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CRESCAS, HARD DETERMINISM, AND THE NEED FOR A TORAH

Aaron Segal

All adherents of hard determinism face a number of steep challenges; those with traditional religious commitments face still further challenges. In this paper I treat one such further challenge. The challenge, in brief, is that given hard determinism, it's very difficult to say why God couldn't, and why God wouldn't, just immediately and directly realize the final end of creation. I develop the challenge, and a number of solutions, through the work of the medieval Jewish philosopher, Hasdai Crescas. After arguing that Crescas is indeed a hard determinist, and showing that he forecloses all the easy solutions to our challenge, I piece together from his work two solutions. They both start from the assumption that the purpose of creation is creaturely love of God. Each then lays down a constraint on proper love of God, which can be satisfied only if God demands of us to realize some state of affairs other than loving Him.

1. Introduction

Hard determinism — the conjunction of determinism and incompatibilism about determinism and freedom — is a hard pill for most of us to swallow. It constitutes a threat to our deeply held views about moral responsibility, to the rationality of our common attitudes and reactions to others, to our sense of self and meaning in life, and to the morality of our criminal justice system.¹ But for those with religious commitments, hard determinism is an even harder pill to swallow. It undermines the free will defense, raises new questions about divine justice, and seems to make divine forgiveness impossible and human love for God far less valuable.² Philosophers have

¹Most of these difficulties stem from the very denial of human freedom, irrespective of whether that's due to determinism, or indeterminism, or something else.

²Several of these difficulties, such as undermining the free will defense, stem from determinism itself, irrespective of whether it's conjoined with compatibilism or incompatibilism. (Or as other philosophers would put it, they stem from a lack of libertarian free will.) See Ekstrom, *God, Suffering, and the Value of Free Will*, §2.1.1–2.1.2. Though, see Turner, "Compatibilism and the Free Will Defense," and Almeida, "Compatibilism and the Free Will Defense," for compatibilist free will defenses.



examined each of these challenges.³ Defenders of hard determinism have denied some of the alleged implications, and downplayed the significance of others.

I wish to examine yet another distinctively religious difficulty that arises from hard determinism, one that as far as I know hasn't yet been addressed. It can in principle arise in many religious traditions. But Judaism, with its insistence on the Torah's essential role in the realization of God's purposes for the cosmos and humanity, is perhaps particularly vulnerable to the challenge. The challenge, in rough outline, is that given hard determinism, it's unclear how the Torah — its giving and its observance — *could* play such an essential role. Given hard determinism, and the consequent denial of human moral responsibility, it's unclear why God couldn't, and why God *wouldn't*, just "cut to the chase," so to speak, and directly bring about whatever state of affairs He wishes to realize through the giving of the Torah and its observance by human beings.

If human beings were free and morally responsible, then it's relatively easy to see how it could be the case that the Torah, or something like it, is not just *a* means to God's end, but an absolutely necessary one. For it might well be that God's ends for humanity include their partnership with Him in *freely* building the world and pushing history forward, or their *earning* the divine blessing bestowed upon them.⁴ Those are plausible ends, perhaps. And they explain why the Torah — or, more generally, divine instruction to humanity on how to live — might well be a *sine qua non* for the realization of God's purposes.⁵ But absent freedom and moral responsibility, those couldn't be God's ends.

To be sure, in order for this to constitute a genuine difficulty, a number of background assumptions have to be in place. We need to assume that God *has* an end in creating; that the end is one we would find at least moderately plausible; and that the giving of the Torah (or something like it) and its observance are indeed *essential means* to that end — that on the one hand they are not the end *in itself*, but that on the other hand they are an

The difficulty surrounding the value of human love of God is made all the more difficult assuming hard *theological* determinism, i.e. the conjunction of *theological* determinism and incompatibilism, since it is then God who is responsible for the human love of Him.

³On the general challenges, see Smilansky, *Free Will and Illusion*; Pereboom, *Living Without Free Will* and *Free Will, Agency, and Meaning in Life*; and Ekstrom, *God, Suffering, and the Value of Free Will*, §2.2.2. On some of the specifically religious challenges, see Howard-Snyder and Howard-Snyder, "The Christian Theodicist's Appeal to Love"; Shatz, "Is Matter all that Matters?"; and Pereboom, "Theological Determinism."

⁴See, e.g., Luzzatto *Da'at Tevunoth* and *Mesilat Yesharim*.

⁵While I will continue to write about the purposes of the Torah — whose prescriptions are largely addressed only to Jews — normative Jewish tradition does see in the early chapters of Genesis a set of divine instructions to humanity at large, some of which were already issued to Adam and others of which were later issued to Noah (Babylonian Talmud *Sanhedrin* 56a–58b). These instructions constitute what's known as the 'Noahide Law' and much of what I go on to say, and much of what Crescas says, can be said *mutatis mutandis* regarding the Noahide Law and its purposes. Thanks to an anonymous referee here.

absolutely necessary path to that end. It's against this backdrop that we have a novel theological challenge in hard determinism.

But as it happens, the medieval Jewish philosopher most famous for endorsing hard determinism — perhaps the *only* medieval Jewish philosopher to do so — also accepted these background assumptions. I'm referring to Hasdai Crescas (1340–1411), the 14th century Catalan philosopher and rabbi. And while he explicitly addressed a number of theological obstacles to his hard determinism, he doesn't explicitly address the one I'm raising. But as it also happens, I believe he provides us with the resources to address it. So, while his views create a distinctive problem, they also offer us a distinctive solution. We have a Crescasian quagmire, and a Crescasian way out.

But my discussion is significant not just as Crescas exegesis. For those with Jewish theological commitments, the background assumptions are highly plausible. So, my discussion can serve those folks either as a warning to avoid hard determinism, or as a prod to adopt the resources Crescas provides for a solution. And even without Jewish theological commitments — even with no commitment to the existence of a Torah or anything like it — I think we can develop a religious problem for hard determinism along very much the same lines. In my statement of the background assumptions, replace “giving of the Torah and its observance” with “our Earthly sojourn” and you have a backdrop that many religious devotees will find plausible. (“Our Earthly sojourn is an *essential means* to God's end in creating — on the one hand it's not the end *in itself*, but on the other hand it's an *absolutely necessary path to that end.*”) But it too is in tension with hard determinism, and for the same reason. Absent human freedom and responsibility, it's *hard* to think of a plausible end for whose realization our Earthly sojourn could be an absolutely necessary means.⁶

⁶It's true that a soul-building theodicy (Hick, *Evil and the God of Love*) assumes that there is value in our *progressing* in virtue, and character *building* — so much value that God might have its realization as part of His primary end in creating — and that these things in turn require the bodily impediments and temptations of an Earthly sojourn. And it's also true that the soul-building theodicy is supposed to be independent of the free-will theodicy; that is, it might succeed, even if the free-will theodicy fails. But even assuming that supposition is correct, it doesn't follow that the assumptions of the soul-building theodicy are still plausible if we're not free, *period*. For one thing, the free-will theodicy plausibly requires the conjunction of creaturely freedom *and* incompatibilism (and hence indeterminism), while the soul-building theodicy can get by with freedom all by itself. (Though Turner, “Compatibilism,” and Almeida, “Compatibilism,” cited in note 2, argue that the free will theodicy doesn't need to assume incompatibilism; and Hick (*Evil*, 276) himself seems to think his soul-building theodicy *does* require libertarian freedom (i.e. freedom *and* incompatibilism). See Speak, “Free Will and Soul-Making.”) So, the free-will defense might fail because of the truth of compatibilism, while the soul-building theodicy succeeds because we're still free. For another thing, the free-will theodicy gives a very specific role to creaturely freedom (as the *causal explanation* of much evil), a role that the soul-building theodicy doesn't demand of it. So, the free-will defense might fail because we don't think freedom can play that role (maybe we think there are cases of evil that aren't the effects of free creaturely actions), while the soul-building theodicy succeeds because free will can play the role that *it* demands.

So my discussion could serve those religious devotees as well either as a warning to avoid hard determinism, or as a prod to adopt the resources Crescas provides for a solution. But first, Crescas.

2. Determinism, Freedom, and Responsibility

Working out exactly what Crescas held about determinism, human freedom, moral responsibility, and the relation between them, isn't a trivial task.

On the one hand, it seems clear from his discussion in *Light of the Lord*, §II.5.3–4, that he endorses a thoroughgoing theological determinism. It's *theological* determinism in that it says that God's will logically suffices for the occurrence of everything that in fact happens. And it's *thoroughgoing* in the sense that it's true in an unqualified way, without exception. It's not as though it's true of all events except those involving human beings; or of all human actions except for those performed on Tuesdays; or of all overt behaviors, but no mental states; or of all behaviors and mental states, except feelings of joy. No, it's true of absolutely everything that happens, including everything that happens to or involves human beings: their actions, their beliefs, their efforts, and their attitudes. And I say it seems clear that he endorses such a thoroughgoing version, based both on his formulations of determinism in those two chapters and the arguments he there endorses. Thus, he says:

Therefore, the complete truth is, in accordance with what the Torah and speculation require, that the nature of the possible exists in things in respect of themselves, but not in respect of their causes.⁷

And the arguments he endorses, which he presented in full in *Light* §II.5.2, proceed from extremely general metaphysical premises. The premises are so general that if the arguments succeed, I don't see how they could but establish the unqualified claim. Here, for example is his Avicennian argument for theological determinism:

It is self-evident and agreed-upon that a possible thing that can exist or not exist requires a cause to determine its existence over its nonexistence; otherwise, its nonexistence would persist. Therefore, when something possible exists, it is necessarily the case that it was preceded by a cause that necessitated and determined its existence over its nonexistence, so that the existent that was assumed to be possible turns out to be necessary . . . This will continue until the series culminates in the first cause and first existent, whose existence is necessary: God.⁸

And indeed, I don't think the soul-building theodicy is very plausible if we're not free *at all*, since it seems to me that the value of any *progress* in virtue and character *building* is highly diminished if none of us progresses or builds our character freely and none of us deserves any credit for what we do. See also Ekstrom, *God, Suffering, and the Value of Free Will*, §1.3.2.

⁷Weiss, *Crescas: Light of the Lord*, 195; page references for all quotations from *Light of the Lord* are taken from this version.

⁸Weiss, *Crescas*, 191.

On top of that, it seems quite clear that Crescas took it to be a consequence of his determinism that none of us is free, in whatever sense of freedom is required for moral responsibility.⁹ Thus, none of us is morally responsible for what we do, none of us can be properly blamed or praised, and nothing we do redounds to our credit or our detriment.

This might be because he took it to be a consequence of his determinism that none of us is free to do otherwise than he in fact does, which he took, contrary to Frankfurt,¹⁰ to have the further consequence that none of us is morally responsible. Or he might have thought there was a more direct and immediate incompatibility between determinism and moral responsibility, one which could be established via something like a contemporary manipulation argument.¹¹ On the question of what explains or justifies the incompatibility of determinism and moral responsibility, Crescas is silent.

But on the *existence* of the incompatibility, Crescas seems quite clear. This emerges from his discussion of divine reward and punishment. He raises an objection to the determinism he endorses from the fact that it would seem to render unjust God's reward and punishment of human beings. In reply, he *doesn't* simply say that such reward and punishment is just because it is *deserved*. Instead, he appeals to an analogy to the causally necessary connection between approaching a flame and getting singed:

If a man were necessitated in his deeds, reward and punishment for them would constitute an injustice on God's part. This appears to be a strong argument for the nullification of all necessity. Yet if we delve into it, its resolution is not difficult. For if reward and punishment follow necessarily upon good works and transgressions [respectively] in the way that effects follow necessarily upon causes, they would not be said to be injustices, just as there is no injustice when someone who approaches fire gets burned, even if he approaches the fire involuntarily.¹²

I will return shortly to that analogy and what it means. In the meantime, it suffices to note that he feels the need to appeal to that analogy. If he thought we could *deserve* reward and punishment despite the "necessitation of our

⁹This of course puts him at odds with compatibilist accounts of responsibility-enabling-freedom, such as Frankfurt's ("Freedom of the Will") hierarchical account, Fischer and Ravizza's (*Responsibility and Control*) guidance control view, and Nelkin's (*Making Sense*) rational abilities view.

I don't mean to imply that Crescas speaks in terms of 'responsibility-enabling-freedom,' or even in terms of 'freedom' at all. As Manekin ("Spinoza and the Determinist Tradition") points out, Crescas nowhere uses the term 'free will' or 'free choice' — he speaks of (and underlines the importance of) 'choice' (*behira*) and 'will' (*ratzon*), but not of *free will* or *free choice* (what would later be called *hofesh haratazon* or *behira hofshit*). But even though the term is absent, it's evident that something in the vicinity of the concept (whether *freedom*, or it *being up to the agent*, or some such thing) is going to have to play a role in mediating between determinism and the lack of moral responsibility.

¹⁰Frankfurt, "Alternative Possibilities."

¹¹See Pereboom, *Living Without Free Will and Free Will, Agency, and the Meaning of Life*.

¹²Weiss, *Crescas*, 194–95.

deeds," there'd be no need for the analogy, or for any answer at all to the objection from injustice. The objection wouldn't so much as get off the ground.

So, Crescas thinks that none of us is morally responsible for anything that is theologically determined. Taking that together with the *universality* of theological determinism, it follows that none of us is morally responsible for anything whatsoever: actions, beliefs, efforts, or attitudes. At least according to the straightforward interpretation.

There is, however, at least one apparent difficulty for this interpretation that requires some philosophical work to address.¹³ In §II.5.5 he treats the apparent injustice in divine reward and punishment in greater detail. In that chapter he claims that what makes it fitting, or justified (*ra'uy*), for God to reward or punish a person is *the joy* that person experiences when doing what is in keeping with, or in contravention of, God's will.

the end yearned for in worship and deeds of goodness is the love and joy one takes in them . . . Therefore, when this desire and pleasure is in the soul, there follows an act of the soul through which attachment to or detachment from God occurs. It is therefore fitting (*ra'uy*) that reward and punishment derive from this act as effect derives from cause.¹⁴

Now, one *could* understand Crescas here as holding that a person is rewarded or punished *for the joy they feel* in doing what's right or wrong, and that this is just, because a person *deserves* credit and blame for that feeling of joy. This reading would mean that either Crescas reneged on his claim of universal theological determinism — making room for a dominion of human internal states within the dominion of nature as a whole — or that he recanted his assumption that determinism is incompatible with moral responsibility. Some interpreters have indeed read Crescas as making room one way or the other for human praiseworthiness and blameworthiness, at least with regard to attitudes and feelings.¹⁵

But I think this is a misreading.¹⁶ It's clear that Crescas maintains throughout that a person is not morally responsible, not blameworthy or praiseworthy, for what they're determined to do. Otherwise, there'd be no need to posit any special role for joy, at least when it comes to determined deeds. He could just as well justify divine reward and punishment for the determined deeds themselves.¹⁷ And there is no textual evidence

¹³There's another apparent difficulty, but it's as easy to dispense with as it is to state. At the end of §II.5.4, there is a lengthy passage in which Crescas hedges or even retract his theological determinism entirely. But as Harvey ("The Authorship") has shown, that passage is actually an interpolation of a marginal gloss from one of Crescas's students or interpreters who was uncomfortable with Crescas's own theological determinism.

¹⁴Weiss, *Crescas*, 201–2.

¹⁵See Rosenberg, "The Concept," 303–4, and Feldman, "A Debate," 36–37.

¹⁶See also Manekin, "Spinoza and the Determinist Tradition," who makes a compelling case that this is a misreading.

¹⁷He could still reasonably give a role to joy that accompanies belief, since on his view, beliefs are involuntary, not just determined and unfree. But he's clear that joy has a special role to play in justifying reward and punishment for deeds as well.

that he changed his mind on determinism's scope. Not only is there no evidence, he couldn't coherently justify any such qualified position. Either the arguments he adduces for theological determinism succeed, or they don't. If they do, they establish a sweeping determinism, with no exceptions for feelings. If they don't, he has no business being a determinist in the first place.

Crescas isn't saying that those who enjoy doing what's right or wrong deserve to be rewarded or punished. None of us, on his view, *deserve* anything for what we do or feel. (Notice that even in the passage I just cited he speaks of reward and punishment being fitting "as effect derives from cause.") His concern in §II.5.5 is primarily with the follow up question: if divine punishment *can* be just even though there's no basic desert, then why *isn't* there divine punishment — as the Jewish legal tradition contends there is not — for actions done under duress? Why, to be more careful, isn't there such punishment when the agent *feels* compulsion or duress? If in any case every agent is *in fact* compelled by causes beyond their control to act as they do — and nevertheless there is divine punishment and reward for some such actions — why shouldn't there be divine punishment and reward when the agent *feels* compelled?

He addressed this question, very briefly, in §II.5.3. His answer there seems to be this: Divine reward and punishment are not retributive; they are instead a system of carrots and sticks, meant to incentivize observance of the Torah:

Therefore, the divine science saw fit to set the prescriptions and the proscriptions as means to move people, and as powerful causes to direct them to human happiness . . . It is known that a father does not chasten his son with the intent of taking revenge, and not even for the sake of doing justice, but only to benefit his son. When, therefore, God chastens man, His intent is not to take revenge on him, and not even to achieve political justice — which is fitting only if the person is acting fully voluntarily without any constraint or compulsion. Rather, the intent of chastening is for the good of the nation generally; this is its intended aim.¹⁸

(On this understanding, the analogy of punishment for wrongdoing to getting singed as a result of touching a flame, is meant to suggest that the purpose of punishment is something *other* than retribution.) But then divine reward and punishment are only appropriate when they can play that (dis)incentivizing role.

When, however, acts are constrained and compelled, that is, when a man acts under constraint and compulsion, and does not act by his will, then, since he does not act by the concurrence of his appetitive faculty with his imaginative one, what he does is not an act of his soul, and it is not fitting that punishment should follow. This is so because compelled deeds are unaffected by prescriptions and proscriptions which are able to move people to

¹⁸Weiss, *Crescas*, 195–6

do or to avoid them. For inasmuch as these have no effect on a person, there is no point in issuing prescriptions and proscriptions to him. Punishment for transgression would not stem then from divine justice, for no good is consequent upon it.¹⁹

When there's a feeling of duress in doing something, then doing that thing *isn't an act of will at all*. It's not just *unfree*, it's *unchosen*, or *involuntary*. This follows from his account of what an act of will *is*: the agreement or alignment of one's appetitive faculty with one's imaginative faculty. More carefully, one's doing such-and-such is an act of will just in case one has an (all-things-considered) appetite for that which one imagines will result from doing such-and-such. And it's impossible, Crescas reasonably assumes, for a person to have an (all-things-considered) appetite for that which he imagines will result from his doing such-and-such, and yet feel duress or compulsion in so doing. But there's no point in having any punishment follow upon that which is involuntary — if it didn't go by way of the will anyway, then carrots and sticks wouldn't influence its occurrence. And, Crescas further assumes, God's permission of *pointless* punishment is inconsistent with divine justice.

This is an interesting, but problematic, reply. It doesn't follow from the fact that a particular act of doing such-and-such was in fact involuntary, that there wasn't anything that *could have been* offered or threatened that would have led to the agent to efficaciously will not to do such-and-such. A cigarette addict's act of smoking might, on many occasions, be involuntary, but presumably if you reliably threatened her with execution for smoking, she would have willed not to smoke, and so not smoked, even on those occasions!

Perhaps this was part of what led Crescas to be dissatisfied with his explanation in §II.5.2 and offer another explanation in §II.5.5.²⁰ More likely it was the need to explain how there still *could be* reward and punishment associated with beliefs, despite their being involuntary. But whatever it was that led him to do so, he does propose an alternative explanation. And the alternative explanation is contained in the *prima facie* problematic passage cited above. But now we can see it's not problematic or otherwise in tension with his thoroughgoing hard determinism after all. His point in that passage is that *what God's really after* in giving the Torah — God's *end* in issuing commandments along with the incentives and sanctions to encourage their observance — is that we experience the great joy of observing them. And so, reward and punishment are only fitting, Crescas argues, as a consequence of obedience or disobedience that is *joyous*. It's not that an awareness of reward and punishment *couldn't* have an impact on what a person involuntarily does, but that an involuntary performance isn't what God wants to incentivize anyway.

¹⁹Weiss, *Crescas*, 196.

²⁰Even if Ravitzky, *Crescas's Sermon*, is right that §II.5.5 reflects an earlier stratum in Crescas's work, he still presents it later in his *Light*. I'm concerned here with the internal logic of the *Light*, not so much with the development over time of Crescas's thought.

I think this pretty accurately captures what Crescas argues in §II.5.5. It's certainly more accurate than a reading according to which a person *deserves* reward or punishment for the joy they experience in obedience or disobedience. But it is open to certain philosophical objections. One objection is that you might well want to incentivize observance, even if involuntary, if you think that involuntary observance will tend to breed voluntary, joyous observance. And human psychology as it is, that does seem to be a plausible assumption about human tendencies. Another objection is that quite apart from facts about human psychology, this account doesn't really explain why *punishment* is only fitting for *voluntary* contraventions of God's commands. If what God's after is the joyous observance of those commands, and punishments are merely a way to nudge people in that direction, then nudging them away from any sort of contravention and toward that ultimate goal would seem to make perfectly good sense.

I suspect Crescas was aware of these objections, and they led him to hint at an alternative understanding of reward and punishment, while holding fixed his new theory about the centrality of joy therein. But we can better understand that alternative after we develop the broader Crescasian quagmire and Crescasian solution.

3. Crescas's Constraints

After all the dust settles, Crescas's position on freedom and moral responsibility is as bold and austere as initial impressions would suggest: we don't have any. And this, together with certain other Crescasian constraints, gives rise to the Crescasian quagmire.

Recall the challenge: given the denial of human freedom and moral responsibility, how could the Torah be an essential means to the end for which God created us? Why couldn't God just 'cut to the chase' and directly bring about whatever it is He wishes to realize through the giving of the Torah and its observance by human beings?

There are a number of relatively easy escape routes in logical space, but Crescas forecloses all of them. One could deny that God *has* any end in creating, or in creating us in particular.²¹ But Crescas won't have it. He's as clear as can be that God has an end in creating, that *we* are the end for which He created the rest, and that He has an end in creating us:

It is evident that the totality of existence is a work produced with intention by one who intends, and with will by one who wills, and by a being whose intellect has no peer and nothing comparable among the other intellects. To suggest that the act of such an intellect is in vain and without an end is patently false and nonsensical.²²

²¹See Maimonides *Guide* 3:13. But see Crescas's astute observations on Maimonides's own inconsistency on this score, in *Light* §II.6.5, as well as the excellent discussion in Harvey, "Maimonides' Critique."

²²Weiss, *Crescas*, 239.

That the end of the whole of inferior existence and of this Torah is one and the same individual thing is easily established, since it was established in another place that the end of the inferior world is the species man. And it was established that the end of human perfection is in this Torah, whose end is eternal life and attachment to God.²³

One could claim that the giving and observance of the Torah are not essential means to God's end for us, either because they are inessential, or because they are not a means. (Perhaps *once* it's the case that we exist, we owe God gratitude, and the Torah is a way of encouraging us to do so.) But as is quite clear from the passage I just cited, Crescas thinks the Torah *is* a means to the realization of God's end for human beings. Moreover, he's quite clear that the Torah, or something very much like it, is a *necessary* means to that end:

The eternity of the Torah may be arrived at as well through considered judgment and reasonable deliberation. For it was established on the basis of our earlier discussion that this Torah is at the height of perfection in leading those who hold fast to it — whether they are perfect or deficient — to human happiness and to the yearned-for-end . . . Consequently, it is impossible that it be nullified, in whole or in part, other than by being replaced by another. *For the proposition that it will be nullified and not replaced by another is absurd, since the end desired by God, and which is characteristic of Him, namely benefaction, cannot be nullified.*²⁴

The italicized sentence contains an argument for the conclusion that it's not the case that the Torah will be nullified and not replaced by anything like it. But the argument is enthymematic, and clearly requires the tacit premise that the end desired by God cannot be attained without there being something like a Torah.

Alternatively, one could claim that our observance of the Torah is not an essential *means* to God's end, because it, all by itself, just *is* God's end. But while Crescas does think that serving God by observing the Torah is the sole final end *we should adopt for ourselves*, he's as clear as can be that this is not *God's final end for us*:

These are alluded to and explicit in the Mishnah, where the Rabbis say: "A single hour of repentance and good deeds in this world is better than all of life in the world-to-come." By this they intended that for the one who serves God and loves Him truly, the end of his passionate love is service, and that is the whole of his purpose . . . The final end of the one who commands [God], however, is that with which the (earlier) Mishnah concludes, when they say: "A single hour of bliss in the world-to-come is better than all the life of this world."²⁵

Once he's foreclosed all of these escape routes, the challenge becomes a predicament. To be sure, Crescas handily explained how, despite his

²³Weiss, *Crescas*, 236.

²⁴Weiss, *Crescas*, 305, emphasis mine.

²⁵Weiss, *Crescas*, 225.

determinism and denial of freedom, the issuance of commandments could be *effective* in bringing about their observance. As he notes, so long as our actions aren't "intrinsically necessary," but only necessary in virtue of their causes — or, as we would put it, as long as they are counterfactually sensitive to our psychological states, which are in turn counterfactually sensitive to external events, like divine commands — then the issuance of divine commands could itself be one of the causes that brings about such observance.

For although it is true that, if the things were necessary in respect of themselves the prescriptions and proscriptions would be futile, nevertheless, if the things are possible in respect of themselves and necessary in respect of their causes, the prescriptions and proscriptions would not be futile but would rather have an important purpose. For they would be the causes that move things that are possible in themselves, just as do other causes that are causes of their effects, such as industriousness and diligence in the accumulation of goods and in the acquisition of beneficial things and the avoidance of harmful things.²⁶

But Crescas doesn't explicitly address how, despite his determinism and denial of freedom, the whole kit and kaboodle — *the commands-cum-observance as a whole* — could play an indispensable role in realizing God's aims.

4. Crescas's Solutions

Even though he doesn't take up this issue in so many words, I think Crescas pretty clearly outlines a solution. Indeed, I think he offers two.

The two solutions share in common a single view on God's end in creating. Crescas tells us that God, moved by His boundless love, aims to bestow goodness on others:

It has been proved . . . that God is, by intention and will, the true agent of all existents, and that He sustains their existence by the constant overflowing of His goodness . . . It follows then, that insofar as He, by will and intention, causes His goodness and perfection to overflow, He necessarily loves bestowing goodness and having it overflow. . . . As it is said: 'Let the Lord rejoice in His works,' which means that the joy is in His works, and it derives from the overflow of His goodness to them in keeping them in constant existence in the most perfect way.²⁷

It is fitting that divine benefaction, which is, as it should be, the greatest conceivable benefaction, would not stint in producing as much good as it is possible to produce. . . . the end of God's will is one simple thing, which is the production of good, both for the whole of existence and the for things that are its parts.²⁸

²⁶Weiss, *Crescas*, 194.

²⁷Weiss, *Crescas*, 117.

²⁸Weiss, *Crescas*, 238.

So, He creates, and bestows goodness on His creatures. But the greatest possible good human beings can experience is, paraphrasing the words of the Rabbis, “to be attached to the radiance of the Divine Presence”:

Since eternal life and eternal attachment to the radiance of the Divine Presence is the good such that no other can be conceived to be as good, the final end is also this.²⁹

Less metaphorically, it's to *take joy in God*, a being of unsurpassable greatness:

And indeed the formulation of the benediction, ‘In whose habitation there is joy,’ is to be taken literally, and there is no need to posit an equivocation on ‘place’ to mean rank. On the contrary, since this joy is common to the Creator, may He be blessed, in His causing goodness to overflow, and to the created, insofar as they receive the overflow, it follows that true joy is in His place, that is, in His dwelling-place, figuratively speaking — by which they meant in His kingdom, the kingdom of Heaven, which they designate the dwelling-place of spiritual beings.³⁰

But as Crescas sees it, to take *true joy* in someone just is to love that person:

It follows then, that insofar as He, by will and intention, causes His goodness and perfection to overflow, He necessarily loves bestowing goodness and having it overflow. *This is love — for there is no love without pleasure in the will — and this is alone is true joy.*³¹

Loving is just the transitive species of joy:³² it's joy that has a direct object.

The bottom line is that the greatest good for a human being is to love God; and the more one loves God, the more perfect one is: “the greater one's perfection, the greater the love for and the pleasure one takes in the object of desire.”³³

This much is common ground between the two solutions. And they further share in common the assumption that love, or at least love *of God*, or at least *proper* love of God, has to satisfy certain conditions, conditions that are unsatisfiable without something like the Torah and our observing of it. They differ regarding the conditions at play.

4.1 Love of God as an End

The first solution turns on proper love of God being an end, not a means. Crescas argues that since God is a being of infinite greatness, proper love of God is such that no stronger love is conceivable:

I assert that it is easily established according to both the Torah and speculation that this love [of God] is necessarily at the highest possible level of

²⁹Weiss, *Crescas*, 224; see also *inter alia* 220–1, 236, 238, and 280.

³⁰Weiss, *Crescas*, 118.

³¹Weiss, *Crescas*, 117, emphasis mine.

³²Harvey, *Physics and Metaphysics*, 106.

³³Weiss, *Crescas*, 218.

intensity. . . According to speculation, the degree of strength or weakness of the love of the good should correspond to the degree of good in that which is loved. And the degree of good in the one loved who is God is infinite . . . Thus, even by speculation alone it is fitting that this love be such that no stronger love is conceivable.³⁴

And if one loves X with such intensity that no stronger love is conceivable, then it's not the case that one loves X in order to achieve something else, i.e. as a *means* to some end. For if one loves X as a means to achieving Y, then one's love for Y is greater than one's love for X. As Crescas continues:

Now that this has been established regarding this love [of God], I assert that it is necessary that it have no other end outside itself. For if it had another end, that end would be more loved, and therefore this love, which was posited as being the strongest one conceivable, would not be strong in the way described.³⁵

At the same time, loving someone, anyone, requires the willingness to act *for them*. In particular, loving God requires the willingness to act *for God*. But there's no way to benefit God. The only sense in which we can act *for* God is that we can do what God wants us to do *because He wants us to do it*. The bottom line then is that loving God requires the willingness to do what God wants you to do because God wants you to do it; in other words, doing it *in order* to do what God wants; that is, *as a means* of doing what God wants you to do.

But now suppose God wanted *nothing* from us but to love Him. Then these two conditions on love of God couldn't be jointly satisfied. Absent a divine demand to do something other than properly love Him, we couldn't act for God, and so couldn't love God, without loving God as a means. But we couldn't love God as a means and still properly love God. So, if we'd love God, then we wouldn't properly love Him. So, we couldn't properly love Him. And so our end couldn't be realized. That's a real pickle. Unless, that is, *God issues some command to realize some state of affairs other than loving Him just as such*: something like, *Thou shall Honor the Sabbath*, or *Thou Shalt not wear wool and linen*. God would thereby create an opportunity to do for God, and so love Him, without making that love itself a means. That, according to Crescas, is what the Torah is. And without something like the Torah and our observing of it, there'd be no way for us to attain God's final end for us.

Let's put the argument formally:

1. God's end for human beings is for them to properly love Him. (assumption)
2. Proper love of God is such that no stronger love is conceivable. (assumption)
3. One's love of God is such that no stronger love is conceivable only if one's love of God isn't a means to something else. (assumption)

³⁴Weiss, *Crescas*, 224, see also 219–20, 226.

³⁵Weiss, *Crescas*, 224, see also 219–20, 226.

4. One loves God only if one does what God wants one to do because God wants one to do it, i.e. as a means to the end of doing what God wants one to do.
 - a. One loves God only if one acts for God.
 - b. No one can benefit God.
 - c. If no one can benefit God, then one acts for God only if one does what God wants one to do because God wants one to do it.
So,
 - d. One loves God only if one does what God wants one to do because God wants one to do it.
5. God wants nothing from human beings other than to realize their end, whatever that end is. (supposition, for *reductio*)
So,
6. Human beings love God only if their love of God is a means. (from 1, 4, and 5)
And,
7. No one properly loves God if his love of God is a means. (from 2, 3)
So,
8. It's not the case that human beings properly love God. (from 6, 7)
And,
9. It's not the case that God's end for human beings is realized. (from 1 and 8)

God can see this argument just as well as we can and will find the conclusions (8 and 9) very frustrating. There's nothing He can do about premises 2, 3, or 4. They're conceptual truths, if they're true at all. But He has control over premises 1 and 5. He could make premise 1 false, by creating human beings with a different, less noble, end. But that would be frustrating in its own way. So, here's what He should do: make premise 5 false, by commanding human beings to do something other than (endeavoring) to realize His end for them. According to Crescas, this is exactly what God did, and for that reason. And then human beings should do as God commanded, both because He's commanded it, and because they love Him. And to the extent that they do, they will thereby achieve the end for which they were created. And there you have it: we can see how it is that the giving and observance of the Torah are essential means to the realization of God's ends for humanity, this despite our being determined and unfree in our observance.

Before moving on to the second solution, allow me to make two comments about the premises, address an objection, and elaborate on the divine rejection of premise 5.

First, a comment about premise 4: what's intended in the consequent—and hence at the relevant points in the sub-argument for that

premise — is an existential claim. One loves God only if *there is something X* such that God wants one to do *X* and one does *X* because God wants one to do it. More precisely still: only if there is something *X* such that God wants one to do *X* and one is *willing* to do *X* because God wants one to do it. A willingness to do what God wants is sufficient — your love is no less real if, say, you passionately desire to do what God wants but are prevented by circumstance from doing so. But it has to be a willingness to do *something* in particular. There has to be something that God wants you to do, such that you're willing to do *it*. This interpretation is needed in order for Crescas's argument to work. But it has independent plausibility. Absent any such specificity, one's devotion is arguably too abstract, too amorphous, to constitute love — at least to count as proper love of God.

Second, a comment about premise 6: given the precisification of premise 4, what follows immediately (from 1, 4, and 5) is that one loves God only if one is *willing* to love Him as a means. But since we are (often) able to love Him as a means (even if that's not proper), and we do what we are willing and able to do, premise 6 itself follows as well.

Now, one might object that the argument equivocates on the meaning of "as a means". One might contend that premise 3 (and so premise 7) is plausible only if the condition on maximally intense loving is understood as saying that one's love of God isn't a *mere* means. If one's love of God is both an end in itself and a means to something else, then one might still love God in such a way that no stronger love is conceivable: if you can get something else along the way, why not? But premise 4 (and so premise 6) is plausible only if what's intended is that one does what God wants as a means (to the end of doing what He wants), but not necessarily as a *mere* means. If that's so, premise 8 is a non-sequitur. Human beings might properly love God, by loving Him as a means (in keeping with premise 6), though not as a mere means (in keeping with premise 7).

I think this is a good objection, but not unanswerable. First of all, I think premise 3 left unmodified (that is, without changing 'a means' to 'a mere means') is also quite plausible. If you love *X* with maximal intensity, then you couldn't love the "combination of *X* and *Y*" with greater intensity. But loving *X* as a means to *Y* means that you more intensely love the combination of *X* and *Y* than *X* all by itself. So, we could leave premises 3 and 4 (and thus premises 6 and 7) as they are. Then premise 8 follows validly from 6 and 7 without further ado.

Second of all, I think a modified premise 4 (and so a modified (c) in the sub-argument for that premise) is also quite plausible. Love — at least proper love of God — demands that there be something God wants from you that you're willing to do *just because* God wants you to do it, i.e. *simply in order* to do what God wants you to do, i.e. as a *mere means* to the end of doing what God wants you to do. So, we could modify premises 3 and 4 (and thus premises 6 and 7) to read 'mere means' instead of 'means'. Then premise 8 follows validly from 6 and 7 without further ado.

And now to elaborate briefly on the divine rejection of premise 5. As I said above, God made premise 5 false by commanding human beings to do something other than endeavoring to realize His end for them. The Torah, according to Crescas, is God's way of issuing such commands. But that's not to say that's *all* the Torah is. I don't mean to suggest that Crescas thinks God's choice of *what* to command was arbitrary, or that the content of the commands is *irrelevant* to the realization of God's ends. Crescas is quite clear that God chose the commands He did because, given certain (presumably contingent) facts about us creatures, the content of those commands is ideally suited to bringing us to understand who God is and to love Him.³⁶

But it is true that the only thing that can be shown by Crescas's argument to be absolutely necessary as a means to God's end is the issuance of *some one commandment or other*. And, lo and behold, in an extremely striking passage in the introduction to *Light*, Crescas claims that for someone of Abraham's spiritual stature, one commandment can suffice. As he puts it, "because of Abraham's superlative eminence a covenant was enacted with him by way of just one commandment, that of circumcision; and that alone sufficed, because of his elevated status."³⁷ It is hard to overemphasize just how atypical this claim is for a Jewish philosopher, but it fits like a glove with the rest of Crescas's commitments.

4.2 Love of God is Selfless

The second solution turns on love of God being *neither* an end *nor* a means, on it being something at which you can't properly aim *at all*.

Properly loving God, Crescas argues, requires giving oneself over to God. And giving oneself over to God requires loving God *selflessly*. Nothing one does or feels for God can be aimed at one's own wellbeing, at *any* state involving oneself, *including* the relational state of being attached to God, i.e. the relational state of *loving God*. Here is how he puts it:

for the one who serves God and loves Him truly, the end of his passionate love is service, and that is the whole of his purpose; *he considers nothing else*. This was the intent of the master of the prophets [Moses] when he said: "Let me go over," as our Rabbis of blessed memory interpreted this plea: "Many commandments can be fulfilled only in the land of Israel." For even though he was assured of eternal life *and of delighting in the radiance of the Divine Presence, it was fitting that he should yearn to serve, despite the advantage that would accrue to him* through having his soul separate [from his body] . . . For the true servant does not consider his advantage but only service; *and therefore all his good counts for nothing*.³⁸

But, as before, loving someone requires the willingness to act for them. In particular, loving God requires the willingness to act for God. But

³⁶Weiss, *Crescas*, §II.6.1.

³⁷Weiss, *Crescas*, 17–18.

³⁸Weiss, *Crescas*, 225, emphasis mine.

there's no way to benefit God. The only sense in which we can act for God is that we can aim to do, for God's sake, what it is that God wants us to do. The bottom line then is that loving God requires aiming to do, for God's sake, what it is that God wants you to do.

But now suppose God wanted *nothing* from us but to love Him. Then these two conditions on love of God couldn't be jointly satisfied. Absent a divine demand to do something other than properly love Him, we couldn't act for God, and so couldn't love God, without aiming at loving God (for God's sake). But we couldn't aim at loving God (for God's sake) and still properly, selflessly love God. So, if we'd love God, then we wouldn't properly love Him. So, we couldn't properly love Him. And so our end couldn't be realized. That's a pickle. Unless, that is, *God issues some command to realize some state of affairs other than loving Him just as such*. God would thereby create an opportunity to do for God, and so love Him, without making that love itself something we aim at. That's what the Torah is. And without something like the Torah and our observing of it, there'd be no way for us to attain God's final end for us.

Let's put the argument formally:

1. God's end for human beings is for them to properly love Him. (assumption)
 2. Proper love of God is selfless. (assumption)
 3. One selflessly loves God only if nothing one does for God is aimed at one's own wellbeing, including the relational state of loving God. (assumption)
 4. One loves God only if one aims to do, for God's sake, what it is that God wants one to do.
 - a. One loves God only if one aims to act for God.
 - b. No one can benefit God.
 - c. If no one can benefit God, then one aims to act for God only if one aims to do, for God's sake, what it is that God wants one to do.
- So,
- d. One loves God only if one aims to do, for God's sake, what it is that God wants one to do.
5. God wants nothing from human beings other than to realize their end, whatever that end is. (supposition, for reductio)
- So,
6. One loves God only if one aims to love God (for God's sake). (from 1, 4, and 5)
- And,
7. One properly loves God only if one doesn't aim to love God (for God's sake). (from 2, 3)

So,

8. It's not the case that human beings properly love God. (from 6, 7)

And,

9. It's not the case that God's end for human beings is realized. (from 1 and 8)

God can see this argument just as well as we can and will find the conclusions (8 and 9) very frustrating. He'll respond as we suggested in the previous solution.

The same comments apply to the premises of this argument as to the premises of the previous argument. This argument is not vulnerable to the objection that it equivocates over the meaning of the term "as a means," since that term doesn't figure in the argument in the first place. On the other hand, this argument contains a substantially stronger assumption about the constraints on proper love of God: not just that it can't be a means to something else, but that it can't be something one aims at at all.³⁹

5. Reward and Punishment Again

We can now better appreciate the alternative account of reward and punishment that Crescas hints at in §II.5.5. The alternative account is that reward and punishment are *internally connected* to the observance and contravention that lead to them: there is a necessary connection between cause and effect, one independent even of God's will or design. (On this account, the analogy of punishment for wrongdoing to getting singed as a result of touching a flame is not meant to suggest that the purpose of punishment is something *other* than retribution. It's meant to suggest that punishment, like reward, is not something that has a purpose *at all*.)

³⁹As an anonymous referee pointed out, whichever argument Crescas endorses, he faces a rather serious exegetical and *halakhic* difficulty: the Torah apparently contains a command to love God (Deuteronomy 6:5). But supposing that you can't properly love God in order to do what God wants you to do (First Argument), or that you can't properly love God if you aim to love God (Second Argument), then why would God issue such a command? It seems that there's no way to properly obey it! (I am using 'obey' in such a way that a person obeys a command Y to do X only if they do X in order to fulfill command Y; and I'm assuming you can do X in order to fulfill command Y only if you aim to do X.) And if there's no way to properly obey the command, it seems unreasonable of God to issue it.

I can think of two replies. Crescas famously denies that there is any commandment to believe in God, precisely because it's not a commandment you can obey (see Preface to *Light*, and discussion in Goldschmidt, "Commanding Belief"). So, one reply is that Crescas maintains the same thing about the apparent commandment to love God, i.e. that it looks like a commandment, but it's really not. The trouble with this reply is that Crescas never says anything of the sort, and as a matter of fact he seems in one place to acknowledge its status as a commandment (Weiss, *Crescas*, 234–35).

A second reply is that God might reasonably issue commands that cannot be obeyed, or even conformed with. See Wygoda-Cohen, "Why Does God Command?" The trouble with this reply is that if it's right, it would undermine Crescas's own argument for the claim that there is no commandment to believe in God.

Alas, I have no satisfying resolution to this puzzle that is consistent with everything Crescas says.

It is rather a necessary consequence of that which brings it about.)⁴⁰ And the reward and punishment of which Crescas is now speaking pertains to the realization of (or failure to realize) a person's *final* end: attachment to God, i.e. properly loving God. As we've seen, properly loving God essentially involves voluntarily observing His commandments. The ultimate punishment, on the other hand, is detachment from God, and while Crescas doesn't say so (as far as I know), I take it that's a matter of loving something else more than Him, which would essentially involve voluntarily contravening His commands. It's now clear why reward and punishment — at least the kind that ultimately matters — is only *fitting* for *voluntary* observance and contravention. After the passage cited above,⁴¹ Crescas goes on to say:

When the soul is devoid of this desire . . . attachment and detachment will not be necessitated by it. Since the act will have been disengaged from the soul's will, reward and punishment would not be fitting at all.⁴²

The reward and punishment of which he speaks *just is* the attachment to and detachment from God. And this is absolutely necessitated, indeed partly constituted by, joyous performance of divine service. The fittingness here is not a matter of what sort of system it would make sense for God to implement. It's a matter of loving, selfless devotion being its own reward.⁴³

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⁴⁰See also Ravitzky, *Crescas's Sermon*, 38.

⁴¹Weiss, *Crescas*, 201–2.

⁴²Weiss, *Crescas*, 202.

⁴³Thanks to members of the audience at the 2022 APA Central conference where I presented a version of this paper, and especially to Blake Dutton, Warren Ze'ev Harvey, Samuel Lebens, David Shatz, Dar Triffon-Reshef, Jason Yanover, and Shlomo Zuckier for very helpful feedback. Thanks to two anonymous referees for their extremely constructive engagement with my paper.

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