David Novak and the Crisis of Modern Jewish Thought

The Library of Contemporary Jewish Philosophers series edited by Hava Tirosh-Samuelson and Aaron W. Hughes has already accumulated more than a dozen volumes, with several more volumes in progress. Each text focuses on a single, contemporary Jewish thinker, presenting an overview of their work, several of their important essays, and an interview. The editors note in their introduction to the series that the project was motivated by the paradoxical situation of contemporary Jewish studies: as Jewish studies has succeeded in establishing itself as a legitimate field of study in academia, it has become increasingly “inaccessible” and “irrelevant to the public at large” (p. xiii). In order to remedy this situation, the editors propose the series itself to introduce the public to contemporary Jewish thought.

The increasing irrelevance of academic Jewish studies in contemporary Jewish life is certainly perplexing and discouraging. The editors suggest that there are several reasons for this situation, ranging from the indifference of the public to the tendency of academics to employ technical language and obscure arguments. The causes, however, may run deeper. The editors suggest that Jewish studies may not have been completely successful in establishing its place in the secular university. Other academics, such as philosophers, refuse to recognize “the philosophical merits of Jewish Philosophy” in part because they perceive it as “too particularistic” (p. xiii). Religious devotion too is suspect as consisting of little more than prerational commitment to a particular tradition. In contrast, philosophy aims to transcend the particular and focus on the universal, a project which appears to preclude Jewish studies.

In response to these challenges, the third volume in the collection, David Novak: Natural Law and Revealed Torah, presents the sober and insightful reflections of a scholar who has devoted his career to sorting them out. Novak, the Schiff Professor of Jewish Studies and Professor of Philosophy at the University of Toronto, has managed in his own career to bridge the chasm between theory and practice, first as a pulpit rabbi and a Jewish chaplain at St. Elizabeth’s Hospital in Washington, DC, and second as an esteemed academic. Even after entering academia, he has remained active in public life in a myriad of ways, including as an advisor to a monthly journal, First Things. Suffice to say that Rabbi Novak is uniquely qualified to diagnose the problems that have undermined Jewish studies.

What makes Novak’s analysis so insightful is his awareness of the close relation of theology to politics in the broadest sense, namely how one’s political regime influences one’s account of religion in public life. This allows him to see the connection between seemingly unrelated attacks and opens up this thought in novel ways. He observes that “in democratic societies … the warrant for that society is not taken from any of our tradition.” In fact, the secular tendencies of liberalism tend to undermine all religious thought and insist “we don’t have to accommodate people of religious traditions because they have nothing to say. It’s all particularism with no uni-
versal validity” (p. 112). This view, which Novak characterizes as “militant secularism,” has such faith in reason that it claims “if we could only get rid of religion we would really have universal ethics and universal solidarity” (p. 113). The hostility that this view generates toward religious observance and belief invariably undermines the legitimacy of Jewish studies at the university. Indeed, soon after Novak was hired at Toronto, one of his colleagues turned to him at a faculty meeting and said: “You’re so theological. How did they ever hire you here?” (p. 113).

In response to such attacks made in the name of secularism and egalitarianism, Jewish studies faculty have understandably attempted to portray the Jewish point of view as consistent with political liberalism. In Novak’s eyes, this is a mistake that undermines scholarship and enervates the discipline of Jewish studies. Novak received his rabbinic ordination from the Jewish Theological Seminary in 1966, but broke with Conservative Judaism in 1983 over the question of halakha’s authority in the movement. In its alacrity to embrace egalitarianism, Novak believes that the Conservative movement tends to give short shrift to halakha (see p. 93). It is a tendency that has proven difficult to resist in mainstream American Jewish life as well. Novak recounts a controversy over a series of essays commissioned by the American Jewish Committee on contemporary social issues and halakha. Surprisingly, the controversy emerged around Rabbi David Feldman’s essay on abortion, which, according to Novak, adopts “a very, very lenient” position (p. 115). Though Feldman’s analysis is well grounded in halakha, his essay was criticized for adopting a position inconsistent with the view that abortion is a right. One academic asked that the essay be expunged from the volume altogether. In response, Novak proposed that the professor who raised the objection present an alternative analysis, adding the proviso that the author “explain what is Jewish about your view on abortion besides the fact that you are a Jew” (p. 116).

Though he resists the temptation to make Judaism synonymous with a particular political agenda, Novak is not interested in claiming that halakha, or even the tradition, presents a monolithic view. Honest scholarship requires the effort to recover the various points of view regardless of our political commitments. The threat to the scholarship comes, as we have seen, from an eagerness to make the Jewish position consistent with a prevailing political view. In Novak’s view, once one has carefully examined the tradition, the next step is to show why the tradition matters, that is, what wisdom it contains. As

Novak explains with typical frankness, “why should anybody listen to what you say Jewish Law says we should do?” (p. 113).

The case for the Jewish view, that is, for its superior wisdom, must be made on grounds that are not confined merely to a particular religious tradition. In the absence of another standard, the commonly recognized measure of wisdom approaches the founding principles of the regime. This explains why the “Jewish view” today is often taken to be synonymous with the presumptions of a liberal regime. Here, Novak points out that liberalism is not wholly consistent in its trajectory, and recognizing that fact opens up the possibility of reinvigorating Jewish studies.

One direction that liberalism tends toward, as we have seen, is secularism, which aims to overcome particularism and religion. This view suggests that there is no place for the Jewish point of view in an institution that aims to transcend all particular traditions by means of reason. Novak mounts a bold attack against this position, arguing that the cosmopolitanism imagined by secular opponents of religion has never in fact existed. Like Plato’s “allegory of the cave,” Novak suggests that everyone lives within a particular horizon out of which philosophy emerges, and independent of which it is little better than sophistry. Awareness of this fact exposes the desire to rise above a tradition by rejecting all traditions as a chimera. When Novak reviewed Michael Walzer’s edited volume The Jewish Political Tradition (2003) for the New Republic, he was particularly critical of Hilary Putnam’s essay on Yehuda HaLevi: “I know where HaLevi is coming from, namely, I understand his commitments. I have no clear idea where Putnam’s commitments are coming from. And it always reminded me of something my father, who was a businessman, used to say: ‘never lend money to a man who’s running to catch a train because he has no address’” (p. 97).

It isn’t only Jews who are guilty of running away from tradition to catch a train to nowhere; Novak suggests that many of his non-Jewish colleagues have the same pretenses. Regarding two scholars of Kant at his university, Novak wryly observes: “I wasn’t present at either of their weddings, but I would bet anything... that whoever officiated... was not reading from The Critique of Pure Reason” (pp. 99-100).

Academics in Jewish studies may not advocate abandoning the tradition, but they are prone to presenting its claims as if indifferent to their truth. This is only a modest advance over Moritz Steinschneider, one of the
founders of the Wissenshaft des Judentums, who sought to historize revelation in order to give it a proper burial. Novak does not deny, of course, the need for Jewish history and textual scholarship; to the contrary, he suggests that they are essential to revealing the wisdom of the tradition. His point is that scholarly studies are useful because they are a prerequisite to this ultimate task: "the problem with the scientific study of Judaism promoted by historians is that scholars of Judaism can tell you many things that are true about Judaism, but they can’t tell you anything that Judaism says is true" (p. 103).

To return to the conundrum posed by the editors of the series: how is it that Jewish studies flourishes at secular universities in liberal regimes but is increasingly irrelevant to Jewish life? Novak’s answer is that the very preconditions of its flourishing in a secular institution presume its irrelevance. What then is the solution? Here Novak’s argument takes a bold and somewhat surprising turn. Rather than reject liberalism or retreat into a self-imposed ghetto, Novak proposes using liberalism to promote a deeper commitment to Judaism.

Although a liberal regime does not offer religious faith a privileged place, it cannot be indifferent to the religious beliefs of its citizens. This is partly because the regime must protect itself from religious fanaticism; however, and more importantly for Novak, religion offers the best and effective support for liberalism. To appreciate why this is the case, we must remember that, as Aaron Hughes observes, "there is no lingua franca of ‘reason’... that can be appealed to outside of traditions" (p. 6). In political life, reason operates only within the context of traditions and conventions. The starting point for real dialogue in the public sphere can only begin with the citizen’s actual beliefs.

Novak is confident that various adherents to religion are eager to explain their views to others, and that at least for the three major monotheistic faiths—Judaism, Christianity, and Islam—are equipped to do so. But interfaith dialogue faces formidable obstacles: for one thing, there is a tendency for each tradition to "claim the truths as its own original possession," and since each account of revelation appears to make various and contrary demands, how can we be sure that they will find common ground? In despair of finding such ground, we might also fall victim to the opposite proclivity and reject revelation altogether by permitting some version of relativism to assert itself (p. 12).

For Novak, the continual threat to all faiths posed by secularism and relativism motivates the common search for a solution. As he writes in Jewish-Christian Dialogue: A Jewish Justification: "Thinkers in each community must re-search their own respective traditions to constitute the integrity of the other community and not lose the integrity of their own. This task is formidable because this re-search must be quite radical, working its way back to the roots of the tradition and back into the present and toward the future" (emphasis in original, p. 12).

Here Novak suggests that the scholarly task of re-searching the tradition is also a search for something, namely the source of its wisdom, which provides at the same time, a basis for a genuine relation with other communities. Interfaith dialogue aids us in this quest because it forces the members of a tradition to discover and explain the wisdom of that tradition to outsiders. In the respect, Novak’s own scholarship in medical ethics, political philosophy, and interfaith dialogue is a testimony to the wisdom of his approach. David Novak: Natural Law and Revealed Torah provides a fine introduction to the work of this important Jewish thinker.

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