

**Judaism, human values, and  
the Jewish state**

YESHAYAHU LEIBOWITZ

JUDAISM,  
HUMAN VALUES,  
AND THE  
JEWISH STATE

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## Judaism, Human Values, and the Jewish State

## INTRODUCTION

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Eliezer Goldman

(1991)

**A**ptly characterized as the “conscience of Israel,” Yeshayahu Leibowitz has been, since the early 1940s, perhaps the most incisive and controversial critic of Israeli culture and politics. His stance has been characteristically polemical, his criticism trenchant and caustic: government policies, the religious establishment, shibboleths of Israeli society, dominant conceptions have all been derided by him in turn. He is hard-hitting, persistent in argument, and still indefatigable in pressing his views. (At the age of 86 he thought nothing of flying to Germany to participate in a television panel on an issue close to his heart and returning the following day to Israel to meet several appointments.) Because of his highly individual views and uncompromising adherence to principles, he has never remained attached for long to a political party—although he was, at least on one occasion, instrumental in founding one. On specific issues he has small groups of ardent supporters, whom he has succeeded in goading into effective action. Quite often they disagree with him on other issues; they may even fail to follow his line of thought. Because his conclusions are often grounded in idiosyncratic considerations, he is often admired for the wrong reasons. His views on political questions meet with angry dissent and often provoke vehement reactions from the general public, but he seems to enjoy the Socratic role of the gadfly and remains undaunted by an unfavorable reception of his message.

In a tribute to Leibowitz on the occasion of his eightieth birthday, Sir Isaiah Berlin remarked: “It is not so much his intellectual attainments and achievements as a thinker and teacher that have made so

profound an impression on me . . . as the unshakable moral and political stand which he took up for so many years in the face of so much pressure to be sensible, to be realistic, not to let down the side, not to give comfort to the enemy, not to fight against conventional current wisdom . . . Professor Leibowitz has never betrayed the ideals and beliefs which brought him to this country [Israel]. He was, and is, a Zionist. He holds, so I believe, that it is possible and right to create a free, democratic, tolerant, socially harmonious sovereign Jewish state, a self-governing and independent community of socially and politically equal citizens enjoying full civil liberties, free from exploitation of one body of men by another, and, above all, free from that kind of political control by the majority over minorities which we [Jews] have suffered so long and so cruelly as defenceless strangers in every land . . . Of him, I believe, it can be said more truly than of anyone else that he is the conscience of Israel: the clearest and most honorable champion of those principles which justify the creation of a movement and of a sovereign state achieved at so high a human cost both to the Jewish nation and to its neighbors.”<sup>1</sup>

This is a just characterization of Leibowitz, the political and moral critic. Leibowitz himself does not accept this assessment. He does not deny his public activity and moral and political positions, but disclaims the motives attributed to him. Sir Isaiah considers him a humanist, but while his political stand may be consistent with the humanist position, his own reasons are entirely different. In a published letter that was both an expression of gratitude and a rejoinder to Sir Isaiah, Leibowitz wrote: “As far as I understand, humanism, in the spirit of Kant, envisages the human person as the supreme value and end within any reality which man is capable of knowing. It follows that all thought and action are to be judged and evaluated in terms of their relation to this end. From the stand-point of Judaism . . . man as a natural creature, like all of natural reality, is of neutral value. His existence can be meaningfully evaluated only in terms of his position before God as expressed in his mode of life. Judaism recognizes no expression of such a position other than the “acceptance of the yoke of the Kingdom of Heaven and the yoke of Torah and its *Mitzvot*.”<sup>2</sup> Leibowitz expresses his indefatigable opposition to the Israeli occupation of the territories conquered in 1967 in terms of political and religious considerations, not humanistic ones. Politically, the occupation is corrupting the state of Israel.

All its mental and physical resources are squandered on dominating the recalcitrant population of the territories. It has none left for dealing with what ought to be at the center of attention of a Jewish state. The exigencies of political and military domination are converting it into a police state with its attendant evils. Power interests of the state tend to become ends in themselves, thus giving rise to the most insidious form of idolatry in the modern world.

Leibowitz is especially concerned with the impact of this situation upon religious circles. As he sees it, the very essence of Judaism is the denial of inherent sanctity to any natural phenomenon. Only God is holy, and any sanctity in the human sphere is bound up with the divine commandments. The conquest of the territories has fanned the ever-smoldering embers of idolatrous tendencies, the overcoming of which is a constant religious challenge. One instance of idolatry, prevalent among religious Zionists today, is to ascribe inherent holiness to the land and even to the state. For Leibowitz, himself a pious Jew, this is one of the most fearful consequences of the occupation.

### Biographical Note

Yeshayahu Leibowitz was born in Riga in 1903 and brought up in a home which belonged, in his words, to "a Jewish world in which Judaism and European culture were interwoven." He received his elementary education at home, where he continued his Jewish studies after entering secondary school. During the civil war in Russia in 1919, the family fled to Berlin, where Leibowitz studied chemistry and philosophy at the University of Berlin, then one of the great centers of scientific research. After receiving his doctorate in 1924, he spent several years at the Kaiser Wilhelm Institute and went on to study medicine at Köln and Heidelberg. Because of anti-Semitic discrimination in the German universities after the Nazis came to power, he took his M.D. in Basel.

In 1934 he arrived in Palestine, where he began teaching chemistry at the Hebrew University in Jerusalem. Very soon he came to be regarded as a brilliant teacher. Hundreds of students used to flock to his lectures on the physiological bases of the mental processes. His teaching extended beyond the campus to teachers' enrichment courses, adult education programs, and even youth groups. The subjects on

which he lectured reflected the encyclopedic breadth of his interests. His appearances on television and radio as teacher, lecturer, and commentator on the weekly reading of the Torah have brought him to wider audiences. Many Jerusalemites recall the small study-groups that gathered regularly to study some classic text of Jewish thought under his direction. The discussion of one such group on Maimonides' introduction to his commentary on the mishnaic Tractate *Aboth* has been published. It is a sample of the give-and-take of ideas which took place at such sessions.<sup>3</sup> With these groups he has completed several cycles of study of the text of Maimonides' *Guide of the Perplexed*. After retirement from his academic post, he continues lecturing and conducting seminars at the university in the philosophy and history of science.

The years of intensive teaching and research did not prevent him from constant engagement with public issues. His views were rarely popular with the general public and almost never met with the approval of the relevant establishments. This never daunted him. At times he even seemed to enjoy outraging his audiences. In retrospect, he can claim much greater foresight than his antagonists. Early in the 1940s, speaking at one of the kibbutzim in the Valley of Yizra'el, then considered the exemplar of Jewish settlement in Palestine, he called the entire valley a huge cemetery—referring thereby to the extremely low birth-rate in the region at the time. His listeners considered him a crank. Today, few people would deny the critical significance of the demographic factor for the future of the Jewish state.

During the late 1930s and the 1940s Leibowitz was preoccupied with the inability of the rabbinical establishment to appreciate the halakhic implications of the Zionist effort. Political and social Jewish autonomy was bound to raise religious dilemmas.<sup>4</sup> Leibowitz had been active in organizing a company of religiously observant people within the Hagganah, the Jewish self-defense organization which eventually became the nucleus of the Israel Defense Force (IDF). At the time, observant Jews found it difficult to integrate directly into the Hagganah organization because their insistence on observing the Sabbath brought them into conflict with the command. However, it soon became evident that military activity, even within the ranks of the observant, raised difficult halakhic problems resulting from unprecedented situations. Rabbinic authorities tended to shy away from taking a stand. They seemed to hint that religious Jews might keep away from



such matters, which could be better-handled by the nonobservant. This brought Leibowitz up against what he considered to be a parasitic tendency that boded ill for the future of the Jewish religion in a future Jewish state. For millennia, religious authorities had not been confronted with the functions of a sovereign authority. These had been in the hands of the foreign governments. It was therefore necessary to deal with questions of internal and external security and the economic needs of an all-encompassing society, as distinct from those of individuals. Much of Leibowitz's writing during this period was devoted to pointing out the need for a novel approach to halakhic decision under conditions of independent statehood. With the emergence of the state of Israel, such questions became acute.

In the 1950s and early 1960s Leibowitz took up cudgels in a variety of causes. He was active in a committee of scientists and public figures which agitated against the introduction of nuclear weaponry to the Israeli arsenal. His detestation of parasitism in any form led him to join a heterodox group fighting for a change in the economic order. During the mandatory period, political parties in Israel engaged in agricultural settlement and a variety of economic enterprises. This was especially true of the Labor party, which, through its control of the Histadruth, the general association of Jewish workers in Palestine, also directed its extensive business operations.<sup>5</sup> The economic effort was funded largely by the Jewish Agency. These moneys were funnelled to their destinations through the channels of the political parties. After the establishment of the state, many regarded this system as distorting the structure of the economy. But it continued, with the government as a primary source of funding. Enterprise, public and private, became increasingly dependent in this respect upon government. Political pressures could be brought to bear upon governmental departments to come to the aid of firms which were not economically viable. Appropriations which should have gone toward development of the infrastructure were doled out directly to various private and cooperative entrepreneurs, who lost any sense for the genuine profitability of their operations. Leibowitz and members of the group in question were convinced that this must lead to political corruption and foster an economy which was unable to stand on its own legs. Instead of utilizing the contributions of world Jewry and the aid of foreign governments for developing its productive resources on a firm economic basis,

Israel was squandering them on maintaining a standard of living which was beyond its own capacity. Much of the agitation of this group was conducted on the pages of the periodical *Beterem*, which published many of Leibowitz's articles on a variety of subjects. The group was successful in disclosing and ending some particular cases of corruption. It did not succeed in putting across its message and eventually disbanded. Its prognoses were only too well confirmed by recent developments of the Israeli economy. Pressure of political parties for support of favored projects has made a travesty of budgetary policy.

The Kibiyeh incident of 1953 directed Leibowitz's attention to a question which to him seemed ever more pressing.<sup>6</sup> The Zionist armed forces in the period antedating the state and the Israel Defense Force (IDF) in its early years had always avoided killing outside the direct context of warfare or self-defense. What change of attitude made possible the wanton killing of civilians in Kibiyeh? The motive was clear, retaliation for a series of murders by Palestinian terrorists. But what was it that removed the inhibitions to the murder of innocent civilians? Leibowitz's answer was that secular motifs and institutions had been endowed with a sanctity which is valid only within a religious context. Leibowitz finds no fault with secular Zionism as such. In fact he considers Zionism, including his own variety, as being essentially secular, with the clear limitations of secularity. Imputation of holiness to the secular, however, is religiously a form of idolatry and morally pernicious. The nation and its state acquire supreme value, and their interests are considered capable of justifying any action which promotes them.

In their time these causes seemed to interest a rather narrow public. It has been quite otherwise with the question of the occupied territories, which has divided Israeli opinion ever since 1967. For many it is an issue loaded with emotions that make clear and unbiased thinking very difficult. Leibowitz's foresight in predicting the consequences of the Israeli occupation of the West Bank and the Gaza Strip is all the more remarkable. In an article which, in slightly different versions, was published in several periodicals as early as 1968, he attempted to point out the likely effects of the occupation on Israeli society and government, as well as on its security and international status.<sup>7</sup> To almost all readers he seemed at the time to exaggerate matters beyond all proportion, and even today some of his contentions seem too far-fetched.

Yet from year to year more of his predictions appear to be confirmed. To ignore them requires one to be oblivious to the facts. Unfortunately, too many Israelis prefer not to have unpleasant realities brought to their attention. One consequence of the politics of occupation—which Leibowitz failed to foresee—is an unwillingness to be confronted with information which runs counter to widespread prejudices. The more reliable the coverage of the communications media, the more convinced are many people of their intention to distort.

During the Lebanese campaign of 1982–83, Leibowitz was not only active in demanding the withdrawal of troops from Lebanon, but lent his moral backing to members of the reserves who refused to serve in Lebanon and officers who resigned their posts. At the time, this refusal gathered momentum and gained considerable popular support owing to widespread public opinion favoring withdrawal from Lebanon. He still continues his support, now in the face of public opinion, for the conscientious objectors who refuse to serve in the occupied territories, especially after the Palestinian uprising of 1987. In this, his position has not met with sympathy. Even among those who share his criticism of Israel's policy in the territories, many feel that conscientious objection is unjustified. The public at large supports the official policy and favors a strong arm in dealing with the uprising. Nevertheless he continues, in private conversation and public lecture, to justify refusal to serve in the territories.

His statements rarely discuss the casuistics of conscientious objection, which seems to occupy the attention of those who deal with this issue. The concept he constantly reiterates is that no matter how important political obedience may be, the state and its politics have only instrumental functions. Their value is not absolute and their demands not always overriding. The religious person, for religious reasons, and the humanist, for moral reasons, may have decisive grounds for disobedience.

### Religious-Philosophical Premises

The brief retort to Sir Isaiah Berlin's tribute should serve as a warning against abstracting Leibowitz's views on current political issues from the broader context of his thought. Theological considerations entered even into his opinions on so distinctly political an issue as that of the

occupied territories. His enduring importance as a contemporary Jewish thinker is associated with his radical theological conceptions and their implications for Judaism and Jewish nationhood. These, in turn, must be understood against a background of philosophic premises.

*Human knowledge.* Two distinct traditions affect Leibowitz's conception of the nature and limitations of knowledge. The first is the theology of Maimonides, with its emphasis on the absolute transcendence of God, who cannot be conceived by the human mind. He can be known only through his works, that is to say, through the natural order of things. The second tradition stems from the Kantian critique of theoretical reason and supplies an epistemological underpinning for this agnostic type of theology, but also radicalizes it. The domain of knowledge is restricted to that which can be a datum for experience. Not only must the transcendent remain unknown, but even its existence cannot be demonstrated. Critics of Leibowitz have taken this theological agnosticism for atheism without realizing that it is but a working out of the implications of a theology which, like that of Maimonides, insists on the total transcendence of the divine.

Knowledge, in the proper sense of the word, is the result of the application of the scientific method. This is the only way we have of obtaining reliable information about natural reality. But if reality is understood in terms of a system of functional relations, as it is by those utilizing this method, and not as a system of ends and materials, as it was in ancient and medieval times, the natural world is religiously indifferent. Hence it is absurd to regard revelation as a surrogate or supplement for natural knowledge. Whatever relation may exist between man and God must be of a normative character.

*Radical decision.* Leibowitz accepts Kant's dichotomy of factual and normative, but his interpretation of this dichotomy is more along positivistic lines. His discussion of the subject calls to mind Max Weber's. Ultimately, all normative obligations and value-imputations are dependent upon personal decision. A valuation may, of course, be justified in terms of already recognized values, but one's ultimate values cannot be validated by anything beyond them. They cannot be the subject of rational argument. Their validity for a person results from decision, not from recognition. Since Leibowitz regards religion as an exclusively normative domain and denies that Scripture was intended to be a body of information, this is as true of religious commitment as it is

of all other basic life-values. Factual knowledge may be forced upon us by experience. There is nothing to compel one into acceptance of any ultimate value-commitments, including that of religious faith.

This leads to a curious dialectic of autonomy and heteronomy. The religious value of an act consists in its being performed because it is a divine command. Yet the very idea of a divine commandment and acceptance of any specific system of norms as a body of divine prescriptions can only follow from an autonomous decision. The very ascription of normative force to a divine command is a matter for decision. Like many other weighty decisions, this one may be tacit rather than explicit. In the typical case, one is committed to halakhic practice as a result of socialization. Only in situations in which it cannot be taken for granted need the decision enter one's awareness. The tradition presents the decision to accept the Halakhah as a unique historical event which committed the future generations of Israel. However, if we follow out the logic of Leibowitz's position, it would appear that recognition of the validity of this commitment requires constant renewal of the basic decision. The heteronomous force of the Torah and its Mitzvoth is dependent upon continued autonomous commitment (either explicit or tacit) on both communal and personal level.

Decision is not merely a condition for entertaining value; it is constitutive of value. Only what is freely chosen—a goal to which one aspires or a property one seeks to embody in reality—is, properly speaking, a value. In Leibowitz's opinion, a need cannot possibly be a value since it is given, not chosen. Freedom of choice is not a value in its own right, but a condition of all valuation. It is something imposed, part of the human condition, not an end in itself. Autonomy does not commit one to any specified norms, not even to "the Moral Law." Hence there is nothing contradictory about the idea of autonomous commitment to a heteronomous system of rules.<sup>8</sup>

*Religion and morality.* Few of the author's contentions have been as confusing to his readers and audiences as the often reiterated statement that morality is an atheistic category. If so, how to account for the moral criticism to which much of his writings is devoted? To a certain extent, such statements may be attributed to his penchant for shocking formulations. It may reflect Leibowitz's failure to organize his ethical theorizing systematically. However, careful study of the contexts in which morality and religion are presented as conflicting should make

Leibowitz's position more plausible. He is not claiming that a religious person cannot be a moral agent. At no point does he maintain that religious demands upon the person or the community are total in the sense of all-inclusive. On many matters the Halakhah is silent. At such points, moral considerations may very well come into play and ought to govern one's actions. The immorality of a religious person under such circumstances may even reflect upon his religiosity and constitute what is called *Hillul Hashem*, desecration of God's name.

Leibowitz does insist that a person acting as a moral agent cannot be acting as a religious agent and that a religious action cannot be simultaneously a moral action. This is a corollary of his view that human actions, as contrasted with natural events, can only be identified in terms of the agent's intention. The morality of an action is determined not by its consequences (though these enter into moral deliberation) but by the agent's intention to perform his duty. The religious character of an action is determined by the motive of worshipful service of God. The same external act may on one occasion be moral and on another religious, depending upon the agent's motivation. The idea of a religious duty to act morally when this seems to be required would not be a contradiction of Leibowitz's basic position, even if it may not be consonant with some of his formulations. A moral act done out of respect for religious duty would be a religious act. The person's proximate motive would be moral, but his ultimate motive religious. The intrinsic ultimacy of the religious motive is the point Leibowitz is trying to bring out.

*Ends and means.* Leibowitz makes a sharp distinction, drawn by Maimonides and reflecting Aristotelian influence, between ends-in-themselves and secondary ends, which are ends for us only because they subserve some further end. The original context of this distinction was a teleological concept of nature according to which things had their natural ends. As used by Leibowitz, without any reference to such a context, the distinction is rather similar to the familiar classification of values as intrinsic and instrumental. Yet there is a difference. Though there is no natural hierarchy of ends, some ends, once recognized, must be taken as ultimate. They are incapable of being validated by reference to further ends. But Leibowitz goes further. He adopts two crucial doctrines of Maimonides on this matter: first, the religious end is not only an end-in-itself but is *the* ultimate end; second, an ultimate end is desecrated when it is made to serve as a means to some other end.

What is the religious end? For Leibowitz it is worshipful service of God, or halakhic praxis. It could not affect God, and bears no comparison with ordinary human values. The religious practitioner will divorce his religious action from any hope for reward or fear of punishment other than the status before God achieved in living the life of Halakhah. This is a religious contention, not a sociological one. One need not deny the functionality of religious practices for social solidarity or their role in preserving the national identity of Jews. But these are empirical questions that are religiously irrelevant. To attempt to justify adherence to Mitzvoth by its consequences, whether for society, nation, or individual, is to take up a secular point of view which does not recognize the primacy and ultimacy of the worshipful service of God. Religiously, this is an inversion of the scale of values.

### Jewish Faith

The thesis that Jewish faith is basically the commitment to observance of the Halakhah as worshipful service of God has a polemical thrust. Among others, it is directed against Reform Judaism, which regards the Halakhah as a husk hiding the essential core of religion. Some take it to be morality, others a set of metaphysical beliefs, or even the inner religious experience of the individual. On Leibowitz's premises, none of these would be of distinctly religious significance. However, one cannot argue effectively with people who reject these premises. Leibowitz, therefore, conducts his argument at the historical level.

Given the long history of the Jewish religion, the varying circumstances in which its adherents lived, the movements of Jewish thought in the course of Jewish history, and the diverse life styles of Jews in different epochs, what is it that fixed the identity of Judaism over the ages? Leibowitz's answer is: the religious practice determined by the Halakhah. No other facet of Jewish religion had its continuity and relative invariance. Jewish theologies were so diverse and so dependent upon the variant philosophic assumptions of different schools and different ages that they can hardly be said to present a significant unity. Inner religious experience varies from individual to individual. Leibowitz seems to feel that it cannot be communicated.<sup>9</sup> One cannot ignore the fact that the Jewish religion was practiced by a collective, and that this practice had a highly institutionalized structure. Systems of belief and personal religious experience can hardly account for the unity of

the institutions of Jewish religion. Furthermore, at any given point in time, it is the life of Halakhah that distinguishes the Jewish religion from others. Even its monotheism cannot be said to constitute its identity *vis-à-vis* Islam or Christianity. Islamic monotheism does not differ from that of Judaism. As for Christian Trinitarianism, one need only recall that Kabbalists were accused by their opponents of belief in a decimalian deity. Historically, what definitively severed Christianity from Judaism was its rejection of "the Law."

To understand the meaning of the halakhic way of life is to understand Jewish religion. It is a method of orienting one's day-by-day existence by the sense of one's standing before God, which can be expressed only in worshipful action. To live with such an orientation involves a normatively significant decision. This is the basis act of faith: "Acceptance of the yoke of the Kingdom of Heaven and the yoke of the Mitzvoth," in the idiom of the rabbinic Sages.

To what end?

The very question reflects a misunderstanding of the religious attitude best summed up in the words of the psalmist: "Whom have I in heaven (but you) and there is none upon earth I desire but You . . . But for me to draw near to God is good" (Ps. 73:25, 28). To stand before God is the ultimate good, which is to be pursued only for its own sake. But how does one draw near the absolutely transcendent? By observing His Mitzvoth for the sole reason that in so doing we are worshipping Him. The rabbis denote such motivation by the word *lishmah* (for its own sake) and distinguish him who serves God *lishmah* from him who serves not-*lishmah*, that is, for some ulterior good. One who serves God *lishmah* sets aside all consideration of advantages which may accrue from so doing or of loss from failing to do so. In the talmudic literature this is a distinction of rank, of different levels of religiosity.

Two men of faith are paradigmatic for Leibowitz. The first was Abraham, who was ready to sacrifice what was humanly most valuable for the sake of God. The other is Maimonides, for whom being motivated *lishmah* was of the essence of religiosity. This follows from his view that an ultimate end is desecrated by being utilized as a means. It is no mere theoretical opinion. It is applied halakhically in his strict prohibition of studying Torah at the public expense or receiving remuneration for teaching it. Expectations of reward and punishment tri-



vialize the religious act, which is the highest attainment of which man is capable. Halakhah is religious practice in the present; the religion of man in his natural condition. Religion does not bring about a radical change in the human condition. This is a denial of the concept of salvation as it is understood by Christians. The religious condition of man, as contrasted with his technological or cognitive attainment, remains constant. Although any individual, or the community as a whole, may advance their level of adherence to the norms of religious observance, their basic religious status does not change. A recurrent simile for the religious condition is the figure of the housewife, persisting in her work which begins ever anew. There is no further goal beyond that of living a halakhic life geared to the service of God. The religious life is a ceaseless cyclical process. Messianic expectations have no genuinely religious significance. At best, the messianic idea represents an ever receding goal. At worst, as anticipation of a nearby redemption, it disrupts the religious life of the community. In historically typical instances, it has led to apostasy.

What then can be meant by "Jewish faith" if it is neither a set of beliefs nor a body of expectations? Leibowitz's answer probably sounds more plausible in Hebrew than in English, since the word *Emunah*, by which the equivalents of the Greek *pistis* are usually translated, means, in its biblical usage and in most of its talmudic occurrences, "steadfastness," "dependability," or "righteousness." Jewish faith consists in the steadfast commitment to the life of religious observance, to the halakhic service of God. Since the inner religious experience, according to Leibowitz, varies from person to person, the inner awareness accompanying such commitment will also vary, and, as a matter of fact, always was differently perceived by different individuals and different groups. For a life of halakhic practice to be religiously meaningful, it must be motivated by the intention to worship God. It may have no ulterior motive. This does not mean that every halakhic act at the moment of performance must be accompanied by a subjective intention. It does imply that one's life of halakhic observance as a whole be intentionally directed to the service of God. It involves some awareness, however vague, of living in the presence of the wholly transcendent God, an evaluation of this as of the utmost importance, and acceptance of the Torah as the divinely ordained, though humanly interpreted, way of living "before" God.