his two kidneys, meaning from some internal process of understanding and intuition. and so for all of the *Avot*."

Rabbi Epstein continues to tell us that the *Avot* learned from themselves the way of living and proper behavior. Their way of life becomes a pattern and model for their children and descendants, to go in their footsteps and to learn from them for generations to come.

This seems to be in agreement with a statement by Cicero, the Roman Jurist and Philosopher, concerning the operation of Natural Law:

True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commandments, and averts from wrong-doing by its prohibitions... We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it... on eternal unchangeable law will be valid for all nations and all times.

(Cicero, *De Re Publica*, III, 22:33.)

But if the judgments of men were in agreement with Nature... then Justice would be equally observed by all. For those creatures who have received the gift of reason from Nature have also received right reason, and therefore they have also received the gift of Law, which is right reason applied to command and prohibition.

(Cicero, *De Legibus*, I, 12:33)

Natural Law according to Cicero is discovering the self-evident truths of the moral law through intuitive understanding. "We need not look outside ourselves for an expounder or interpreter of it." It is a gift from nature and must somehow be in accord with nature. Hence the term "natural law."

The Rambam echoes this idea of intuition and the ability of the individual to recognize what is right:

"A matter which the intellect almost compels one to accept is that we do not destroy one life for another." (Hilchot Yesodai Torah 5:7).¹

"Man is singular in the creation of the species in that from within himself, and from his own thoughts, he knows good and evil and can do whatever he wants. No one can stop him from doing good or evil." (Hilchot Tshuva, 5:1)^{2 3}

1 רמב"ם הלכות יסודי התורה פרק ה הלכה ז

ומנין שאפילו במקום סכנת נפשות אין עוברין על אחת משלש עבירות אלו שנאמר ואהבת את ה' אלהיך בכל לבבך ובכל נפשך ובכל מאודך אפילו הוא נוטל את נפשך ז, והריגת נפש מישראל לרפאות נפש אחרת או להציל אדם מיד אנס, **דבר שהדעת נוטה לו הוא שאין מאבדין נפש מפני נפש**, ועריות הוקשו לנפשות שנאמר כי כאשר יקום איש על רעהו ורצחו נפש כן הדבר הזה.

2 רמב"ם הלכות תשובה פרק ה הלכה א

רשות לכל אדם נתונה אם רצה להטות עצמו לדרך טובה ולהיות צדיק הרשות בידו, ואם רצה להטות עצמו לדרך רעה ולהיות רשע הרשות בידו, הוא שכתוב בתורה הן האדם היה כאחד ממנו לדעת טוב ורע, כלומר הן מין זה של אדם היה יחיד בעולם ואין מין שני דומה לו בזה הענין **שיהא הוא מעצמו בדעתו ובמחשבתו יודע הטוב והרע** ועושה כל מה שהוא חפץ ואין מי שיעכב בידו מלעשות הטוב או הרע וכיון שכן הוא פן ישלח ידו.

3

הקדמה אגרות משה

להקב"ה שיושב וקושר כתרים לאותיות. אמר לפניו רבש"ע מי מעכב על ידך? אמר לו אדם אחד ישועקבא בן יוסף שמו שעתיד לדרוש על כל קוץ וקוץ תילין של הלכות, שלכאורה לא מובן לשון כתרים שאמר. ועוד קשה שאלת משה מי מעכב? מה כוונשו בזה? דמה שפירש"י למה אתה צריך להוביף עליהם? אין שייך ללשון **מעכב** דאף אם היה שייך כביכול להיות מעכב. יקשה למה לו זה? ואם כוונתו להקשות למה לא כתב בפירוש? לא מובן תירוצו בזה שר"ע ידרוש תילין של הלכות. אבל לפ"מ שבראתי מדויק לשון **כתרים** שנמצא שהשי"ת עשה את אותיות התורה למלכים, היינו שיעשה החכם וידמה מלתא ויפסוק הדין כפי הבנתו טעם האותיות שבתורה, וכשיהיה מחלוקת יעשו כפי הבנת רוב חכמי התורה אף שאפשר שלא נתכוונו להאמת ולא היה דעת הקב"ה כן, דהקב"ה נתן את התורה לישראל שיעשו כפי שיבינו את הכתוב ואת המסור בע"פ בסניני לפי הבנתם ויותר לא יפרש ולא יכריע השי"ת בדיני התורה שלא בשמים היא אלא הסכים מתחלה להבנת ופירוש חכמי התורה ונמצא שאתיות התורה הם מלכים שעושין כפי מה ששמע מהתורה לחכמי התורה אף שאולי לא היה זה כהבנת השי"ת. וניחא לשון אמרה תורה שמצינו בכמה דוכתי משום דאנן דנין רק איך אומרים התורה. וכן ניחא מה שאיתא בעירובין דף י"ג על ב"ש וב"ה: **אלו ואלו דברי אלקים חיים**,

דכיון שיכולין לפרש בתורה כב"ש וכב"ה הרי נמצא שנאמר כתרוייהו כל זמן שלא נתבטלו דעת אחד ברבים החולקים. וזהו פירוש **מי מעכב** שמשא שאל למה עושה הקב"ה האותיות למלכים, שיעשו כפי משמעות

THE RAMBAM ON AUTHORITY VERSUS REASON

But in a startling turnaround to this idea of intuition and internal knowledge, of the compulsion of Reason, the Rambam says something very different in *Hilchot Melachim* (8:11), where he writes:

Any man (i.e., any gentile) who accepts the seven commandments and is meticulous in observing them is thereby one of the righteous of the nations of the world, and he has a portion in the word to come. This is only the case if he accepts them and observes them because G-d commanded them in the Torah, and taught us through our teacher, Moses, that the children of Noah had been commanded to observe them even before the Torah was given. But if he observes them because of his own conclusions based on reason, then he is not a resident-alien and is not one of the righteous of the nations of the world, nor is he one of their wise men.

(Rambam, *Hilchot Melachim* 8:11)⁴

The Rambam and the Rabbinical sources upon which he relies upon emphasizes that one must accept the Mitzvot not because Reason or Intuition led one to accept them, not because they appealed to an individual's sense of justice and fairness, but only because they were commanded to us by Moses, our Teacher, who in turn learned them from *HaKodosh Boruch Hu*.

החכמים בלשון הכתוב והמסור, דמי מעקב שתכתוב באופן שלא יהיה אפשר לפרש רק דרך אחד ככוונתך האמתית ולמה נתת כה מלוכה להאותיות שימצא שלפעמים יעשו שלא ככוונתך. והשיב הקב"ה משום שע"י זה ידרשו ר"ע וכל החכמים תילין של הלכות שהוא הגדלת תורה ממעט הנכתב והנמלסר ולכתוב הרבה. כל דבר בפרט אין קץ שהתורה היא בלא קץ וגבול. עיין בעירובין דף כ"א.

ומאחר שנתברר שהאמת להוראה הוא מה שנראה להחכם אחרי שעמל ויגע לברר ההלכה בש"ס ובפוסקים כפי כחו בכובד ראש וביראה מהשי"ת שכן יש להורות למעשה וזה מחוייב להורות, גם החכמים שבדור הזה יש להחשיבם הגיעו להוראה ומחוייבם להורות משום שהוראתם נחשב דין אמת.

רמב"ם הלכות מלכים פרק ה הלכה יא⁴

כל המקבל שבע מצות ונזהר לעשותן הרי זה מחסידי אומות העולם, ויש לו חלק לעולם הבא, והוא שיקבל אותן ויעשה אותן מפני שצוה בהן הקדוש ברוך הוא בתורה והודיענו על ידי משה רבינו שבני נח מקודם נצטוו בהן, אבל אם עשאן מפני הכרע הדעת אין זה גר תושב ואינו מחסידי אומות העולם ולא מחכמיהם.

ולא דפוס הזה:

רמב"ם הלכות מלכים פרק ה הלכה יא

כל המקבל שבע מצות ונזהר לעשותן הרי זה מחסידי אומות העולם, ויש לו חלק לעולם הבא, והוא שיקבל אותן ויעשה אותן מפני שצוה בהן הקדוש ברוך הוא בתורה והודיענו על ידי משה רבינו שבני נח מקודם נצטוו בהן, אבל אם עשאן מפני הכרע הדעת אין זה גר תושב ואינו מחסידי אומות העולם אלא מחכמיהם.

Again, if a gentile accepts the Seven Mitzvot because they were commanded by G-d, he is *Mai Chassidei Umot Olam*, one of the righteous of the nations of the world. If not, he is not even one of their wise men. This is a striking position for the Rambam, famed to be one of the great rationalists and philosophers of all time. How is it that Reason here is abrogated and made secondary to acceptance of authority, in this case the acceptance of the system of the Torah?

This is the total opposite of Cicero's concept of Natural Law. Cicero argues that we discover the self-evident truths of the moral law through intuitive understanding. "We need not look outside ourselves for an expounder or interpreter of it." It is a gift from nature and must somehow be in accord with nature. Hence the term "natural law." On this Marvin Fox writes:

This conception of a law of nature that dictates principles of justice and morality, a law deriving from reason and in accord with nature, which is universal, eternal, and unchanging, exercised enormous influence on Christian thought. Yet though the main centers of Jewish learning were in contact with Hellenistic philosophy and Roman thought, Judaism, unlike Christianity, never made such a theory of natural law a prominent feature of its teachings.

In the Hebrew bible men are thought of as a subject to direct and specific divine commandments. It is through G-d's revelation, mediated by the prophets, that men are taught to know what is right and wrong. Moreover, the vast majority of the biblical commandments are addressed specifically to the Jews. In established rabbinic teaching, only the smallest part of biblical legislation is universal law, intended for all human beings. All the rest, the hundreds of other injunctions and prohibitions, bind only the Children of Israel. Nothing in the Hebrew Bible even approximates the Ciceronian idea of a natural law, which is addressed to all men by way of reason, and which prescribes right modes of human behavior.

In principle, there could not be such a conception in the Hebrew Bible, since there is no idea of nature, nor even a word for nature in that book. The Hebrew word *tev'a*, when it is understood to mean "nature," does not occur in the Bible or in the Mishnah. It makes its first appearance in medieval Hebrew usage, particularly in the words of the philosophers. The idea of nature arises only with philosophical reflection. As Leo Strauss rightly points out, "the discovery of nature is the work of philosophy. Where there is no philosophy, there is no knowledge of natural right as such. The Old Testament... does not know "nature"... There is, then no knowledge of natural right as such in the Old Testament." (Leo Strauss, *Natural Right and History*, pp 81-82). Aristotle taught us to think of nature as that which is endowed with its own internal principle of motion. The natural world is thus self-developing and self-explanatory. In the Hebrew Bible the world and man are seen as created by G-d, sustained by Him and subject to His will, and this alone makes them intelligible. Biblical man has full powers of reason, but unlike Cicero the Bible does not teach that once man has reason he also has knowledge of the moral law. In ancient Hebrew thought there is only one source of the knowledge of good and evil – the commandments of G-d as they are revealed to man.

(Marvin Fox: *Interpreting Maimonides*, Univ of Chicago Press, 1990, p 125.)

Again referring back to the Rambam's famous passage in *Hilchot Melachim*:

Any man (i.e., any gentile) who accepts the seven commandments and is meticulous in observing them is thereby one of the righteous of the nations of the world, and he has a portion in the word to come. This is only the case if he accepts them and observes them because G-d commanded them in the Torah, and taught us through our teacher, Moses, that

the children of Noah had been commanded to observe them even before the Torah was given. But if he observes them because of his own conclusions based on reason, then is not a resident-alien and is not one of the righteous of the nations of the world, nor is he one of their wise men.

(Rambam, *Hilchot Melachim* 8:11 (see end note #1))

Marvin Fox continues:

There are two points here of striking importance. First is the fact that for post-Sinaitic times, Maimonides explicitly makes the salvific force of the observance of the Noahite commandments dependent on a belief in their divine origin as commandments known only by way of G-d's revelation through Moses in the Torah. However, even the pre-Sinaitic generations are considered to have been directly commanded by G-d, through Adam and Noah, to observe these precepts. Of particular interest is that Maimonides deliberately excludes the validity of any claim that these laws are known through reason or that they bind us because of purely rational considerations. One might have thought that it would be meritorious for a man to have achieved a basic knowledge of the rules of morality by way of rational reflection. But Maimonides denies to such a man all claims to special merit, and in the process, denies that there is or can be any natural moral law of the kind that Cicero had set forth .

The full force of this denial is evident in the second point that requires our special attention, namely, the final phrase in the quoted passage, "nor is he one of their wise men." Maimonides is here excluding a man who claims rational moral knowledge, not only from the circle of the pious and righteous who win salvation, but also from the circle of the wise. (Much has been written about this last phrase ...to show that this is a faulty reading and that the correct reading should be, "but he is one of their wise men.")

It is my view that a correct understanding of Maimonides will show why he could not affirm a theory of natural law, why he denied salvation to those who believed that they could have moral knowledge on purely rational grounds, and why he considered the latter neither pious nor wise. With respect to the last question, I shall not presume in any way to try to settle the problem of the correct reading of our text. I shall only give evidence that it would have been perfectly consistent with Maimonides' views, even necessary, for him to have denied that those who hold a doctrine of natural law are wise men, that is to say, good philosophers.

From his earliest work on the great book of his advanced years, *The Guide of the Perplexed*, Maimonides consistently denied that moral rules are based on principles of reason or that they are capable of demonstration. Already in his *Treatise on Logic*, written in his youth, he treats moral rules as not falling under the categories of truth and falsehood at all, so that it is simply a logical error to speak of moral rules as true or false. Instead, he thinks of moral behaviour as having to do with the beautiful and the ugly, and these are matters either of subjective taste or, as is usually the case, of established social convention. In short, Maimonides holds that moral claims are never open to rational argument or demonstration. They are "propositions which are known and require no proof for their truth." Unlike other such propositions that are indemonstrable but are certainly true, such as statements about immediate perceptions and the first principles of mathematics, moral rules are true only in the sense that in a well-ordered society they are generally accepted and not subject to doubt. They are "conventions, as when we know that uncovering the privy parts is ugly, or that compensating a benefactor generously is beautiful." (Maimonides' *Treatise on Logic*, Israel Efros, ed, p. 47). [Marvin Fox, pp. 132-133]

“Maimonides holds that moral claims are never open to rational argument or demonstration” according to Marvin Fox. Therefore intuition and self-evidence are rejected as unreliable means for ascertaining truth and certainty in the area of morals and ethics. The Rambam’s position (within his framework of being a rationalist *par-excellence*) can be explained in contemporary terms on the basis of a logical rule which states that you can not derive an “ought” from an “is”. You cannot derive a statement of obligation from a statement of fact. This is a simple logical observation. The implication is that in order to have a system of obligation, you need axioms of obligations which will not be dependent upon any prior or more basic set of obligations – else we go backward *ad infinitum*. So where does anyone begin from? The *Tiffereth Yisroel* (commentary on the Mishneh) points out that this was the great strength of the Jewish People. We received a complete system of Axioms and Rules at Sinai and in the forty year period in the desert. The nations of the world are still groping for a system of judgment and law which will be agreed upon and accepted by all.⁵

The apparent contradiction or conflict in the Rambam between *Sevara* (Reason) and Authority can possibly be explained as follows: when it came to accepting the system of Torah, his allegiance was unbending and complete, without qualifications or justifications, as can be shown in many places in his writings. When it came to

משנה מסכת אבות פרק ג משנה יד

[יד] הוא היה אומר חביב אדם שנברא בצלם חבה יתירה נודעת לו שנברא בצלם שנאמר (בראשית ט) בצלם אלהים עשה את האדם חביבין ישראל שנקראו בניו למקום חבה יתירה נודעת להם שנקראו בניו למקום שנאמר (דברים י"ד) בניו אתם לה' אלהיכם חביבין ישראל שניתן להם כלי חמדה חבה יתירה נודעת להם שניתן להם כלי חמדה שבו נברא העולם שנאמר (משלי ד) כי לקח טוב נתתי לכם תורתי אל תעזבו:

תפארת ישראל

עד שהתגלה עליהן בפומ בי גדול, במראה נפלאה ונוראה על סיני, ומבין להבות אש עד לב השמים, חושך ענן וערפל, השמיים מצותיו חוקותיו ותורתיו, הכוללים כל חיובי האדם. גם למדם אח"כ סידורי הנהגות ישראל, בחלוק המחנות, ונקיות, ודגלים, וחיצונית התרועה, וכלי הקדש וכדומה. באופן שכל סבת הצלחתם בזה ובבא לא נודע להם מכה שכלם, רק על ידי הקב"ה, בכבודו ובעצמו.

אבל לא כן שאר האומות. דאף דאז בכל הזמן ההוא שקרב הקב"ה את ישראל להשלמתן, עדיין היו כל באי עולם הוויים שוכבים בתרדמת אולת ובתהום תועבבות נוראות. עכ"פ כל מה שהשיגו אח"כ בסבות הצלחם בזה, נתלוות להם על ידי הם עצמן. באופן שנוכל לומר הן עשו את עצמן. דהרבה שאבו ולמדו מתורת ה' באר ישראל. בזמן הרב מאז ועד עתה. והרבה מחיובי האדם ומדרך המדות והמוסר למדו ע"י אורך הזמן והטבע, ע"י שבקע עליהן אור השכל מעט מעט כאור נוגה הולך ואור. עד שכשנסתכל היום על היותר גרוע שבאומות, אפ"ה הוא מובחר יותר גם מהמובחר שבהן שלפני זה אלפים שנה שלא יגיע לקרסוליו. ורק בזמן רב, ובטרה רבה עשו הן את עצמן,

נמצה שיש לישראל ולהאומות האחרות, לכל אחד מעלה לבדיית, המעלה לאומות על ישראל, שהן בבחירתם התפשית ובכח עצמן ממש עשו את עצמן. וזה וודאי יותר מעלה מאשר לישראל, כנמשכו בפאת ראשם בכח אלקים להשלמתן. ואין להם להחזיק טובה לעצמן, דמה שהפליא ה' להשלים אותן, יד ה' היתה עמם בכל אלה ורק בזכות אבותיהם.

אמנם אעפ"כ יש מעלה לבדיית ג"כ לישראל דהאומות ע"י שכל מה שהשיגו לא השיגו רק בכח שכלם. לכן יש מצוות רבות בתורה שמרוממים מאד משכל האנושי, ככל חוקי התורה. עדיין לא יעשו (אומות עולם) כי לא יבינום. (עד אחרית הימים כשישפוך ה' רוחו על כל בשר).

individual parts of the system, then the Rambam as did all of Chazal, recognized the importance and central place of Reason or *Sevara*.

In an Age of Reason and Enlightenment, the acceptance of a system on the basis of authority is very unpopular. But we must accept some system of values and commitments. If not, then we have become Anarchists where there is no system but a self-invented and do what you like type of environment. The question then still remains, which system do we adopt?

ACHILLES AND THE TORTOISE by Lewis Carroll

First let's read Richard J Trudeau's introduction to this dialogue:⁶

"For many people a sticking place is that phrase, "logically deduced." Before we proceed to an example of a material axiomatic system, therefore, I think we should spend some time talking about logic - at first in general, then as we will encounter it in this book.

"Logic:

Every rational discussion involves the making of inferences. What kinds of inferences are allowed depends on who the participants are and what subject is being discussed. In this sense each type of discussion has its own special logic. For example, the sort of evidence that physicists accept as strong confirmation of a theory is rejected as totally inadequate by mathematicians trying to prove a theorem; in turn, the esoteric reasoning mathematicians sometimes employ is utterly worthless to literary critics analyzing a novel. (Indeed, there are forms of argument employed regularly in mathematics that are applicable to nothing else.10)

Usually, however, the term "logic" is used in a more general sense, to refer to principles of reasoning that the various special logics are presumed to have in common. The belief is that this common logic would be acceptable and potentially useful to participants in any rational discussion. Of course there's no way of checking this without polling the entire planet, or at least scrutinizing its more than 3,000 languages, but since Greek concepts are so much a part of the Western heritage it seems safe to say there is a widely shared logic at least among people with Western-style educations.

Though this traditional logic does not include the special techniques of modern mathematics, it does include all the forms of argument used by mathematicians in Euclid's time. In fact, today many people, hearing the term "logic," can think of little except the principles of reasoning used by Euclid, because the only time they have ever heard logic discussed explicitly (rather than taken for granted) was in a high school geometry course.

⁶ Richard J. Trudeau, *The Non-Euclidean Revolution*, (Boston: Birkhauser, 1987), p. 7.

Throughout this book, even when we take up non-Euclidean geometry, Euclid's logic is all we will ever need. We have good reason, therefore, to feel confident about the soundness of our logic. It is safely within traditional logic, and has been embedded in the fabric of Western thought for more than 2,000 years.

Nonetheless it is wise to take all logic with a grain of salt. It is vulnerable to doubt, on at least two counts.

I'll let the author of Alice's Adventures in Wonderland and Through the Looking-Glass tell you about the first:

Achilles had overtaken the Tortoise, and had seated himself comfortably on its back.

"So you've got to the end of our race-course?" said the Tortoise. "Even though it does consist of an infinite series of distances? I thought some wiseacre" or other had proved that the thing couldn't be done?"

"It can be done," said Achilles. "It has been done! Solvitur ambulando. You see the distances were constantly diminishing: and so-"

"But if they had constantly been increasing?" the Tortoise interrupted. "How then?"

"Then I shouldn't be here," Achilles modestly replied; "and you would have got several times round the world, by this time!"

"You flatter me - flatten, I mean," said the Tortoise; "for you are a heavy weight, and no mistake! Well now, would you like to hear of a race-course, that most people fancy they can get to the end of in two or three steps, while it really consists of an infinite number of distances, each one longer than the previous one?"

"Very much indeed!" said the Grecian warrior, as he drew from his helmet (few Grecian warrior possessed pockets in those days) an enormous note-book and a pencil. "Proceed! And speak slowly, please! Shorthand isn't invented yet!"

"That beautiful First Theorem of Euclid!" the Tortoise murmured dreamily. "You admire Euclid?"

"Passionately! So far, at least, as one can admire a treatise that won't be published for some centuries to come!"

"Well, now, let's take a little bit of the argument in that First Theorem-just two steps, and the conclusion drawn from them. Kindly enter them in your note-book. And, in order to refer to them conveniently, let's call them A, B, and Z:

(A) Things that are equal to the same are equal to each other.

(B) The two sides of this triangle are things that are equal to the same.

(Z) The two sides of this triangle are equal to each other.

"Readers of Euclid will grant, I suppose, that Z follows logically from A and B, so

that anyone who accepts A and B as true, must accept Z as true?"

"Undoubtedly! The youngest child in a high school-as soon as high schools are invented, which will not be until some two thousand years later-will grant that."

"And if some reader had not yet accepted A and B as true, he might still accept the sequence as a valid one, I suppose?"

"No doubt such a reader might exist. He might say 'I accept as true the hypothetical proposition that, if A and B be true, Z must be true; but! don't accept A and B as true.' Such a reader would do wisely in abandoning Euclid, and taking to football."

"And might there not also be some reader who would say 'I accept A and B as true, but I don't accept the hypothetical'?"

"Certainly there might be. He, also, had better take to football."

"And neither of these readers," the Tortoise continued, "is as yet under any logical necessity to accept Z as true?"

"Quite so," Achilles assented.

"Well, now, I want you to consider me as a reader of the second kind, and to force me, logically, to accept Z as true."

"A tortoise playing football would be-" Achilles was beginning.

"-an anomaly, of course," the Tortoise hastily interrupted. "Don't wander from the point. Let's have Z first, and football afterwards!"

"I'm to force you to accept Z, am I?" Achilles said musingly. "And your present position is that you accept A and B, but you don't accept the hypothetical-"

"Let's call it C," said the Tortoise.

"-but you don't accept:

(C) If A and B are true, Z must be true."

"That is my present position," said the Tortoise.

"Then I must ask you to accept C."

"I'll do so," said the Tortoise, "as soon as you've entered it in that note-book of yours. What else have you got in it?"

"Only a few memoranda," said Achilles, nervously fluttering the leaves: "a few

memoranda of-of battles in which I have distinguished myself!"

"Plenty of blank leaves, I see!" the Tortoise cheerily remarked. "We shall need them all!" (Achilles shuddered.) "Now write as I dictate:

(A) Things that are equal to the same are equal to each other.

(B) The two sides of this triangle are things that are equal to the same.

(C) If A and B are true, Z must be true.

(Z) The two sides of this triangle are equal to each other."

"You should call it D, not Z," said Achilles. "It comes next to the other three. If you accept A and B and C, you must accept Z."

"And why must I?"

"Because it follows logically from them. If A and B and C are true, Z must be true. You don't dispute that, I imagine?"

"If A and B and C are true, Z must be true," the Tortoise thoughtfully repeated.

"That's another hypothetical, isn't it? And, if I failed to see its truth, I might accept A and B and C, and still not accept Z, mightn't I?"

"You might," the candid hero admitted; "though such obtuseness would certainly be phenomenal. Still, the event is possible. So I must ask you to grant one more hypothetical."

"Very good. I'm quite willing to grant it, as soon as you've written it down. We will call it

(D) If A and B and C are true, Z must be true."

"Have you entered that in your note-book?"

"I have!" Achilles joyfully exclaimed, as he ran the pencil into its sheath. "And at last we've got to the end of this ideal race-course! Now that you accept A and B and C and D, of course you accept Z."

"Do I?" said the Tortoise innocently. "Let's make that quite clear. I accept A and B and C and D. Suppose I still refuse to accept Z?"

"Then Logic would take you by the throat, and force you to do it!" Achilles triumphantly replied. "Logic would tell you 'You can't help yourself. Now that you've accepted A and B and C and D, you must accept Z!' So you've no choice, you see."

"Whatever Logic is good enough to tell me is worth writing down," said the Tortoise. "So enter it in your book, please. We will call it

(E) If A and B and C and D are true, Z must be true.

"Until I've granted that, of course, I needn't grant Z. So it's quite a necessary step, you see?"

"I see," said Achilles; and there was a touch of sadness in his tone.

Here the narrator, having pressing business at the bank, was obliged to leave the happy pair, and did not again pass the spot until some months afterwards. When he did so, Achilles was still seated on the back of the much-enduring Tortoise, and was writing in his note-book, which appeared to be nearly full. The Tortoise was saying, "Have you got that last step written down? Unless I've lost count, that makes a thousand and one. There are several millions more to come."

-from "What the Tortoise Said to Achilles" by Lewis Carroll*

* Mind, Oxford University Press, new series, 4 (1895), pp. 278-280.

Carroll's point is that the rules of logic are not dug out of the earth like diamonds; they are grounded in human intuition! The imperative feeling we have that "If A and B are true, Z must be true" cannot be defended, or reduced further. Confronted with someone who does not share that feeling, all we can do is drop the discussion and propose football instead.

A present-day mathematical logician (Rosser, in *Logic for Mathematicians*, McGraw-Hill, 1953, p. 11) makes the same point as follows:

[The mathematician] should not forget that his intuition is the final authority, so that, in case of irreconcilable conflict between his intuition and some system of... logic, he should abandon the ... logic. He can try other systems of... logic, and perhaps find one more to his liking, but it would be difficult to change his intuition.

Much as the mathematician would like to seal his system off from intuition, which he considers unreliable, core intuitions penetrate every barrier. Logic itself rests on intuition, and may be contaminated with intuition's unreliability.

We learn logic, at least informally, along with our Western languages. In this sense logic is like a pair of tinted eyeglasses with which we are fitted early in life, of which we are barely aware, and through which we become, by the standards of our culture, intellectually mature. They color everything, so naturally we tend to see confirmation wherever we look. But do they also distort? Could common logic be somehow in error? (Could millions of people be wrong?) We naturally tend not to think so. But conceivably, yes. For all we know there may be something "wrong" with our languages, or even our brains. It might be that the only people who reason correctly are a few outcasts playing football!" (Richard Trudeau: *The Non-Euclidean Revolution*, Birkhauser, Boston 1987, p. 10)

THE OBLIGATORY NATURE OF SYSTEM

C.I. Lewis, the well known 20th century American philosopher from Harvard notes in his book *The Ground and Nature of the Right* that the concept of obligation pervades all of human thinking. Obligation does not refer only to Moral behavior – it applies to every aspect of thinking and behavior that can called right as opposed to wrong. There is a right and wrong way to calculate numbers. There is a right and a wrong way to ride a horse. There is a right way and wrong way to drive a car and so on. It is only when we come into the sphere of social activity between man and man that we then can invoke the moral aspect of obligation

As pointed out by Lewis Carroll in the dialogue between Achilles and the Tortoise , we see that even basic logical processes require our assent – to say, "yes, that is correct, I accept that." Accompanying this assent is a feeling of obligation – that I must say "yes", that I must agree. When we enter the area of obligation, we are already in the area of the heart – we are asking for commitment and assent. This does not mean that statements of obligation are meaningless, as C.L. Stevenson would have had us believe. But there is an emotive element which provides the incentive for commitment to truth.

Rabbi Epstein observes that the Avot “*Beuvneta deliba*”, from the lobe of their heart, recognized the will of G-d. This reference to the heart shows that the commitment of the Avot to the will of G-d was indeed emotionally as well as intellectually motivated. (We might even argue that it is the very nature of commitment to be both intellectually and emotionally based. If there is no emotion involved, no passion, then there is no commitment – even to the Laws of Logic.) The difference between the Avot and their predecessors, both Noach and Adam, was one of clarity and precision. The Avot, we are told by the Rambam, were among the most righteous of men because of introspection and analysis. (*Moreh Nevuchim*, 1:63) That is why the “actions of the Avot, their speech, their social behaviour becomes virtually a *Shulchan Orech* on proper behaviour.” (Rabbi Epstein.) We can derive and infer from the behaviour of the Avot hundreds of guidelines (mitzvot) concerning proper behavior. If I can enumerate and name and distinguish, one act from another, one situation from another, then I have increased clarity and precision.

But even this was not enough to establish a nation consisting of righteous people, a *mamlechet cohanim and goy kadosh*. How could one be sure that the lessons learned by three or four generations would be handed down, without a break, for all time? This is the problem with the assimilated Jews of today. How can they be sure the fine *midot* of a grandparent’s generation will be continued in the progeny of tomorrow? Hence, *Matan Torah* and the formalization of our understanding of our obligations towards Man and towards G-d. Even though we today learn from the Avot and study their every minute action, we are obligated to observe the *Mitzvot* only because they were formalized and commanded by G-d at Sinai.⁷ It is this final acceptance of the *Mitzvot* which

7 תלמוד בבלי מסכת חולין דף ק עמוד ב

מתני'. נוהג בטהורה ואינו נוהג בטמאה, רבי יהודה אומר: אף בטמאה, אמר ר' יהודה: והלא מבני יעקב נאסר גיד הנשה, ועדיין בהמה טמאה מותרת להן! אמרו לו: בסיני נאמר, אלא שנכתב במקומו:

רש"י מסכת חולין דף ק עמוד ב

מתני'.

ואינו נוהג בטמאה - שאם אכל גיד הנשה של טמאה למ"ד יש בגידין טעם לוקה משום טמאה ולא משום גיד ולמ"ד אין טעם בגידין פטור מכלום דבטהורה עץ הוא והתורה חייבה עליו אבל בטמאה אינו נוהג. מבני יעקב נאסר - דכתיב (בראשית לב) על כן וגו' ועדיין טמאה מותרת להן עד מתן תורה. אמרו לו - פסוק זה שהזהירו עליו בסיני נאמר ועד סיני לא הוזהרו אלא שנכתב במקומו לאחר שנאמר בסיני וכתב וסידר משה את התורה כתב המקרא הזה על המעשה על כן הוזהרו בני ישראל אחרי כן שלא יאכלו גיד.

בית הבחירה למאירי מסכת חולין דף ק עמוד ב

המשנה השמינית והיא מענין החלק הראשון ונתאחרה בכאן שלא כסדר כמשפט המשניות בהרבה מקומות ואמר על זה שגיד הנשה שאמרנו עליו במשנה ראשונה שנוהג בבהמה וחיה דוקא בטהורה אבל לא בטמאה נוהג בטהורה ואינו נוהג בטמאה ר' יהודה אומר אף בטמאה אמר ר' יהודה והלא מבני יעקב נאסר גיד הנשה ועדין בהמה טמאה לא נאסר להן אמרו לו בסיני נאמר אלא שנכתב במקומו אמר הר"מ פי' על דעת ר' יהודה מי שאכל כזית מגיד הנשה של בהמה טמאה חייב מלקות משום בהמה טמאה ומשום גיד הנשה ואין הלכה כר' יהודה ושים לבך על העקר הגדול הזה הנכלל במשנה הזאת והוא מה שאמר בסיני נאסר לפי שאתה הראית לדעת שכל מה שאנו מרחיקין היום אין אנו עושין אלא במצות הקדוש ברוך הוא על יד משה לא שהקב"ה אמר זה לנביאים שלפניו כגון גיד הנשה ואין אנו אוכלין אבר מן החי מפני שהקב"ה אסר אותו לנח אלא לפי שמשנה

distinguishes *Am Yisroel* from the nations, with a clarity and sharpness which is unmistakable and stands for all time.

B'NAI NOACH AND THE OBLIGATORY NATURE OF SYSTEM

Any man (i.e., any gentile) who accepts the seven commandments and is meticulous in observing them is thereby one of the righteous of the nations of the world, and he has a portion in the word to come. This is only the case if he accepts them and observes them because G-d commanded them in the Torah, and taught us through our teacher, Moses, that the children of Noah had been commanded to observe them even before the Torah was given. But if he observes them because of his own conclusions based on reason, then is not a resident-alien and is not one of the righteous of the nations of the world, and is not one of their wise men. (Rambam, *Hilchot Melachim* 8:11)

It is clear from the Rambam's formulation (*Hilchot Melachim* (8:11)) that a B'nai Noach must accept the system of the Torah because it is *D'var Hashem*, the Word of G-d, and not because of some insightful reasoning process. Then he is called *mai Chasidei Umot Olam*. Otherwise, he is not even considered among their wise men (according to Fox's reading of the Rambam) or at best he is only of their wise men (if you read the Rambam with "*ela*" instead of "*ve-lo*".)

There must be an intellectual and emotional commitment to the system of the Torah because it is the word of G-d. It is not enough that men discover these rules through the force of their own intellect (as was done at the Constitutional Convention in 1787.)

B'NAI NOACH AND THE OBLIGATION TO HAVE DINIM

Shoftim ve Shotrim Titen Lecha. You will set up courts of law – for your own benefit. This was commanded to *Am Yisroel*. The Rabbanim derived the mitzvah for B'nai Noach to set up courts of law not from this *posuk* but from "*And G-d commanded Man...*" (*Braishit* 2: 16-17). In any case they are required by The Torah to establish a political entity, set up according to Halachic guidelines.

Isfa Li Shiviim Ish, Bring me seventy Elders, G-d asked of Moshe. (Bamidbar, 11:16). This only applies to *B'nai Yisroel*. But *Bnai Noach*, would also have to have a judicial and legislative system to govern their communities. The obligation to have *Dinim* is precisely this. Therefore *B'nai Noach* must be organized into and constitute an entire

לבדו ע"ה אסר עלינו אבר מן החי ממה שצווה בסיני שיתקיים אבר מן החי אסור וכמו כן מילה מפני שאברהם אבינו מל עצמו ואנשי ביתו אלא שהקב"ה צונו על ידי משה רבינו שנמול כמו שמל אברהם אבינו ע"ה הלא תראה מה שאמרו תרי"ג מצות נאמרו לו למשה מסיני וכל אלו מכלל המצות:

society of *B'nai Noach*. Finally to have a judicial system would require having a police force to enforce the verdicts of the courts.

THE INTUITIONIST SCHOOL OF MORAL PHILOSOPHY

It is almost a trivial statement in logic to say that you cannot derive an “Ought” from an “Is.” A syllogism with two factual premises cannot have an “ought” in the conclusion. You cannot derive a statement of obligation from a statement of fact. As a result, there is no possible logical basis for any system of Ethics to ground itself in Reason. Every system is arbitrary and based only on its own assumptions. In order to have a system of obligation, you need axioms of obligations which will not be dependent upon any prior or more basic set of obligations- else we go backward *ad infinitum*.

Although he did not express himself in these precise terms, Thomas Reid, a British philosopher of the Eighteenth Century and a contemporary of David Hume came very close to saying this:

“All reasoning must be grounded on first principles. This holds in moral reasoning, as in all other kinds. There must, therefore, be in morals, as in all other sciences, first or self-evident principles, on which all moral reasoning is grounded, and on which it ultimately rests. From such self-evident principles, conclusions may be drawn synthetically with regard to the moral conduct of life; and particular duties or virtues may be traced back to such principles, analytically. But, without such principles, we can no more establish any conclusion in morals, than we can build a castle in the air, without any foundation. “

...Thus we shall find that all moral reasoning rests upon one or more first principles of morals, whose truth is immediately perceived without reasoning, by all men come to years of understanding. And this need is common to every branch of human knowledge that deserves the name of science. There must be first principles proper to that science, by which the whole superstructure is supported. The first principles of all the sciences, must be the immediate dictates of our natural faculties; nor is it possible that we should have any other evidence of their truth. And in different sciences the faculties which dictate their first principles are very different.

The first principles of morals are the immediate dictates of the moral faculty. They show us, not what man is, but what he ought to be. Whatever is immediately perceived to be just, honest, and honourable, in human conduct, carries moral obligation along with it, and the contrary carries demerit and blame; and, from those moral obligations that are immediately perceived, all other moral obligations must be deduced by reasoning.

He that will judge of the colour of an object, must consult his eyes, in a good light, when there is no medium or contiguous objects that may give it a false tinge. But in vain will he consult every other faculty in this matter. In like manner, he that will judge of the first principles of morals, must consult his conscience, or moral faculty, when he is calm and dispassionate, unbiased by interest, affection, or fashion. As we rely upon the clear and distinct testimony of our eyes, concerning the colours and figures of the bodies about us, we have the same reason to rely with security upon the clear and unbiased testimony of our conscience, with regard to what we ought and ought not to do. In many cases moral worth and demerit are discerned no less clearly by the last of those natural faculties, than figure and colour by the first.

...Every man in his senses believes his eyes, his ears, and his other senses. He believes his consciousness with respect to his own thoughts and purposes; his memory, with regard to what is

past; his understanding, with regard to abstract relations of things; and his taste, with regard to what is elegant and beautiful. And he has the same necessity of believing the clear and unbiased dictates of his conscience, with regard to what is honourable and what is base...”

(from Thomas Reid: *Essays on the Active Powers of Man*, Essay III: Chapters V, VI and VII and Essay IV: Chapter IX, 1788.)

In this regard, A.C. Ewing, a 20th century philosopher, writes:

“...Probably the principal reason which makes people inclined to deny the objectivity of ethics is the fact that in ethical argument we are very soon brought to a point where we have to fall back on intuition, so that disputants are placed in a situation where there are just two conflicting intuitions between which there seems to be no means of deciding....

We must therefore have intuition, and in a subject where infallibility is not attainable, intuitions will sometimes disagree. Some philosophers indeed prefer not to call them intuitions when they are wrong, but then the problem will be to distinguish real from ostensible intuitions, since people certainly sometimes think they see intuitively what is not true. Now Lord Russell says: “Since no way can be even imagined for deciding a difference as to values, the conclusion is forced upon us that the difference is one of tastes, not one as to any objective truth.” (Bertrand Russell, *Religion and Science*).

(A.C. Ewing, *The Definition of Good*, 1947)

Bertrand Russell unknowingly echoes the Rambam in the Guide to the Perplexed as seen in Marvin Fox on my page 4.

Others, such as C.L. Stevenson and the Logical Positivists including A.J. Ayer, took an approach similar to that of Bertrand Russell, stating that ethical statements were no more than assertions of emotion.

It is not surprising that Ethical Relativism became very popular in the early 20th Century – that *Right* is defined by the society – and differs from place to place. The Ethical Relativists would have had a lot of trouble condemning Hitler and the unspeakable atrocities committed by the Nazis.

Many would agree that the precipitous decline in morals and decent behavior in the West is linked to the general rejection of religion – and specifically the Bible as the basis for human morality. In fact, American society is sort of living in an ethical vacuum with no guidelines for human conduct. This is why homosexuality is coming out into the open so blatantly. Even if people think it is wrong, they do not know how to respond to it. There are no longer any rules.

THE NATURE OF INTUITION

The story line of the Torah begins with Man,. We have Adam, and Noach and then the Avot, Avraham, Yitzchak, and Yaakov. There is a progression from Man’s encounter with G-d to the specifically Jewish encounter with G-d and they are different. The Jewish encounter with G-d culminated in *Matan Torah* at Sinai. But initially, with the Avot, one might have asked what distinguished the encounter of the Avot with G-d from

that of Noah or Adam? And even more to the point, what distinguished Avraham, say, from his contemporaries?

In Avraham's time, the difference was clearly noted: *Nasi Elokim ata betochainu*. "You are a prince of G-d among us." So speaks the b'nai Chait. (*Beraishit*, 23:6). If the difference was already noted during Avraham's lifetime, how much more striking must it be today, when we are or aspire to be a *goy kadosh and mamlechet Cohanim*? A single *Nasi*, yes, I can understand this. But can entire nation be elevated spiritually? The nations of the world still cannot deal with such an idea – and the result is only jealousy and hatred, not respect and love.

What was it that made the Avot different from their contemporaries? The Avot learned Torah from themselves and from some internal mechanism they recognized the Mitzvot. So writes Rabbi Epstein in his *Hakdama to Mitzvot HaBayit*, section two. What was the nature of this learning of Torah and this recognition of Mitzvot? Rav Chama, the son of Rav Chanina, tells us that from the times of Avraham, our Fathers sat and learned in Yeshivot. (Yuma,28b:). Rashi on "Vayitrotzazu" in *Parsha Toldot* also makes reference to the *Bet Medresh* of *Shem ve Ever*. But Rabbi Epstein here speaks about an intuitive, almost private, kind of understanding.

Intuition is the beginning of human thought and the end of human thought. This sounds paradoxical but it is not. All thought begins with undefined perceptions which must then be categorized and placed in one's mental living room in its proper place. The shape of that mental living room may change over time, and perceptions that were once uncategorized are now made through the prism of preconceived concepts and structures of thought. But when new experiences (or non-empirical theoretical notions) are encountered that cannot be categorized and processed the old way, then we fall back on intuition as the only method available to deal with these new experiences. The categories we are searching for are as yet undefined and even unknown. Indeed, the encounter with the Unknown may even bring a blank in the context of understanding. Then, hopefully, after hours, or even after generations (as in the history of physics and mathematics) a suitable framework presents itself and the phenomenon is "understood." By "understood" I mean it is named. But naming implies a rule, of inclusion and exclusion. The rule may be a principle of Physics – or it may be an axiom of mathematics.

At the level of intuition, how are we going to know whose intuition to follow? Therefore the necessity of formalizing that body of knowledge and understanding at *Matan Torah*. From intuition to formalization – and then for thousands of years from formalization to intuition and further formalization. The writing of the Mishneh and the Talmud were major manifestations of this process. The Rambam's *Mishneh Torah* is an even greater formalization of previous Talmudic discussions that may not have had decisive conclusions. Later critiques on the Rambam were further amplifications and refinements of his formalization. The *Rishonim* and later the *Acharonim* added their own clarification of ideas and discussions not fully worked out in the Talmud. Understanding (*Nishmah*) is a process. It takes time to provide explanations in

words. There is intuitive understanding and then there is review and explanation of all unstated assumptions and details. This is part of *Torah Sheh B'al Peh*.

The demands the Rambam makes on the *B'nai Noach* are parallel to the stages of the Jewish encounter with G-d.. These demands reflect an implicit recognition of the difference between intuitive and reasoned understanding on the one hand and acceptance of System as a matter of faith on the other hand. To be included among the *Chasidei Umot Olam*, the righteous of the B'nai Noach, it is not enough to accept the commandments out of intellectual investigation and intuitive understanding. Finally, finally, they must be accepted as an integrated consistent system commanded by G-d.

SUMMARY AND CONCLUSION

Lewis Carroll and Trudeau both present us with a startling idea – that even basic logical truths and elementary inferences have to be accepted as an act of faith and trust. At some point we must stop and say “I accept this system of thought.” And if not, then human discourse itself is impossible.

True, acceptance comes only from a feeling of mental compulsion. But to explain this, we simply use the appellation “intuition” and think we have explained something. We have in fact merely pointed to the intuitive acceptance of the rules of logic and derivation. We have a parallel to this in the Torah itself. There is the intuitive understanding of the Avot – and the final acceptance on the part of the entire Jewish People. Acceptance of system is in itself intuitive and finally an act of faith. “I accept.” Or as stated by the Jewish People, “*Naaseh VeNishmah*”. The Torah system itself becomes the foundation for all valuation and inference. We can only make judgments from within the system. The question is: “How does one get into the system?” Of course in practice, one is born into the system or one comes into it through formal conversion. But whether you are inside or outside of the system of Torah, how do you reach that point of mental and emotional allegiance, to that moment of saying “*Naaseh ve Nishmah*.” In my own paraphrase, “we don’t fully understand the system now, but we will follow its dictates and establish a just and compassionate society. We will then come to understand how it works.” The complexity of the system can only be understood once Torah learning is begun and the allowed inferences from *Torah Sheh B'al Peh* are understood. Indeed, the complexity and subtlety of Torah learning might itself be intrinsic evidence for the Divine origin and character of the Torah.⁸

⁸ “You know, and I can tell you and I have told it so many times, and I will tell it again. Our methodology our analysis, our manner of conceptualizing, inferring, classifying and defining concepts of halakhic matter do not lag behind the most modern philosophical analysis. I happen to know something about modern philosophical analysis. We are far ahead of it, because the tools we employ to analyze a Talmudic discussion are the most modern. The logical tools and the systemological implements which we employ in order to analyze a sugya, or Talmudic subject, for study, whether in Baba Kamma or any portion of Shas, are the most modern. They are very impressive. My grandfather had a great share in this achievement. Anyway, we avail ourselves of the most modern methods of understanding, abstracting, inferring, classifying, defining, and so forth and so on. So there is no doubt that the intellect plays a tremendous role

In this essay as well as in a previous series titled “*Asseret Yemai Tshuva*” I have made reference to the limits of human thought. In outlining the limits and possibilities of human thought, it has been necessary to rise to a very abstract level. This may leave even the expert Torah scholar with an empty feeling – that nothing has been said. But we have described the nature of System and the compelling nature of System which requires our acceptance.

in the study of Torah. However, this study is more than simply an intellectual performance. It is a total, all-encompassing, and all-embracing involvement of the mind and heart, will, and feeling – the very center of the human personality. The emotional side of man, his logical bent, the volunteristic impulses can all be usefully employed in plumbing the depths of Torah.

The study of Torah is basically, for me, an ecstatic experience in which one meets G-d. And again I want to say that what I have told you is not just mysticism or due to my mystical inclinations. It is not so, but the Talmud expresses this very idea. Our sages equate the study of Torah with revelation, the great event and drama of G-d revelation on Mount Sinai. This event is reenacted, restaged, and relived every time a Jew opens the Talmud:”

“And make known to our children and your children’s children”(Deuteronomy 4:9), and it is written immediately afterward, “the day that you stood before the L-rd your G-d at Horeb” (Deuteronomy 4:10). Just as there it was in dread and fear and trembling and quaking, so in this case too, the study of Torah must be in dread and fear and trembling and quaking. (Berakhot 22a)

תלמוד בבלי מסכת ברכות דף כב עמוד א

דתניא: +דברים ד'+ והודעתם לבניך ולבני בניך, וכתוב בתריה יום אשר עמדת לפני ה' אלהיך בחורב, מה להלן באימה וביראה וברתת ובזיע אף כאן באימה וביראה וברתת ובזיע

Rav Joseph B. Soloveitchik, ztz'l, as found in *The Rav* by Assaron Rakeffet-Rothkoff, Volume 2, pp. 202-203