The Euthyphro Dilemma and Judaism
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In Euthyphro, Socrates asks, "Is the pious loved by the gods because it is pious, or is it pious because it is loved by the gods?" The dilemma he poses rests on four claims:

1. What is pious is loved by the Gods because it is pious

2. What is God-loved is God-loved because it is loved by the Gods

3. What is God-loved is loved by the Gods because it is God-loved

4. What is pious is pious because it is loved by the Gods.

The first two sentences are true and the latter two false. However, one can derive (3) and (4) from (1) and (2) by substituting pious for God-loved. This leads Euthyphro and Socrates into a line of questioning that results in one definition and one open question:

5. What makes something God-loved is that the Gods love it

6. What makes something pious since it is not God-loved?

Unfortunately, Euthyphro is brought to trial before he can enlighten us with his definition. However, the dilemma, at least for some religions, does not exist.

Jewish religious law, or halakha, exists as an enforceable moral code. What differentiates this code from others is how it came to be. Religions such as evangelical Christianity and ancient Greek paganism take their stories *prima facie*. That is, they take their scriptures the way they are written. A brief mention of the Euthyphro dilemma in Christianity can be found in Thomas Aquinas' Summa Theologica, where he concludes that the Ten Commandments are pious because they are G-d-loved[1]. He argues that when the Abraham attempted to slay Isaac, it was not murder, as it was done with G-d's will. The essence of the Ten Commandments stands, but

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[1] G-d-loved is used in reference to the Abrahamic G-d, a Jewish tradition when writing in English

divine authority truly determines whether an action is pious (Aquinas 1920). In other words, he argues for (4) from Euthyphro's dialogue.

In Judaism, halakha can be split into two categories: law based upon the Torah and laws stemming from rabbis. In particular, takkanah, otherwise known as revisions of rabbinical law, are of interest. These laws come from human sources and can, at times, overrule Talmudic law. Numbers 14:27 defines a minyan, or group of ten adult men required for some prayers. In 1973, the Conservative[2] denomination of Judaism enacted a takkanot[3] declaring women eligible for minyan. In other words, they declared previous law from the Torah no longer applicable, substituting it with their own legislation. While some Conservative rabbis argue that halakha always allowed for women to join minyanim[4], many accept the validity of the takkanot alone (Fine 2002). Thus, the definition for piety does not solely stem from it being G-d. Thus, there is no dilemma in (6); something may be pious from a human view – a pious action need not be G-d-loved.

A possible argument against this finding is that these are modern, incorrect interpretations of Jewish law and the Torah. However, historical arguments also support (6). In the Book of Esther, a Persian kind, Ahasuerus[5], seeks to marry Esther. At the same time Haman, the king's advisor[6], seeks to kill the Jews within the Persian Empire, convincing the king. Esther marries Ahasuerus, telling him that Haman seeks to kill her and her people. Shocked, the king issues an edict, allowing Jews to defend themselves from his own soldiers (Posner n.d.). In

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[2] "Conservative" in this case is not the political "conservative".
[3] Rabbi-declared law
[4] -im is a plural modifier in Hebrew; -ot can be a singular modifier.
[5] Modern scholars believe that this is Xerxes 1.
[6] The advisor's name is Haman; his name is traditionally drowned out and his effigy is burned during Purim, a holiday.

effect, Esther has saved the Jewish people. But Esther has violated halakha – under Deuteronomy 7:3, intermarriage is forbidden. So, it seems that Esther has committed an impious action, not loved by G-d. In effect, this would complicate (6), as in Judaism, marriage is under the divine domain[7], resulting in Euthyphro's dilemma. This is not the case. Sanhedrin 74b argues that Esther's actions were permitted because they were to preserve Judaism as a whole. It did violate the Torah, but it was not an impious action. The source is also important in this analysis – the Sanhedrin was a 300 C.E. Jewish court that issued takkanot. Thus, the above document not only provides a justification for piety while not following traditional halakha but following it is pious in itself. Therefore, the argument that only modern Judaism has no dilemma fails. And, again there is not dilemma in (6) – Esther did an action that was not G-d-loved but pious as defined by Jews. We can begin to see a possible proposition that solves the Euthyphro dilemma:

7. What is pious is pious because it is loved by a Jewish authority

Where a Jewish authority is a rabbi, tribunal such as the Sanhedrin, or writings with significant weight[8].

Summarizing this paper to this point, we receive this argument:

    i.   Religious law originates from Jewish authority.

    ii.   Acting in accordance with this law is pious.

    iii.   Therefore, what is pious does not necessarily come from G-d.

    iv.   Thus, a pious action need not be G-d-loved.

    v.   Socrates' argument is a false dilemma.

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[7] Exodus 21:10 – a commandment defining a woman's rights in marriage.
[8] E.g. writings and analysis within the Talmud or by influential rabbis such as Maimonides.

However, what is loved by a Jewish authority? This paper cannot contain every example, but a general rule already exists.

Pikuach[9] *nefesh*[10] is a general understanding within Jewish law that preservation of human life comes before almost any other mitzvot[11]. A specific example occurs in Yoma[12] 84b, where Rabbi bar Shmuel decrees that the commandment to fast on Yom Kippur[13] may be ignored by a Jew if they must take lifesaving medicine. In a defining document of Jewish law, Orach Chayim, it is permitted to violate the Sabbath – a G-d loved commandment – to extinguish a fire to save lives, but only that. If an empty house is on fire, you still must let it burn. Yet another example is that Jews are not permitted to work on the Sabbath. But, if someone works in a job where they save lives (e.g. doctors and nurses), they are permitted to work to do so, but not violate any other commandments. As a practical example, some hospitals in New York City have Shabbat elevators. Jewish doctors still work as they are obligated to do so, but they are not allowed to operate non-lifesaving machinery such as elevators. To solve this minor dilemma, they use elevators that stop on ever floor so that they are not operating the elevator – it moves on its own.

These are all examples of *pikuach nefesh*[14] – that one may violate other commandments in order to save lives. But, in order to create a general rule, we must find the source of *pikuach nefesh*. The most direct source is in Sanhedrin 74a, where the Sanhedrin held a vote on whether one could injure a criminal assaulting a young woman. In Exodus 21:23-25, G-d demands that in

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[9] Not to be confused with Pikachu, a common error made by my spell checker.
[10] Direct translation – "saving a life" but carries additional connotative weight
[11] Commandment, or pious action.
[12] Section in the Talmud
[13] The holiest day of the year.
[14] A relevant modern example is the closing of synagogues for COVID; it violates many commandments, but it saves lives in the process.

cases of injury, a person who assaults another deserves the injury they inflicted on the victim on themselves. Thus, in the case of the person intervening between the woman and criminal, the person who injures the criminal deserves the same injury. However, the Sanhedrin did not come to the same conclusion. Rather, they voted[15] on the following statement:

8. Preserving one's life overrides most prohibitions.

Later in the decision, they say[16] that, "based on logical reasoning that one life is not preferable to another," one may not commit murder themselves. This quotation can be substituted into (8) to get:

9. Preserving another's life overrides most prohibitions.

Another life and one's own life form a greater set, resulting in:

10. Preserving lives overrides most prohibitions.

In addition, the "logical reasoning" in the decision is important – this reasoning follows from nothing but their human intuition. In other words, this reasoning is not necessarily G-d-loved, as no divine revelation was involved. This decision is also pious; it came from a Jewish authority, fulfilling the prior examples below (7). Since (10) is loved by a Jewish authority, we can finally gain a principle that can be used in day-to-day life:

11. Preserving lives is pious because it is loved by the Sanhedrin (or other Jewish authority)

This definition is important because it provides a concrete example in day-to-day life; one need not consult a rabbi for every decision they do. To see if it holds true, let us apply it to the

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[15] Sanhedrin 74a:12
[16] Sanhedrin 74a:20

example brought up earlier in the paper. Esther married the king of Persia, a goy[17]. This marriage violates a commandment in Deuteronomy 7:3, saying "You shall not intermarry with them; you shall not give your daughter to his son, and you shall not take his daughter for your son." In Esther's time, this was cut-and-dry; Esther was not permitted to marry Ahasuerus. But, by having relations with the king, she was able to save many lives, preventing the king's advisor from killing the Jews. To see if this action was pious, we will work backwards.

    I.   Esther performed an action not G-d-loved

   II.   Esther saved many lives

  III.   Saving lives is pious (11)

  IV.   Esther undertook a pious action

Under this reasoning, her actions seem to be consistent with (11). Furthermore, this principle again reinforces the earlier arguments (i-iv). Her action was not loved by G-d yet pious. Again, Euthyphro's dilemma does not exist in Judaism.

However, the above arguments do not mean that all law is derived from non-divine Jewish authority. For example, in *pikuach nefesh*, there are some actions that are still forbidden. The one of the most common forbidden actions in the principle and in day-to-day life is that one may not erase or discard a document that contains G-d's name[18]. In this paper, I cannot write the full name as it would be impious if it were discarded or erased off of my computer. This commandment is inviolable. This is not the only example of an inviolable law; it is just the most noticeable. But the existence of such laws demonstrate that G-d has a domain as well as Jewish authority; not all piety stems from rabbinic sources.

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[17] Non-Jew.
[18] Deuteronomy 12:3-4

These findings call into question Divine Command Theory (DCT) and its relation to Judaism. DCT is based upon the premise that "morality is ultimately based on the commands or character of God, and that the morally right[pious] action is the one that God commands or requires," (Austin n.d.). For Judaism, this does not necessarily seem to be the case. There are commands that are G-d-loved and there are commands that come from man. Both are morally right, and each has its own domain. An action can be pious without a commandment from G-d, and an action may be pious that breaks a commandment. Therefore, we have a weak version of DCT that states:

12. Morality comes from G-d and man

13. A morally right action need not be G-d-loved

From this paper, we can conclude that, for Judaism, the Euthyphro dilemma does not exist. A pious action is not necessarily derived from G-d's will as stated in the Torah. Since a tribunal of rabbis ordered that women can be counted as part of a minyan, contradicting the definition put forth in Numbers 14:27, we can conclude that man's moral reasoning can define what is pious. In conjunction with the Sanhedrin's binding religious decision that Esther could violate a prohibition against intermarriage to save lives, we find (i-v). Essentially, we find that since Jewish law originates from man, that following this law is pious, and that one may break G-d's law to follow this law, we must conclude (iv), what is pious need not be G-d-loved. Thus, Euthyphro's dilemma does not exist.

From there, we can find a partial principle for piety that need not be G-d-loved – that saving lives is a pious action even if it contravenes G-d's commandments. Since *pikuach nefesh* comes

from logical moral reasoning[19] rather than a commandment, it fulfills the requirement of (2) that

an action can be pious and not G-d-loved. Therefore, under this principle and the above (i-iv),

Euthyphro's dilemma does not exist. This has further implications for DCT – that only a weak

version may exist for Judaism with the statements found in this paper. The logical argument is

for weak DCT in Judaism; that while morality comes from G-d and man, a morally right action

need not be G-d-loved.

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[19] Sanhedrin 74a:20

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I did not use this source in my writing, but Rabbi Sacks did influence how I thought about the
Euthyphro dilemma, so I decided to cite him here.

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