



# The Ten Commandments

*Why the Decalogue Matters*

*by* Leon R. Kass

*with responses by* Michael Fishbane, Peter Berkowitz,  
Gilbert Meilaender, *and* Meir Soloveichik

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## **A Conversation with Leon R. Kass** *Online only*

**Part 1: Pride, Lust, Technology—and the Hebrew Bible**

**Part 2: Why Two Covenants?**

**Part 3: The People Saw the Thunder**

# The Ten Commandments

## Introduction

Welcome to *Mosaic*, a new online magazine dedicated to advancing serious thought in all areas of Jewish endeavor.

The inaugural issue, [first published](#) in June 2013, featured a seminal essay by Leon R. Kass, the distinguished bioethicist and public intellectual. Titled “The Ten Commandments: Why the Decalogue Matters,” Kass’s essay is a highly original exploration of this core teaching of Judaism, one that has powerfully influenced the civilization of the West.

Arguing that the very familiarity of the Decalogue interferes with a deeper understanding of its message, Kass focuses intensively on the text’s transformation of God’s relationship with the Israelite people and by extension with all humanity.

*Mosaic* published four responses to Kass’s work by the eminent scholars Peter Berkowitz, Michael Fishbane, Gilbert Meilaender, and Meir Soloveichik, as well as a reply by Kass to these respondents. In an accompanying three-part video interview, [available on our website](#), Kass speaks movingly about his own experience in confronting the Decalogue and unpacking its enduring wisdom.

### About the Author

Leon Kass is Addie Clark Harding Professor Emeritus at the University of Chicago and holds the Madden-Jewett chair at the American Enterprise Institute. A physician, scientist, educator, and public intellectual, he served in 2001-2005 as chairman of the President’s Council on Bioethics. His books include *The Hungry Soul: Eating and the Perfecting of our Nature* (1994), *The Beginning of Wisdom: Reading Genesis* (2003), and, with his wife Amy Kass, *What So Proudly We Hail* (2011) and the related e-anthologies on [The Meaning of America](#) and [The American Calendar](#).



# The Ten Commandments

## *Why the Decalogue Matters*

By Leon R. Kass, June 2013



**The biblical book of Genesis** presents the story of how God’s new way for humankind finds its first adherent in a single individual—Abraham, a man out of Mesopotamia—and how that way survives through three generations in the troubled households of Abraham, his son Isaac, and his grandson Jacob, who is renamed Israel. By the end of Genesis and the beginning of Exodus, the children of Israel are settled in Egypt, a land of good and plenty, where they are soon teeming and prospering—only, a brief time thereafter, to find themselves subjugated and enslaved. How this multitude becomes transformed into a people, out of and against Egypt, is the subject of Exodus and the following books.

The central event in the national founding of the Israelite people is the giving of the Law at Mount Sinai. The “Ten Commandments” (Exodus 20: 1-14), pronounced there by the Lord God to the assembled and recently liberated children of Israel, constitute the most famous teaching of the book of Exodus,

perhaps of the entire Hebrew Bible. Prescribing proper conduct toward God and man, the Decalogue embodies the core principles of the Israelite way of life and, later, of what would become known as the Judeo-Christian ethic. Even in our increasingly secular age, its influence on the prevailing morality of the West is enormous, albeit not always acknowledged or welcomed.

Yet, despite its notoriety, the Decalogue is still only superficially known, in part because its very familiarity interferes with a deeper understanding of its teachings. This essay, in aspiring to such an understanding, intends also to build a case for the enduring moral and political significance of the Decalogue—a universal significance that goes far beyond its opposition to murder, adultery, and theft.

## 1. Structure and Context

**We can begin by correcting** some common misimpressions, starting with the name “Ten Commandments.” Although most of the entries in the Decalogue appear in the imperative mode (“Thou shalt” or “Thou shalt not”), they are not called commandments (*mitzvot*) but rather statements or words: “And God spoke all these words.” Later in the Bible we hear about the *ten* words—in the Greek translation, *deka logoi* or Decalogue— but whether the reference is to these same statements is far from obvious.

No help is provided by counting. Traditional exegetes derived as many as thirteen “commands” from God’s speech in Exodus 20, and because internal divisions within particular statements are unclear, even those who agree on the number ten disagree on how to reckon them. Furthermore, no mention is made in Exodus 20 of the famous tablets of stone on which, in traditional imagery, we see the Decalogue inscribed, five statements on each. When such tablets are mentioned later on, we are not told what is written on them.

What then *do* we know about the structure of these pronouncements? One group of them touches mainly on the relation between God and the individual Israelite: the first words spoken are “I the Lord [am] thy God,” and within this group we hear the phrase “the Lord thy God” four more times. The second group (beginning with “Thou shalt not murder”) touches primarily on conduct between and among human beings; in this section God is not mentioned, and the very last

word of the Decalogue, “thy neighbor,” marks a far distance from the opening “I the Lord.”

Next, nearly all of the statements are formulated in the negative. The first few statements proscribe wrongful ways of relating to the divine—no other gods, no images, no vain use of the divine name—while the last six begin with *lo*, “not.” Human beings, it seems, are more in need of restraint than of encouragement.

In this sea of prohibition, two positive exhortations stand out: the one about hallowing the Sabbath, and the one about honoring father and mother. Hallowing the Sabbath is also one of two injunctions that receive the longest exposition or explanation; the other one concerns images and likenesses. Clearly, these three deserve special attention.



*Israel in Egypt* Edward Poynter, 1867. Guildhall Art Gallery, London.

But far more important than structural features is the context into which the Decalogue fits. This is the new, people-forming covenant proposed by God through His prophet Moses to the children of Israel in the antecedent chapter of Exodus (19:5--6). The overall terms of that agreement are succinctly stated. If the children of Israel (a) “will hearken unto My voice” and (b) “keep My covenant,” then, as a consequence, (a) “ye shall be Mine own treasure from among all peoples” and (b) “ye shall be unto Me a kingdom of priests and a holy nation.”

It is only here, with the offer of a divine covenant, that this motley multitude of ex-slaves learns for the first time that they can become a people, among the other peoples of the earth, and that they can become a *special* people, a treasure unto the Lord. Moreover, their special place is defined in more than political terms: they are invited to become a kingdom of priests and a holy nation. This is a matter to which we will return.

Yet the Decalogue is hardly the bulk of the Torah's people-forming legislation. All of the laws specifying proper conduct and "religious" observance come later: first in the ordinances immediately following the giving of the Decalogue, then in the laws regarding the building of the tabernacle, and then, in the book of Leviticus, in the law governing sacrifices and the so-called Holiness Code. So the Decalogue functions rather as a prologue or preamble to the constituting law. Like the preamble to the Constitution of the United States, it enunciates the general principles on which the new covenant will be founded, principles that in this case touch upon—and connect—the relation both between man and God and between man and man. It is less a founding legal code, more an orienting aspirational guide for every Israelite and, perhaps, every human heart and mind.

## 2. The Lord, *Thy* God

**The Decalogue is introduced** as follows: "And God spoke all these words, saying" (Exodus 20:1). Unlike most such biblical statements reporting a divine act of speaking, this one does not identify the audience. But the omission is fitting, for the speech appears to be addressed simultaneously to all the assembled people and to each one individually: in fact, all of the injunctions are given in the second person singular. Moreover, although pronounced at a particular time and place, and uttered in the presence of a particular group of people, the content of the speech is not parochial. It is, rather, addressed to anyone and everyone who is open to hearing it—including, of course, us who can read the text and ponder what it tells us.

If the identity of the audience is unspecified, that of the speaker is plain: "I [the] Lord am thy God, who brought thee out of the land of Egypt, out of the house of bondage" (Exodus 20: 2). Later Jewish—but not Christian—tradition will treat this assertion as part of the first statement and the basis of the first positive precept: to believe in the existence of the one God. But in context it functions more to announce the identity of the speaker—who, as would have been

customary in any such proposed covenant between a suzerain and his vassals, declares the ruler-subject relationship that governs everything that follows. On this understanding, “I the Lord am *thy* God” emphasizes that the speaker is the individual hearer’s personal deity: not just the god of this locale, capable of making the mountain tremble, rumble, and smoke, but the very One who brought you personally out of your servitude in Egypt.

Nor, unlike God’s self-identification to Moses at the burning bush (Exodus 3:6), is there any mention here of the patriarchs. The agreement offered to the Israelites is a covenant not with the God of their long-dead fathers but with the God of their own recent deliverance. The former covenant was for fertility, multiplicity, and a promised land; the new one concerns peoplehood, self-rule, and the goals of righteousness and holiness. It rests on a new foundation, and it is made not with a select few but with the universal many.

Although the basis of the new relationship is historical, rooted in the Lord’s deliverance of the Israelites from Egyptian bondage, the Lord’s opening declaration also conveys a *philosophical* message. The Lord appears to be suggesting that for the children of Israel—if not also for other unnamed auditors—there are basically two great alternatives: either to be in relation to the Lord, in Whose image humankind was created, or to be a slave to Pharaoh, a human king who rules as if he were himself divine. Egypt, identified redundantly as “the house of bondage,” is presented here not just as one alternative among many but as *the* alternative to living as men and women whose freedom—from bondage not only to Pharaoh but to their own worst tendencies—seems to depend on embracing the covenant with the Lord.



Mosè Pietro Novelli, 17th century. Palazzo Abatellis, Palermo.



### 3. How Not to Seek God

**After the opening remark** declaring God's relation to this people, the next statements concern how God wants them to conduct *their* side of the relationship. The instruction is entirely negative.

The first wrong way is this: "Thou shalt not have other [or "strange"; *aherim*] gods before Me" (Exodus 20: 3). This is a declaration not of philosophical monotheism but of *cultural* monotheism. What is claimed precisely is an exclusive, intimate I-thou relationship like that of a marriage, requiring unqualified fidelity and brooking no other's coming between the two partners. One might phrase it this way: "Thou shalt look to no *stranger*-gods in My presence." This goes beyond turning an I-thou relation into a "triangle." *Aherim*, the word translated "other" or "strange," suggests that any such putative deities would be alien not only to the relationship as such but specifically to its *human* partners. The only God fit for a relationship with beings made in God's image is the God whose being they resemble and whose likeness they embody. Only such a One would not be a "stranger."

Yes, powers regarded (not unreasonably) by other peoples as divine—for example, the sun, the moon, the earth, the sea, the mountain, or the river—may play a decisive role in determining the character and events of human life. Yes, the powers that the Greek poets presented as anthropomorphic gods—Poseidon, earth-shaker; Venus, source of erotic love; Demeter, source of crops; warlike Ares—must be universally acknowledged and respected for their place in human life. But one cannot truly have a relationship with them, for they are strangers to all those who look to them. Only with the Lord God is there the possibility of genuine kinship.

Having established the principle of exclusivity, God speaks next to correct a second error, namely, the natural human inclination to represent the divine in artfully made visible images, and even to worship these statues or likenesses:

Thou shalt not make unto thee a graven [or "sculptured"] image, nor any likeness of any thing that is in the heavens above or that is in the earth below, or that is in the water under the earth; thou shalt not bow down unto them, nor serve them, for I the Lord your God am a jealous god, remembering [or "visiting"] the iniquity of the fathers upon the children

unto the third or fourth generation of them that hate Me; and showing grace unto the thousandth generation of them that love Me and keep My commandments. (Exodus 20: 4--6)

Intended to proscribe the worship of idols, this injunction builds a fence against such practices by forbidding even the making of sculpted images or likenesses, especially of any *natural* being. It emphatically opposes the practice, known to the ex-slaves from Egypt, of worshipping natural beings—from dung beetles to the sun to the Pharaohs—and representing them in sculpted likenesses. But it also seems to preclude any attempt to represent, in image or likeness, God Himself. The overall message is clear: any being that can be represented in visible images is not a god. The unstated reason: God is incorporeal and trans-natural.

What's wrong with worshipping visible images or the things they represent? Even if, as we have reason to believe, it rests on an error—mistaking a mere likeness for a true divinity—it seems harmless enough, at most a superstitious waste of time. But the practice and the disposition behind it are hardly innocuous. To worship things unworthy of worship is in itself demeaning to the worshiper; it is to be oriented falsely in the world, taking one's bearings from merely natural phenomena that, although powerful, are not providential, intelligent, or beneficent. Moreover, paradoxically, such apparently humble submission masks a species of presumption. After all, human beings will have decided which heavenly bodies or which animals are worthy of being revered, and how these powers are to be appeased. In addition, the same human beings believe that they themselves, through artful representation, can fully capture these natural beings and powers and then, through obeisance, manipulate them. Worse, with increased sophistication of the craftsmen comes the danger that people will come to revere not the entities idolized but the physical idols as well as the sculptors and painters who, in making them, willy-nilly elevate themselves.

Perhaps the most important reason is that neither the worship of dumb nature nor the celebration of human artfulness addresses the twistedness and restlessness that lurk in the human heart and soul. To put the point positively, neither nature nor artfulness teaches anything about righteousness, holiness, or basic human decency. Indeed, the worship of nature or of idols may contribute to the problem. Making the connection explicit, the Lord vows to visit the “iniquities” of the fathers on the sons, unto the third or fourth generation.

An iniquity (*avon*) in the Bible differs from a sin (*het*). To sin is to miss the mark, as an arrow misses the target. By contrast, to commit an iniquity is to do something twisted or crooked, to be perverse. Sin is not inherited, and only the sinner gets punished; iniquity, however, like “pollution,” lasts and lasts, affecting those who come in its wake. It is not only that perverse fathers are likely to pervert their children; in addition, the children are inevitably stained by the father’s iniquity. How this comes about, the text leaves wonderfully ambiguous, thanks to the multiple meanings of the Hebrew verb *poqed*, which means both visiting and remembering; either the Lord promises to intervene directly and actively inflict the father’s twisted deeds on the sons, or He promises to allow those deeds to linger in the fabric of the world, contaminating the lives of the sons until repentance or cleansing is effected. Either way—and perhaps the two amount to the same thing—the perversity of the father’s deeds will reverberate through the generations.

The Israelites are not yet told what behavior they are to regard as iniquitous. Is it idolatry itself, or does idolatry *lead* to such twisted practices as incest, fratricide, bestiality, cannibalism, slavery? One way or the other, the fathers (and mothers) are put on notice: how they stand with respect to divinity will affect their children and their children’s children. God and the world care about, retain, and perpetuate our iniquities.

But not indefinitely—only to the third or fourth generation, the limits of any father’s clearly imaginable future. And overshadowing all is the promise of God’s bountiful grace “to the thousandth generation of those who love Me and keep My commandments.” Just as the sons of iniquitous fathers suffer through no direct fault of their own, so a thousand generations of descendants of a single God-loving and righteous ancestor enjoy unmerited grace. (By the way, it has been only 200 generations since the time of Father Abraham, for whose merit the children of Abraham are still being blessed.)

From this little injunction on idol-worship we learn that God and the world are not indifferent to the conduct of human beings; that our choice seems to be between living in relation to the Lord and worshipping or serving strange gods, between keeping His commandments and living iniquitously; that the choices we make will have consequences for those who come later; but that the blessings that follow from worthy and God-loving conduct are more far-reaching than are the

miseries caused by iniquitous and God-spurning conduct. There will be perversity in every generation, but the world overflows with *hesed* or grace.

And this surprising turn in the comment on idolatry and iniquity highlights the decisive (and perhaps most important) difference between idols or strange(r) gods and “the Lord thy God”: under the rule of no other deity could the world be seen to embody the kind of grace, kindness, and blessing here foretold. As earlier in the hope-filled rainbow sign after the flood (Genesis 9: 1-17), the token of God’s first covenant with humankind, here each and every Israelite learns that he will have reason to be grateful not only for his one-time recent deliverance from Egypt but also for the enduringly gracious (and not merely powerful or dreadful) character of the deity with whom he is covenanting.

The implications for how we are to live in the light of this teaching are clear. My children and my children’s children are at risk from any iniquity I commit; but nearly endless generations will benefit from the good that I may do. An enormous responsibility, then; and yet we know also that we are not *solely* responsible for the world’s fate, and that redemption is always possible. Even if we fail, there will still be *hesed*. To walk with hope in the light of *hesed* offers the best chance for a worthy life.

The final error to be corrected concerns the use of the divine name. For if visible beings are unworthy of worship, and if, conversely, “the Lord thy God” cannot be visibly imaged, all that remains to us of Him (when He is silent) is His name. Yet it is also *not* through His name that the Israelites are to enter into a proper relationship with the Lord:

Thou shalt not take up (*nasa*) the name of the Lord thy God in vain, for the Lord will not hold guiltless the one who takes up His name in vain.  
(Exodus 20: 7)

Without warning, and for no apparent reason, the Lord speaks now of Himself not in the first but in the distant third person. This distancing fits with the progressive distance from “thy God,” to “other/stranger gods before Me,” to vain “images and idols” not to be made and worshipped, and now to “the name of the Lord thy God” that is not to be taken in vain.

The prohibition itself, though seemingly straightforward, asks to be unpacked. What, exactly, is being proscribed? What sort of use of God's name is "in vain"? The concept embraces not only speaking falsely but also speaking emptily, frivolously, insincerely. The most likely occasion for such empty invocations of



*Rubus Incombustus (Moses before the Burning Bush)* Salvador Dalí, 1967. Park West Gallery, Southfield (MI); © Artists' Rights Society, reproduced by permission.

the divine name would be in swearing an oath, calling on God to witness the truth of what one is about to say or the pledge one is promising to fulfill. But the injunction seems to have a larger intention, at the very least inviting us to ponder what would *not* be a vain use of the Lord's name.

The real target of the injunction may be the attempt to live in the world assuming that "God-is-on-our-side." That is, what is "vain" about the forbidden speech may have more to do with an inward disposition of the heart than with words overtly spoken. To speak the Lord's name, unless instructed to do so, is to wrap yourself in the divine mantle, to summon God in support of your own purposes. It is to treat God as if He were sitting by the phone waiting to do your bidding. In the guise of beseeching the Lord in His majesty and grace, one behaves as if one were *His* lord and master. One behaves, in other words, like Pharaoh.

There is a deeper issue, having to do less with misconduct and more with the hazards of speech itself. Treating anyone's name as something that one can "take up" or "lift" is to take *him* up, as if by his handle. Like making images of the divine, trafficking in the divine name evinces a presumption of familiarity and knowledge. To handle the name of the Lord risks treating Him as a finite thing known through and through. Even if uttered in innocence, the use of the Lord's

name invites the all-too-human error that attends all acts of naming: the belief that one thereby knows the essence.

Called by God from out of the burning bush, Moses, in the guise of asking what to respond when the Israelites inquire who sent him, seeks to know God's name. The profoundly mysterious non-answer he receives—*ehyeh asher ehyeh*, I will be what I will be, or I am that I am—is in fact a rebuke: the Lord is not to be known or captured in any simple act of naming. The right relation to Him is not through naming or knowing His nature but through hearkening to His words. The right approach is not through philosophy or theology, not through speaking about God (*theo-logos*), but through heeding *His* speech.

This is not to say that the Decalogue proscribes all speaking about God. Later, there will be instruction about times and circumstances in which the Israelites will be enjoined to call upon or to praise the Lord; and the mention of His name in regular rituals and prayers can hardly be taken as a violation of this injunction. At the same time, however, the proscription does serve to induce caution. By avoiding casual speech about the Lord, one leans especially against the cultivation of a childish view of the deity—a super-powerful fellow with a beard, accessible on demand, intelligible, familiar: a projection, in short, of our own needs and imaginings. And it makes clear that our relation to the divine is not to proceed by way of naming speech any more than by way of visible likeness.

Yet, up to this point, there has been no positive instruction regarding how one *should* relate to the divine. What does this God want of His people? The next utterance gives the answer.

## 4. The Sabbath Day

**Of all the statements** in the Decalogue, the one regarding the Sabbath is the most far-reaching and the most significant. It addresses the profound matters of time and its reckoning, work and rest, and man's relation to God, the world, and his fellow men. Most important, this is the only injunction that speaks explicitly of *hallowing* and *holiness*—the special goal for Israel in the covenant being proposed. Here is the relevant text:

Remember the Sabbath day, to keep it holy. Six days shalt thou labor and do all thy work. But the seventh day [is a] Sabbath to the Lord thy God.

Thou shalt do no manner of work, thou, thy son and thy daughter, thy servant and thy maidservant, thy cattle and thy stranger that is within thy gates.

For in six days made the Lord the heavens and the earth and the sea and all that is in them; but He rested on the seventh day; and therefore the Lord blessed the seventh day and He hallowed it. (Exodus 20: 8-11)

The passage opens with a general statement, specifying two obligations: to remember, in order to sanctify. Next comes an explication of the duty to make holy, comprising a teaching for the six days and a (contrasting) teaching for the seventh. At the end, we get the *reason* behind the injunction, a reference to the Lord's six-day creation of the world, His rest on the seventh day, and His consequent doings regarding that day.

Imagine ourselves "hearing" this simple injunction at Sinai. We might find every term puzzling: what is "the Sabbath day"? What does it mean to "remember" it? And what is entailed in the charge, "to keep it holy" or "to sanctify it"? And yet the statement seems to imply that "the Sabbath day" is, or should be, already known to the Israelites. What might *they* have understood by it?

The word "sabbath" comes from a root meaning "to cease," "to desist from labor," and "to rest." Where, then, have the ex-slaves encountered a day of desisting? Only in their recent experience with manna.

After the exodus from Egypt and their deliverance at the Sea of Reeds, the Israelites encounter shortages of water and food, and begin to murmur against Moses' leadership. Comparing unfavorably their food-deprived new freedom with their well-fed existence in bondage, they long for the fleshpots of Egypt and accuse Moses of bringing them into the wilderness to die of hunger. As if waiting for just such discontent, the Lord intervenes even without being asked. He causes manna to rain from heaven for the people to gather, "a day's portion every day," not only to tame their hunger but explicitly "that I may prove them, whether they will walk in My law or not." (Exodus 16:4) The restrictions placed on their gathering are threefold: each should gather only what he and his household need and can eat in a day; there is to be no overnight storage or waste; and there is to

be no gathering on the seventh day, for which a double portion will be provided ahead of time on the sixth.

The provision of the manna, and the restrictions attached to its gathering and storage, teach several lessons: the condition of the world is not fundamentally one of scarcity but of plenty, sufficient to meet the needs of each and every human being; there is thus no need to hoard against the morrow or to toil endlessly, grabbing all you can; and there is no need to look upon your neighbor as your rival, who may keep you from a livelihood or whose need counts less than yours. Accordingly, one may—one should—regularly desist from acquiring and provisioning, in an expression of trust, appreciation, and gratitude for the world's bounty, which one also must neither covet beyond need nor allow to spoil. In all these respects, the provision of manna in the wilderness stands as a correction of fertile Egypt, where land ownership was centralized, acquisitiveness knew no respite, excesses were hoarded, the multitude sold themselves into slavery in exchange for grain, neighbor fought with neighbor, and one man ruled all as if he were a god.<sup>1</sup>

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<sup>1</sup>Were this the place to comment fully on the political significance of the provision of manna, which sustains the Children of Israel through their wilderness wanderings, we might point out, among other things, the following. Economic matters are set aside, so that moral and spiritual ones may be pushed to the fore; in keeping with its central mission to become a kingdom of priests and a holy nation, Israel will be the only people who become a people before inhabiting a land and before being required to provide for their common subsistence. (Whether the subordination of autochthony and political economy to morality and holiness has been politically good for the Jews is another question.) The provision of manna returns the Israelites to a gathering society, pre-agricultural, not unlike the Garden of Eden, before the division of labor and before the emergence of inequality that comes with landed property.

The community can thus be founded not out of organic economic growth, with households giving rise to villages and then cities (Aristotle); not on conquest or plunder by the strong or an act of patricide or fratricide (Machiavelli, the biblical example of Cain, the Roman example of Romulus); not on a social contract, entered into by fearful individuals aiming at escape from the war-of-all-against-all (Hobbes), at protecting private property (Locke), or at ratifying a swindle pulled off by the rich against the poor (Rousseau), but on a covenant made by still free and equal human beings with the Lord. The manna acknowledges the necessity of meeting necessity, but it does not put economics or the mastery of nature above the task of making men orderly and good. Getting the human beings out of slavery is easy compared with getting the inherent slavishness—and tyranny—out of the human beings.



Against the ex-slaves' despairing belief that food is preferable to freedom and that serving Pharaoh offered the surest guarantee of life, the children of Israel are taught not only that they live in a world that can provide for each and every person's needs but also that the Lord helps those who will help themselves. They must work to gather, but what they gather is a gift. In a world beyond scarcity and grasping, the choice is not freedom versus food and drink, but grateful trust versus foolish pride or ignorant despair.

Aside from their experience of manna, the Israelites may have had another referent for a "Sabbath day." Before the coming of the Bible, many peoples in the ancient Near East already reckoned time in seven-day cycles connected with the

phases of the moon. Among the Babylonians, these seventh days were fast days, days of ill luck, days on which one avoided pleasure and desisted from important projects out of dread of inhospitable natural powers. This was especially the case with their once-a-month Sabbath, *shabattu* or *shapattu*, the day of the full moon (i.e., the fourteenth day from the new moon).

Against these naturalistic views, the Sabbath teaching in Exodus institutes a reckoning of time independent of the motion of the heavenly bodies, in which the day for desisting comes always in regular and repeatable cycles and is to be *celebrated* as a day of joy and benison. Readers of Genesis already know the basis of this way of reckoning time from the



*The Gathering of the Manna* James Tissot, ca. 1896-1902. Jewish Museum, New York.

story of creation, whose target was precisely those Mesopotamian teachings. But the children of Israel are only now learning that time in the world—and, hence, their life in the world—will be understood differently from the way other, nature-worshipping peoples understand it. The Sabbath day, blessed by the Lord, has existed from time immemorial; but the creation- and humanity-centered view of the world enters human existence only through the covenant being here enacted with the children of Israel.

What, then, is the duty to *remember* the Sabbath day? About some matters—such as their previous condition of servitude—the Israelites will be exhorted to keep in mind that which they previously experienced. About the Sabbath day—whose original, of course, no human being could have experienced—the Israelites are told to keep present in their minds that which the Lord is now telling them for the first time. Once they learn the reason behind the injunction, the duty to remember will link their future mindfulness with their recall of the remotest past: the original creation of the world and the beginning, or pre-beginning, of time. Each week, going forward, the children of Israel will be not only recalled to God’s creation of the world but invited symbolically to relive it.

Much later, when Moses repeats the Decalogue in Deuteronomy, he will enjoin the Israelites to “guard” (or “keep” or “observe”; *shamor*) the Sabbath day, to keep it holy, “as the Lord thy God commanded thee.” (Deuteronomy 5:12) Guarding and keeping are duties for the Sabbath day itself, but remembering it can and should take place all week long, reconfiguring our perception of time and its meaning. Under this radically new understanding, the six days of work and labor *point toward* and are completed by the seventh day and its hallowing. Mindfulness of sanctified time makes an edifying difference to the manner and spirit in which one lives and works *all* the time; and the remembered change in the meaning of time transforms and elevates all of human existence. Work is for the sake of a livelihood, but a livelihood has a new meaning when staying alive is seen to have a purpose beyond itself.

The root meaning of *qadesh*, to make holy, is to set apart, to make separate. Other peoples have their own forms of separation or sanctity: sacred places, sacred rituals and practices, sacred persons or animals. But in Israel what is made holy is not a special object, place, or practice, but the time of your life. *How* to make this time holy we learn in the sequel, but here the Israelite idea of

holiness is connected to the distinction between work (or labor) and rest, as well as to the distinction between the things that are yours and the things that “belong” to God. The six days of work appear to be “for yourself and your own”; by contrast, the seventh day is said to be a Sabbath unto the Lord thy God, on which day “labor [*avodah*] for oneself” is replaced by “service [*avodah*] to the Lord.”

Yet the form of devotion is odd. No rituals or sacrifices are specified; on the contrary, what is required is an absence, a cessation, a desisting, and this obligation to desist falls on the entire household. From master to servant to beast and stranger, the worldly hierarchy is to be set aside; regardless of rank or station, all are equally invited to participate in the hallowing of the day. Nor do people need to travel or to sacrifice in order to encounter this sanctified time. Holiness has a central and ever-renewable place in their ordinary life at home, if they but keep it in mind.

And the key to the holiness that is the Sabbath’s desisting from labor? It is nothing less than God’s own doings in connection with creation. Every week the children of Israel are, as it were, returned to the ultimate beginning and source of the world, summoned to remember and to commemorate its divine creation and Creator.

This means, among other things, remembering that what we call “nature” and was once widely worshipped—heaven, earth, sea, and all they contain—is not in fact divine but rather the aggregate of God’s creations and creatures. At the same time, in remembering the majestic fact of creation and the world’s plentitude and beauty, the Israelites are also taught not to disdain the world or regard it as hostile, malevolent, or inhospitable, but rather to see it as a generous gift for whose bounty and blessings all human beings can and should be grateful.

The Israelites are not only recalled to the creation; their own weekly cycle of work and desisting is meant, symbolically, to reproduce it. Here is the most radical implication of the Sabbath teaching: the Israelites are, *de facto*, enjoined “to be like God”—both in their six days of work and especially on the day of desisting. Note well: their relationship to the Creator is no longer based solely in historical time and in their (parochial) deliverance from Egyptian bondage. It is also ontologically rooted in *cosmic* time and in the *universal* human capacity to celebrate the created order and its Creator, and in our special place as that order’s god-like, God-imitating, and God-praising creatures.

It is, of course, peculiar to command us to rest as God rested, because it is peculiar to speak of God “resting.” Nevertheless, we can conjecture something of what it might mean.

In the original account of creation, at the end of the sixth day “God saw every thing that He had made and, behold, it was very good.” But the true completion of creation comes on the seventh day, only *after* the creative work had ceased:

And the heaven and the earth were finished and all their host. And God finished on the seventh day His work which He had made and He desisted on the seventh day from all His work which He had made. And God blessed the seventh day and He hallowed it, because on it He desisted from all His work which God created to make.  
(Genesis 2: 1-3)

Here there is no talk of resting but only of desisting and, on that account, of blessing and hallowing (or setting apart) the seventh day. A complete world of changeable beings has been brought into being by a divinity Who then completes His creative makings by “standing down.” In this mysterious blessing and hallowing of time “beyond” the world of creative making, God, as it were, makes manifest in the rhythm of the world itself that mysterious aspect of Being that is beyond change.



Moses Michelangelo ca. 1513-15. San Pietro in Vincoli, Rome.

Remarkably, this consecration of time—and this pointing to what is “out of time”—is something we (and only we) humans can glimpse and participate in. It is open to us if and when we set aside our comings and goings, and turn our aspirations toward the realm beyond motion from which motion derives. It is open to us when we are moved by wonder and gratitude for the existence of something rather than nothing, for order rather than chaos, and for our unmerited presence in the story.

It may seem similarly odd to suggest that human beings would be imitating God by feeling gratitude; why, and for what, would God be grateful? Yet gratitude for the created world is also not itself *part* of the created world; literally a manifestation of grace, it stands us, however briefly, outside the world beyond the flux of the world’s ceaseless motions and changes. Although mobile beings ourselves, we alone, god-like among the creatures, are capable of standing outside and contemplating the world and feeling gratitude for it and our place in it. In this respect, too, Sabbath remembrance and sanctification permit us to be “like God.”

The existence of Sabbath rest thus offers a partial reprieve from the sentence of unremitting toil and labor prophesied by the Lord at the end of the story of the Garden of Eden—a “punishment” of the human attempt to become like gods, knowing good and bad, undertaken in an act of disobedience. According to that account, our prideful human penchant for independence, self-sufficiency, and the rule of autonomous human reason led us into a life that, ironically, would turn out to be nasty, brutish, and short. This is still very much our lot. But here, with Sabbath desisting, we are not only permitted, we are in fact obliged regularly to cease the life of toil, sorrow, and loss and to accept instead the god-like possibility of quiet, rest, wholeness, and peace of mind.

And this rise to godlike peace, unlike the self-directed “fall” into the knowledge of good and bad, depends not on disobedience but on obedience: the only way a free and reckless creature like man can realize the more-than-creaturely possibility that was given to him at the creation. It is not only or primarily in imitating God in our workaday labor, but mainly and especially in hearkening to a command to enter into sacred time, that we may realize our human yet godlike potential. Doing as I say, teaches the Lord, is the route to “doing as I did” (or “being as I am”).

The Sabbath teaching has other profound implications for human life, including especially for politics. Adherence to the Sabbath injunction turns out to be the foundation of human freedom, both political and moral. By inviting and requiring all members of the community to imitate the divine, it teaches the radical equality of human beings, each of whom may be understood to be equally God's creature and equally in His image.

Sabbath observance thus embodies and fosters the principle of a truly humanistic politics. Although not incompatible with political hierarchy (including kingship), the idea behind the Sabbath renders illegitimate any regime that denies human dignity or that enables one man or some few men to rule despotically as if he or they were divine. And by reconfiguring time, elevating our gaze, and redirecting our aspirations, Sabbath remembrance promotes *internal* freedom as well, by moderating the passions that enslave us from within: fear and despair (owing to a belief in our lowliness), greed and niggardliness (owing to a belief in the world's inhospitality), and pride and hubris (owing to a belief in our superiority and self-sufficiency).

The deep connection between the Sabbath and political freedom is supported by the repetition of the Decalogue in Deuteronomy. There, the reason given for Sabbath observance rests not on God's creating the world but on the exodus from Egypt:

And thou shalt remember that thou wast a slave in the land of Egypt, and the Lord thy God brought thee out thence with a mighty hand and a outstretched arm; *therefore*, the Lord thy God commanded thee to keep the Sabbath day. (Deuteronomy 5:15; emphasis added)

In place of the six days of God's creative work contrasted with the seventh day of divine rest and sanctification, the Deuteronomic version contrasts the Israelites' enforced labor in Egyptian servitude with the Lord's mighty deliverance. The substitution invites us to see the second justification for Sabbath observance as the logical analogue and consequence of the first. In a word, where men do not know or acknowledge the bountiful and blessed character of the given world, and the special relationship of all human beings to the source of that world, they will lapse into worship either of powerful but indifferent natural forces or of powerful and clever but amoral human masters and magicians.

These seemingly opposite orientations—the worship of brute nature and the veneration of clever men—amount, finally, to the same thing: both deny the special god-like standing and holy possibilities of every single human being, and of humanity as such. Called upon to remember what it was like to have lived where men knew not the Creator in whose image we humans are made, and called upon to remember the solicitude of the Creator for His suffering people, the Israelites will embrace the teaching about Sabbath observance, and their politics will be humanized and their lives elevated as a result.

## 5. Honoring Father and Mother

**The Decalogue moves** next to its only other positive injunction, which is also the first to prescribe duties toward human beings and the last to mention “the Lord thy God.” Standing as a bridge between the two orders of duty—to God and to one’s fellow men—it also invites us to consider what the one has to do with the other:

Honor thy father and thy mother,

So that thy days may be long

Upon the land which the Lord thy God

giveth thee. (Exodus 20: 12)

As children of the civilization informed by the Bible, we take for granted that the duty of honor is owed to both father and mother, and equally so. Yet this obligation is almost certainly an Israelite innovation. Against a cultural background giving pride of place to manly males and naming children only through their patronyms, the Decalogue trumpets a principle that regards father and mother equally. Well before there is any explicit Israelite law regarding marriage, this singling out of one father and one mother heralds the coming Israelite devotion to monogamous union, with clear lines of ancestry and descent and an understanding of marriage as devoted to offspring and transmission. Moreover, the principle is stated unconditionally: God does not say, “Honor your father and mother if they are honorable.” He says, “Honor them regardless.” We will soon consider why.

As children of the civilization informed by the Bible, we probably also take for granted that our parents *should* be singled out for special recognition. But this is hardly the natural way of the world. Not only is the natural family the nursery of rivalry and iniquity, even to the point of patricide and incest, but honor in most societies is usually reserved not for Mom and Dad but for people out of the ordinary, for heroes, rulers, and leaders who go, as it were, in the place of gods.

Calling for the honoring of father and mother is thus another radical innovation, a rebuke at once to the ways of other cultures, to the natural human (and especially male) tendency to elevate heroes and leaders, and to the correlative quest for honor and glory in defiance of human finitude. In place of honoring the high and mighty, the way of the Lord calls for each child's honoring his or her father and mother, in the service of elevating what they alone care for and do: the work of perpetuation. And by elevating equally the standing of both, each child also learns in advance to esteem his or her spouse, as well as their joint task as transmitters of life and a way of living in which perpetuation is itself most highly honored.

The Israelites will shortly be told more about what it means *not* to honor father or mother, and how seriously this failure is regarded. In the ordinances following the Decalogue, two of the four capital offenses (on a par with premeditated murder and kidnapping for slave-trading) are striking one's father or mother and cursing one's father or mother. But exactly what it means, positively, to honor is unspecified, and perhaps for good reason. By not reducing that obligation to specific deeds or speeches, the injunction compels each son or daughter to be ever attentive to what honoring father and mother might require, here and now. What the Decalogue is teaching here is a settled attitude of mind and soul.

Consider two alternative terms that might have been used to describe what children owe their parents: love and/or obedience. One can love or admire without honoring, and, conversely, one can honor even without loving or admiring. Yet for the Israelite, the duty to honor parents persists even if love is absent. As for obedience, the duty to honor father and mother extends long beyond the time when we, their children, are under their authority. An adult child may disagree with his father and mother, and choose to act in ways they would not approve; yet even when he does so, his unexceptionable and enduring obligation to honor them is still intact and binding.



Unlike the feeling of love, and unlike the wonder of admiration, both of which go with the grain, the felt need to honor (to give weight to; *kabed*) is not altogether congenial. For honor implies distance, inequality, looking up to another with deferential respect, reverence, and even something of fear. In this regard, honor is exactly like what is owed to a god, for it is rooted in the feeling of awe. Indeed, the link is later made explicit. When the Lord proclaims His central teaching about holiness, the injunction regarding the proper disposition toward father and mother is renewed, revised, and placed in remarkable company:

Ye shall be holy; for I the Lord your God am holy. Ye shall fear [revere] each man his mother and his father, and ye shall keep my Sabbaths. I [am] the Lord your God. (Leviticus 19:2-3)

Fear, reverence, and awe are, of course, precisely the disposition that is appropriate toward the Lord Himself: it was “fear/reverence of the Lord” for which Abraham was tested and praised in the binding of Isaac on Mount Moriah (Genesis 22:12). Moreover, the command to fear/revere mother and father is now clearly coordinated with the command to observe God’s Sabbath, making explicit the link between the two positive injunctions.

What, then, links the honoring of father and mother to Sabbath-keeping, and to “being holy”?

The teaching about “father and mother” comes right on the heels of the reason offered for sanctifying the Sabbath day: God’s creation of the world and His subsequent setting-apart and hallowing a time beyond work and motion. It thus extends our attention to origins and “creation,” now in the form of human generating. God may have created the world—and the whole human race—but *you* owe your own existence to your parents, who are, to say the least, co-partners—equally with each other, equally with God—in your coming to be. For this gift of life—and, one may pointedly add, for not aborting you or electing to contraceive the possibility of your existence—you are beholden to honor them, in gratitude.

Gratitude toward parents is owed not only for birth and existence, but also for nurture, for rearing, and especially for initiation into a way of life that is informed by the disposition to gratitude and reverence. The way of this “initiation” is itself a source of awe. For our parents not only teach us explicitly and directly

regarding God, His covenant, and His commandments. In their devotion to our being and well-being, given us not because we merit it, they are also the embodiment of, and our first encounter with, the gracious beneficence of the world—and of its bountiful Source.

Filial honor and respect are not only fitting and owed; they are also necessary to the parental work, whose success depends on authority and command. Exercising their benevolent power by invoking praise or blame, reward or punishment, in response to righteous or wayward conduct, yet forgiving error and fault and remaining faithful to their children, parents embody and model the awe-some, demanding, yet benevolent and gracious authority that characterizes the Lord God of Israel. In response, on the side of the child, filial piety expressed toward father and mother is the cradle of awe-fear-reverence (and, eventually, love) of the Lord. Even when we no longer need their guidance, we owe them the honor due their office.

So the injunction to honor father and mother is fitting and useful. But why has it such prominence in the Decalogue, and why, paired with the Sabbath, is it at the heart of God's new way and the summons to holiness? On the assumption that God reserves His most important teachings to address those aspects of human life most in need of correction, we need to remind ourselves of the problems this injunction is meant to address: the dark and tragic troubles that lurk within the human household and that, absent biblical instruction, imperil all decent ways of life. I refer to the iniquities of incest and patricide.

The Bible's first and only previous mention of "father and mother" is found in a comment inserted into the story of the Garden of Eden—after the man, seeing and desiring the newly created woman, expostulates, "This one at last is bone of my bone and flesh of my flesh," and then names her as if she were but a missing portion of himself: "She shall be called Woman because from Man she was taken." At this point, interrupting the narrative, the text interjects:

Therefore a man leaves his father and his mother and cleaves unto his woman, that they may become as one flesh. (Genesis 2: 24)

Many commentators have seen here the ground of a biblical teaching about monogamous marriage. In my view, the context suggests something darker. The

inserted exhortation comes right after a speech implying that love and desire—including especially (male) sexual desire—is primarily love and desire of one’s own: “bone of *my* bone and flesh of *my* flesh.” Leaving your father and mother in order to become “as one flesh” with an *outside* woman serves as a moral gloss not on monogamy but on the sexual love of your own flesh, which, strictly speaking, is the formula for incest.

The danger of incest, destroyer of the distance between parent and child, is tied to a second threat: resentment of and rebellion against paternal authority, up to and including murder. The Bible’s first story about the relation between father and sons, the story of Noah’s drunkenness, is, in fact, a tale involving at least metaphorical patricide. Told as the immediate sequel to the establishment of the Lord’s first covenant with all humanity, the story serves as a crucial foil for the teaching about family life that God now at Sinai means to establish in the world.

Noah has just received the first new law, comprising the basis for civil society, away from the anarchic “state of nature” that was the antediluvian world. At its center is the permission to kill and eat animals but, in exchange, an obligation to avenge human bloodshed—an obligation that is said to turn on the fact that man alone among the animals is god-like:

Whosoever sheds man’s blood, by man shall his blood be shed; for in the image of God was man made. (Genesis 9:6)

And it concludes with the command to procreate and perpetuate the new world order:

As for you, be fruitful and multiply, swarm through the earth, and hold sway over it. (Genesis 9:7)

We look to the sequel to see how well this creature, made in the image of God, fares under the new covenant, and the result is not cheering. Noah plants a vineyard, gets blind drunk, and lies uncovered in his tent, stripped not only of his fatherly authority but even of his upright humanity. There he is seen in his shame by Ham, his hotheaded son, who goes outside and publicizes his discovery, celebrating his father’s unfathering of himself. Ham’s brothers, Shem and Japheth, enter the tent, walking backward, covering their father’s nakedness without witnessing or participating in it. When Noah awakens, he curses Canaan

son of Ham but calls forth a blessing on “the Lord, God of Shem,” the son whose pious action restored him to his fatherly dignity and authority.

In explicating this story elsewhere (*The Beginning of Wisdom: Reading Genesis*, Chapter 7), I have suggested that it is intended to show how rebellion, incest, and patricidal impulses lurk in the bosom of the natural—that is, the uninstructed—human family. These dangers must be addressed if a way of life is to be successfully transmitted, especially a way of life founded on reverence for the Lord in whose image—as Noah and the human race have just discerned—we human beings are made.



*Noah's Drunkenness* James Tissot, ca. 1806-1902. Jewish Museum, New York/Art Resource.

The impulse to honor your father and mother does not come easily to every human heart. Yet some children appear to get it right, even without instruction. Shem, who restores his father's paternal standing, seems to have divined the need for awe and reverence for his father as a pathway to, and manifestation of, the holy. And Shem's merit, it turns out, is visited upon his descendants: he becomes the ancestor of Abraham, founder of God's new way. Ham, on the other hand, is the ancestor of the Canaanites and the Egyptians, whose abominable sexual

practices will be the explicit target of the laws of sexual purity (in Leviticus 18) that are central to Israel's mission to become a holy nation. It is at the end of this list of forbidden deeds, each proscribed as an iniquitous "uncovering of nakedness," that the Lord pronounces the connection, mentioned earlier, among the call to holiness, awe and reverence for mother and father, and the observance of the Sabbath.

Summing up: the injunction to honor father and mother constitutes a teaching not only about gratitude, creatureliness, and the importance of parental authority. It insists on sacred distance, respect, and reverence, precisely to produce holiness, *qedushah*, in that all too intimate nest of humanity that often becomes instead a den of iniquity and a seedbed of tragedy. In Sabbath observance, a correction is offered against the (especially Egyptian) penchant for human mastery and pride that culminates in despotism and slavery. In honoring father and mother, a correction is offered against the (especially Canaanite) penchant for sexual unrestraint, including incest, that washes out all distinctions and lets loose a wildness incompatible with the created order and with living under the call to be a holy people. Adherence to these two teachings offers us the best chance for vindicating the high hopes the world carries for the creature who is blessed to bear the likeness of divinity.

The connections between the Decalogue's two positive injunctions, and between both of them and the goal of holiness, shed light on the vexed questions of the universality versus the particularity of God's teaching to Israel and of Israel's special standing among the nations. Our interpretation implies that the call to holiness, although made only (or first) to the people of Israel, seeks to produce on earth a perfection not just of one people but of *human beings as such*. This is perhaps already implicit in the Israelites' call to become a kingdom of priests, whether as example or as minister to the other peoples of the world. The universality becomes explicit with the reason for Sabbath remembrance and sanctification, as the Israelites are summoned to adopt a God-like perspective on the nature of time and the relation between motion and rest. All human beings can appreciate and imitate the divine activities of creating and hallowing because we are all equally related to the Lord whose divine image and likeness each one of us bears.

Yet, paradoxically, we are immediately reminded that universality, like holiness, requires remaining true to the necessary particularity of our embodied existence. For what could be farther from universality than the utterly contingent and non-interchangeable relationship that each person has to his singular father and mother? True, the parent-child relationship bears certain deep similarities to the relationship between the biblical God and any human being. But no one lives with the universal (or generic) Father and Mother, only with his own very particular ones. A person shows reverence for fatherhood and motherhood as such only by showing reverence for his own father and mother.

Beware the universalist who has contempt for the particulars; beware the lover of all humanity, or of holiness, who does not honor his own father and mother. For it turns out to be all but impossible to love your neighbors as yourself if you treat lightly your most immediate “neighbors,” those who are not only most emphatically your own but also most able to guide you to your full humanity. The case for a parochial community that bears a universal way—hence the case for the distinctive nation of Israel—follows directly from these considerations.

From the Lord’s (or the Decalogue’s) perspective, indeed, the contingency and parochial character of our existence is not a misfortune or a defect. To the contrary, in the Torah it is an estimable blessing that we have bodies and live concrete and parochial lives, for it is only in and through our lived experiences, here and now, that we gain full access to what is universally true, good, and holy. Unlike a later scriptural teacher, the Lord of the Decalogue does not exhort you to leave your father and your mother, and follow me (Matthew 10:34-38). Instead, He celebrates the fact that grace comes locally and parochially, into the life each one of us was given to live as well as we can, embedded in the covenantal community into which we have been blessed to be born.

## 5. The “Second Table”: Moral Principles for Neighbors

**When we move to consider** the statements of the so-called “second table” of the Decalogue, we find ourselves on more familiar legal and moral ground, which we can thus cover more expeditiously.

Murder, adultery, and theft are outlawed by virtually all civilized peoples. These legal prohibitions not only form the necessary condition of civil peace; they erect

important boundaries, not to be violated, between what is mine and what is thine: life, wife, property, and reputation. Because they stand to reason and because they were established already in the ancient Near East, they need neither explanations nor promises of punishment (or reward) for violation (or compliance).

And yet the Decalogue is *not* a legal code, and it goes beyond existing law. Formulated in absolute terms, the lapidary two-word Hebrew style of these latter statements sets them forth as eternal and absolute *moral* principles. In addition, packaged within the God-spoken preamble to the specific covenant with Israel, the principles acquire elevated standing as sacred teaching, ordained by a divine law-giver and resting on ontological ground firmer than mere human agreement or utilitarian calculation:

Thou shalt not murder.

Thou shalt not commit adultery.

Thou shalt not steal.

Thou shalt not bear false witness against thy neighbor.

Thou shalt not covet thy neighbor's house;

thou shalt not covet thy neighbor's wife, nor his [man-]servant nor his maid-servant, nor his ox nor his ass, nor anything that is thy neighbor's.  
(Exodus 20: 13-14)

The first three absolutes defend the foundational—rather than the highest—human goods: life, without which nothing else is possible; marital fidelity and clarity about paternity, without which family stability and responsible parenthood are very difficult; and property, without which one's chance for living well—or even making a living—is severely compromised. Further specification of these principles must and will be given later in Exodus when the ordinances of the covenant are pronounced.

The proscription of bearing false witness carries a moral message that goes beyond its clear importance in judicial matters. At stake are not only your neighbor's freedom, property, and reputation but also the character of communal

life and the proper uses of the god-like human powers of speech and reason. Echoing the earlier prohibition on taking the Lord's name in vain, this injunction takes aim at a deed of wrongful speech—speech that is, in fact, vain, light in weight and empty of truth. To speak falsely is to pervert the power of reasoned speech and to insult the divine original, whose reasoned speech is the source of the created order and the model of which we are the image.

If most of the prohibitions in the second table are familiar, the Decalogue concludes in a surprising turn by focusing not on an overt action but on an internal condition of the heart or soul, a species of ardent desire or yearning. The uniqueness of this proscription of coveting is suggested both by its greater length and by the spelling out of the seven things belonging to your neighbor that you not only must not steal but also must not even long for.

What is this doing at the close of the Decalogue? As a practical matter, a prohibition against covetous thoughts and desires builds a fence against the other forbidden deeds, for if you do not covet the things that are your neighbor's, you will be less likely to steal, commit adultery, or even murder; and you will be less tempted to make your neighbor suffer harm or loss by bearing false witness against him.

But beyond such practical considerations, the final injunction causes us to reflect about the meaning of possession and about the nature of desire and neighborhood. A man who covets what is his neighbor's suffers, whether he knows it or not, from multiple deformations of his own desire. Not content with his own portion of goodly things, he is incapable of seeing them in their true light: as means to—and participants in—a higher way of life.

Moreover, some of the same items occur on both the list of seven partakers in Sabbath rest and in the list of seven “covetables”—as if to indicate the mistaken direction of the coveter's desire. His heart is set on the possessions of another because he fails to realize that the things that matter most are not the *unsharable* things but the things we and our neighbors have in common: knowledge of the Lord and what He requires of us, participation in His grace and the bounty of creation, and the opportunity to live a life of blessing and holiness, despite our frailty and penchant for error and iniquity.



Our neighbor's aspiration to, or possession of, these goods in no way interferes with our chances to attain them. On the contrary, to live among neighbors who yearn for the sharable goods is to live in a true community, in which each and all can be lifted up in the pursuit and practice of holiness. Such a polity, even if only as an object of aspiration, is a veritable light unto the nations. ■

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*Next*

**What Does the God of Israel Demand?**

*A Response to Leon R. Kass by Michael Fishbane*

# What Does the God of Israel Demand?

By Michael Fishbane, June 2013

**Leon Kass's concern in "The Ten Commandments"** is to conduct a philosophical inquiry both into Scripture, with particular emphasis on the Ten Commandments as its paradigmatic core, and into Scripture's fundamental values, in the conviction that its teachings are crucial for our civilization. It is thus necessary that he engage, as he does, both circles of inquiry: the spirit of wisdom in the sources and the political theology at play.

His project is crucial. There is no question that this text is dead-center, as it has been for ages, in the constitution of Israel as a covenant people; and there is no question that it is formative for all of the historical heirs of Israel, including Judaism, Christianity, and Western civilization overall. To attack or defend the Decalogue is thus tantamount to attacking or defending our historical culture. Simply recall the note, found in the diaries of the Nazi foreign minister Joachim von Ribbentrop, citing Hitler's comment that the Ten Commandments are the enemy of civilization and must be eradicated. Remember, too, Thomas Mann's countervailing defense of the Decalogue in his novella *Das Gesetz* ("The Tables of the Law"), written in 1944 and produced in 500 copies. The two contrasting documents ring in our ears. Even more deafening is a shocking text I read in 1990 that promulgated "ten commandments" justifying Hutu acts of genocide in Rwanda.

And so we must take the Decalogue as a formative document of all that we cherish. This makes its interpretation crucial. Attending to Kass's formulations, I hope to be an honest respondent even as I push back on several points.

My comments continue a philosophical discourse with a dear friend and colleague of over two decades. Much of what I have to say derives from a shared passion—our twin devotion to the classics of Western civilization as sources of wisdom and instruction, and especially the Hebrew Bible as a foundation document of our culture. But much also arises from a difference in our approach. My own interests include the primary ancient Near Eastern setting and grounding of the Hebrew Bible and its secondary (and massive) reinterpretation throughout the varieties of Jewish literature and thought over the millennia.

Leon Kass’s wisdom-seeking enterprise has notable forebears in the intellectual-cultural projects of Philo, Maimonides, and Hermann Cohen. Just as these thinkers found some forms of philosophical wisdom more congenial than others (favoring Stoicism, Aristotelianism, and neo-Kantianism, respectively), Kass’s inquiry is similarly guided by particular notions of human value and modes of intellectual discourse. The wisdom-inquiring spirit hardly floats in amber; the shape of one’s questions and one’s concrete concerns affect the “meaning” of the text—even its philosophical ideas.

How all this plays out should become clear in the sequel.

Leon Kass asserts that the Decalogue finds its primary setting in the Exodus, and that the polemical target of the text is the paganism of the land from which the people have been just been liberated. This is evident on its face, and I have no disagreement with it. The Decalogue opens with the statement that *I, the Lord* [or: *I am the Lord who*] *took you out of the land of Egypt*. Significantly, the divine epithet used here is not the “god of the fathers,” for the Lord God is no longer the ancestral god of familial clans and patriarchs but the God of a nation-in-formation. Hence, the pronoun “you” invokes a collectivity whose past has been transfigured in almost every way. Pivotal is a new type of “theological personalism.” There is a shift from local and private revelations vouchsafed to singular individuals (with emphasis on a unilateral land grant to them and their progeny) to a national and collective revelation to “all Israel” (with emphasis on bilateral obligations extending to all life) because of a divine beneficence enacted on the nation’s behalf.

For Kass, the Lord who so announces himself as liberator demands worship to the exclusion of all “other gods” (which Kass translates as “strange gods” so as to invoke the beetles and crocodiles and kings of Egyptian worship—this being a provocative assertion by him though he is no doubt correct to regard the proscription as a vigorous negation of the worship of natural powers). Such false worship has consequences in the text itself and thus also for Kass, since the Decalogue then states that God will punish, even to the third and fourth generation, those who engage in false worship.

But what does this mean? Kass takes the passage to mean that the acts of the parents have consequences (his word is “reverberations”) for their children into a

*limited* number of future generations. This is a sentiment I would certainly subscribe to as a moral meditation on or neutralization of a harsh judgment. But the fact that Kass reads the sequence of sin and punishment in terms of familial intergenerational life should not pass unnoticed; it signals his larger concerns for the human good, concerns he finds valorized by the text.

To reconsider the issue, it is necessary to restate the context. There is an undoubted emphasis here on divine liberation, formulated via ancient Near Eastern conventions that laud protective kings. Such documents open with the self-presentation of a ruler (*I am X*) who has performed some beneficence to a people and consequently demands their loyalty and tribute under penalty of dire punishment. The pattern is widespread in old Hittite, Phoenician, Aramaic, and Akkadian literary sources, and the echoes in the Decalogue are legion: divine self-presentation in terms of a noble deed and then a demand for loyalty and service (here worship), followed by severe threats for disobedience.

In my view, these factors affect the purport of the Decalogue and highlight the chief characteristic of God. Precisely this act of power evokes and justifies the demand for exclusive loyalty in terms of historical action. That being the case, we have reason to wonder where in Kass’s scheme is “history”—meaning, in this case, saving actions, fulfillment of promises, and protections. And this in turn gives us reason to ponder the precise import of the phrase “out of Egypt.” Does that phrase so certainly refer to the “strange gods” worshipped there?

Another teacher of political theology, Eric Voegelin, deemed the counterpoint between Egypt and Israel to be “Order [versus] History”—the first term encoding the cyclical cosmos of natural cycles (of which the pagan gods are a part) and the second marking the linear, future focus of historical time (which is divinely guided). In general, the issue of history and redemption needs to be reprised as a core component of the opening words of the Decalogue. Not only is it a fundamental feature of ancient Israelite consciousness, but it has remained so for all of Israel’s historical heirs.

We may build on this. If a key concern of the Decalogue is loyalty to God for benefits given, might not the rejection of other gods be *for the same reason*? This does not deny the negative significance of Egypt and its gods in Scripture. Rather, it emphasizes that absolute allegiance to the Lord God is due to his power of historical deliverance. Indeed, the existence of other gods is not denied as such, only the Israelites’ loyalty to them, which includes worship through iconic forms.

Such, then, is the force of the prohibition of all “other gods” in this context. It has a stark punch, with the punishments evoked seeming less a lesson in intergenerational legacies than a warning of vicarious or extended punishments for disloyalty. And this point is made in a striking manner. For compare the punishment clause used in the Decalogue with its more extensive exemplar in Exodus 34: 6-7. In the latter passage, which contains the so-called “Thirteen Attributes of Divine Mercy,” the recital of punishments follows explicit statements of divine forgiveness for sins.

By contrast, the meaning of our passage in the Decalogue has long presented difficulties. Some interpreters propose that divine mercy can suspend a punishment, but only to transfer it to a later generation. This is troubling enough for those who seek humane lessons in the text. But the Decalogue’s wording in Exodus 20: 6 is more difficult still. For here God is not called *El Rahum* (God of Mercy), as in the later passage, but *El Qana* (God of Zeal)—and *only* the punishment clause is given, extending the dooms to later generations for earlier generations’ acts of apostasy! This is less a word of social wisdom than a blast of divine fury into the human heart.

The long reach of punishment is hard to swallow; ancient generations found it unpalatable as well. For one, the preacher in Deuteronomy 7: 10 revised the old clause to state that God punishes only those who disobey, and does so swiftly; for another, the prophet in Ezekiel 18: 20 sharpens the issue further: “The soul who sins shall die. The son shall not bear the guilt of the father, nor the father bear the guilt of the son.” In short, even as it is understandable that Kass tries to save the text for us moderns through his rendition of limited intergenerational after-effects, the topic of extended punishment remains one that we cannot easily ignore.

I say this to stress that what matters in interpretation is where one enters the hermeneutical circle. By focusing, as we have done here, on the Lord of historical power and liberation, the polemic against idolatry comes to look different, and so does the nature of God; and that, in turn, suggests a different political theology for the covenant.

Let us next consider Kass’s treatment of the Sabbath. In a moving presentation, he focuses on God and time and a social ethic that wants to extend Sabbath rest

to all of one’s household. The arch-metaphor Kass employs is “desisting” (his gloss on “resting”), and his interpretation is that the Sabbath is an attempt to remove the laborer from the natural cycle of time and inculcate a dedication to the Lord of all. He even suggests that the Sabbath day provides a perception of eternity. This is a loaded observation; to explain what I mean by that, I shall focus on an aspect of the text that puts a different spin on his reading.

The stress here is both on the positive command to “remember the Sabbath day,” a major issue for Kass, and the injunction *not* to work on it *in any way*—for it is a *Shabbat la-Shem*, a “Sabbath for the Lord.” This last phrase is a ritual formula recurring in Leviticus 23, where we also find such expressions as “a paschal sacrifice to/for the Lord,” “a matzah festival to the Lord,” and “a fire offering to the Lord.” In other words, the Sabbath rest is a day *devoted to the Lord*. This is its foremost ritual intention, and the action to be done in obedience to it requires an all-encompassing abandonment of work—certainly in the case of the male householder, who is addressed, but also any delegates or members of his household, including a slave or animal.

The mandate of rest—of *no work*—is thus absolute and total. If this celebration is at some level an *imitatio dei* (of God’s rest on the seventh day), it is one whose remembrance of divine creation is absolute and hardly a family foretaste of a social-egalitarian kingdom on earth. I am not saying that the Sabbath cannot have a utopian gloss. I emphasize only that, as a spiritual ideal, the act of desisting from labor is consequent to the obedience enjoined. To say it again, the primary intention of the Sabbath law is the periodic ritual re-devoting of the world back to God.

Finally, Kass makes the striking point that motivation clauses—that is, explanations and promises of reward and punishment—occur in the “first table” of the Decalogue in order to enjoin behaviors that are not entirely natural but require both fiat and instruction. They thus stand in contrast to the statements in the “second table,” which are without such clauses; instead, this second cluster lists ethical norms whose rationale one might reasonably deduce as necessary for the sake of societal life. The observation needs nuance, but stands overall, and leads me to reflect on Kass’s point that most of the commandments are formulated in the negative, save the Sabbath law and honoring one’s parents (though, as noted above, I think the first of these is also essentially a negative

prohibition and Kass himself hints that a darker negative matter is hidden in the second).

What I wish to emphasize is this. Jewish legal tradition distinguishes between positive and negative commandments—between commandments that say “do” this and commandments that say “don’t” do that. For the rabbinic sages, this means that the negative commandments are also a *duty*, and must therefore be incorporated into one’s positive consciousness of covenant. The negative commands are more than modes of ritual *inaction* (what the sages dub sitting by and doing nothing, *shev v’al ta’aseh*); they are components of the positive loyalty of obedience enjoined by the Decalogue.

In this regard, agreeing with Kass but again with a different emphasis, I would point up the Decalogue’s nearly comprehensive expression of norms in the negative as one of its most striking and significant features. Obedience and loyalty demand massive negations and self-restraint. One must not worship other gods, speak false oaths, work on the Sabbath, or misappropriate social goods and other lives. One must not even have desires for such goods and property. The political theology of the Decalogue elevates a divine suzerain—transcendent to all earthly forms—who demands total fealty in all respects. Absolutely nothing on the earth may be worshiped apart from this God, and nothing, up to and including inappropriate thoughts or urges, may be wrongly taken or begotten.

This amounts to a most austere religious ethos, overruling the inner and outer person. And we must acknowledge the consequences. The absolute commands in the Decalogue include a feature that may set moderns on edge, even those who might otherwise look favorably upon its prescriptions. That feature is this: the demand for a radical surrender of will and a radical offering of obedience according to the terms enunciated. This is not solely a demand to comply with a strong legal structure. It also requires the self to replace self-will with divine will in virtually every area of life.

Old Roman law distinguishes between *fas* and *ne fas*, between sacred and secular law; the division is in fact much older, being found in ancient Mesopotamian laws. The Decalogue makes no such separation. Worship of the Lord involves every area of life and thought—religious, civil, and criminal—and propounds an ethic that is both legal and also meta-legal (meta-legal in that no specific punishment is mandated either for failing to honor one’s parents or for desiring one’s friend’s cow and rare books). The Lord who intervenes in history demands

such complete devotion, inner and outer. The two tables thus propose “theonomy” as a total way of covenant life, an inclusive practice of divine duty and human perfection.

By contrast, Leon Kass has endeavored to make the Decalogue both sensible and livable from a perspective of philosophical wisdom and moral thoughtfulness. The ancient rabbinic sages also tried to make it livable and sensible, though on different terms. And this effort is all to the good—for, on its own terms, as I have tried to show, the Decalogue is stark and demanding in the highest degree. So thank God for God’s oral tradition, and also for the spirit of wisdom that, we are told, was created at the beginning of creation itself to be God’s heavenly companion (Proverbs 8: 22). Through these, we may ponder our earthly purposes and devote them to a God-oriented life.

When the new tablets were brought to earth, the old ones having been smashed on account of the Israelites’ apostasy and disloyalty in the sin of the golden calf, they were heard in a human voice quite different from the thundering divine voice at Sinai, resounding from heaven in an awesome fire and conveying the terror of death to the people. The further formulations and explications imparted by Moses in the book of Deuteronomy similarly cultivate the still-urgent task of finding in each jot and tittle of Torah a way to “*choose life*,” with livable sobriety and moral rectitude. Leon Kass stands in this noble tradition of interpretation. ■

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**The Decalogue and Liberal Democracy**  
*A Response to Leon R. Kass by Peter Berkowitz*



# The Decalogue and Liberal Democracy

By Peter Berkowitz, June 2013

**Scholars of politics and law continue to debate** whether liberal democracy—that form of government grounded in the consent of the governed and devoted to protecting the rights shared equally by all—is rooted in moral preconditions. Since liberal democracy obviously rests on the fundamental moral premise that all human beings are by nature free and equal, the persistence of this debate testifies to nothing so much as the ability of intellectuals to cloud almost any issue.

Liberal democracy's fundamental moral premise does, however, generate hard questions, both of the theoretical and the practical kind. Prominently driving the former these days are certain ideas or schools of thought fostered in our universities and disseminated throughout popular culture. For one thing, contemporary scientism limits all knowledge to that which can be formulated in terms of matter and the laws of physical nature. For another, postmodernism reduces all claims of knowledge, even the claims of science, to expressions of human will and social artifice. Both schools of thought lead to the same conclusion: the very notion of universal and objective moral claims grounded in human nature is nonsensical.

As for hard practical questions, these center on whether liberal democracy's actual beliefs, practices, and associations are consistent with its fundamental moral preconditions. And which, if any, contribute to liberal democracy's preservation and improvement?

Rare is the scholar of politics or of law these days who would think to turn to the Ten Commandments to understand better the hard questions to which liberal democracy gives rise. But Leon Kass's remarkable exploration of the Decalogue shows that these scholars have neglected a vital resource.

At once sympathetic and probing, Kass's essay emphasizes the Decalogue's universal significance without slighting its role as, specifically, a preamble to the

detailed legal code that constitutes the children of Israel as a people summoned to become a kingdom of priests and a holy nation. His engaged and respectful treatment of both the universal and the particular yields an uncommon insight. In opposition to the widespread conceit that religious law and individual freedom are antithetical, Kass shows that the religious law embodied in the Decalogue encourages those who live under it to appreciate their right as human beings to govern themselves in freedom.

Kass places particular emphasis on the statement in the Decalogue about the Sabbath day. Among other things, the duties imposed in this statement incorporate into the rhythms of the week actions, and the cessation of actions, that call to mind what distinguishes human beings from the rest of creation. Central to the command to remember the Sabbath day and keep it holy is the act of desisting from work: in this, we humans are directed to imitate God, who desisted from his work of creation on the seventh day and hallowed it. What allows us to grasp and heed this point? The fact that human beings—male and female, as Genesis 1:27 stresses—are made in the image of God.

To proclaim that human beings are created in the image of God is not to affirm, with liberal democracy, that human beings are *by nature* free and equal. But it is to affirm something closely related. The God of the Hebrew Bible, who will be what He will be, whose ways are mysterious, and whose words are endlessly rich and endlessly disputable, differs from nature, which cannot be other than it is and operates according to fixed laws that can be grasped by the human mind. Yet the biblical teaching encapsulated in the Ten Commandments is consistent with and reinforces liberal democracy’s fundamental moral premise. Both declare that human beings are in the most important respect equal; that men and women are elevated above inanimate nature and other creatures and deserving of special regard in virtue of what they share as human beings; and that they are degraded when enslaved or subjected to the arbitrary rule of other human beings.

The three prohibitions in the Decalogue that come before the command to remember the Sabbath day are also consistent with and support the claims of freedom. The prohibitions against having other gods, making graven images or physical likenesses of God, and using God’s name in vain—each addresses an error or errors in the way human beings relate to God. The prohibitions on committing these errors emancipate men and women from the worship of false gods and from the false worship of the one God in whose image they are formed.

These four commandments taken together, concentrating on duties to God, place the emphasis on what to believe and how to express it. The next six, focusing on duties to fellow human beings, stress daily, mundane conduct. They too are consistent with and support the claims of freedom.

Seminal thinkers in the larger liberal tradition—among them Locke, Burke, Tocqueville, and Mill—have identified the family as the bedrock association within political society, the site where the virtues of freedom are first and most decisively formed. The command to honor your father and mother, as Kass observes, is crucial to holding the family together. Honor is distinct from love, which is subject to fortune and passion, and also from obedience, which fades as children become adults. Instead, honor involves recognition of status or role: parents bring us into being, nurture us when we are helpless, form our character, and one day will be in need of our care as their ability to care for themselves wanes. By delinking our obligations to our parents from, on the one hand, the vicissitudes of fortune and passion and, on the other hand, the limited period of time in which obedience is appropriate, the commandment to honor one’s parents promotes the family’s long-term integrity and stability.

The commandments against murder, adultery, stealing, and bearing false witness deliver freedom from the bondage of the worst human tendencies. Also, by protecting life, family relations, property, and reputation and promises, these practical prohibitions promote the social coordination and competition critical to the prosperity of liberal democracy.

The final commandment, prohibiting the coveting of that which belongs to your neighbor, departs from the other commandments in this second set by, in Kass’s words, “focusing not on an overt action but on an internal condition of the heart or soul.” But the departure functions to reinforce the practical commandments as a whole by orienting “the heart or soul” in a manner that disposes us to avoid also the overt prohibited actions.

But wait: does not this prohibition of coveting, along with the earlier commandments involving duties toward God, infringe on basic freedoms associated with liberal democracy? What could be more illiberal than prescribing or forbidding a form of belief, or attempting to regulate the heart and soul?

This objection misunderstands liberal democracy and the Ten Commandments alike. Yes, liberal democracy repudiates the prescribing of belief and the regulation of the heart and soul by government. But it does not declare the content of citizens’ beliefs and the inclinations of their hearts and souls to be morally and politically irrelevant. What is more, the behaviors and convictions set forth in the Ten Commandments are offered to the children of Israel as a choice; they become authoritative upon the free acceptance by the Israelites of the covenant with God.

Although itself a work neither of politics nor of law, Kass’s masterful interpretation of the Ten Commandments illuminates the hard questions, theoretical and practical, arising from liberal democracy. He provides powerful reasons for believing that the Decalogue is not only consistent with but also supports human freedom.

This leaves an intriguing question that Kass’s analysis discreetly contemplates but does not decide: namely, whether the Decalogue is *indispensable* to the preservation and improvement of liberal democracy. To answer that question adequately, we would need to pursue simultaneously a searching analysis of biblical faith, a rigorous investigation of the roots of liberal democracy, and a historical study of the variety of shapes liberal democracy has taken and the range of circumstances in which its principles have flourished.

For thus clarifying the task facing students of liberal democracy, and for so much else besides, we owe Leon Kass a debt of gratitude. ■

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**Love, Particular and Universal**

*A Response to Leon R. Kass by Gilbert Meilaender*

# Love, Particular and Universal

By Gilbert Meilaender, June 2013

**To read a text in the company of Leon Kass** is always to see things one might otherwise not have seen and to be moved to reflect on hard and complicated questions about the meaning of our humanity. His essay on the Decalogue, patiently building a case for its “enduring moral and political significance,” is no exception. One might engage it from many different angles.

But if the reader engaging it is a Christian, as I am, he can hardly help being provoked to thought by two sentences that come fairly late in the essay, when Kass is considering how the command to honor one’s father and mother in particular relates to our more universal obligations:

Unlike a later scriptural teacher, the Lord of the Decalogue does not exhort you to leave your father and your mother and follow me (Matthew 10:34-38). Instead He celebrates the fact that grace comes locally and parochially, into the life each one of us was given to live as well as we can, embedded in the covenantal community into which we have been blessed to be born.

That later scriptural teacher is, of course, Jesus of Nazareth, and it is worth our reflecting on one of the issues Kass here raises, the “vexed” question of the relation between universal and particular obligations in the moral life.

It is surely the case that buried behind the passage from the Gospel of Matthew is the crucial parting of the ways between two groups of Jews who survived the first-century destruction of the Temple—rabbis who created the rabbinic Judaism centered on Torah, and the disciples of Jesus. Both communities were heir to the same history, and both accepted the Scriptures of ancient Israel as authoritative. Thus, when Jesus taught (as in Matthew 22:37-39) that we are to love God with all our heart, soul, and mind, and that we are to love our neighbor as ourselves, he was only teaching what Israel’s Scriptures taught (as in Deuteronomy 6:5 and Leviticus 19:18).

But, of course, if both loves are commanded, there is always the possibility that they may seem to clash. Indeed, the story of the people who covenanted with God at Sinai begins in Genesis 12 when the Lord says to Abram, “Go from your

country and your kindred and your father’s house to the land that I will show you.” For children of Abraham, the call of God may stand in tension with our other commitments and loves, even those of home and kin.

We may respond, of course, by noting that to heed father or mother more than the call of God would not be to honor them as the creatures they are but, rather, to make of them something they are not. Thus, it is possible that we might have to disobey them even while honoring them—even, paradoxically, in order to honor them as creaturely representatives of God’s care. And, though his emphasis is quite different, Kass also recognizes that honoring is not the same as loving or obeying.

If, then, we are considering the “enduring moral and political significance” of the Decalogue, we will have to think, as Kass does, not just about the command to honor father and mother but also, more generally, about the relation between universal and particular loves. The problem is what we can call (using an Augustinian formulation) the right ordering of our loves. How shall we love God with all our heart, soul, and might while also loving those particular neighbors, our parents, whom we are commanded to honor unconditionally?

There are, I believe, roughly three ways of trying to connect universal and particular in our loves. We may build down from universal to particular; we may use the universal to limit and build a fence around the particular; or we may build up from particular to universal. Here I will make the briefest of comment on the first two in order to focus on the third, which is closest to Kass’s own position and is also, in my view, the most adequate.

We might try to begin with a love for God that includes (universally) all whom He loves and build down, specifying some—such as parents—who are to be the particular recipients of a love we would show to all if we could. Such an approach, though it may justify (on the ground of our finitude) a special focus of our love on a limited number of people, is not likely to justify loving them in the way we love father and mother. Alternatively, we might think of the love for God (and all whom He loves) as building a fence around our more particular loves. This prevents us from letting our particular loves and loyalties serve as warrant for doing injustice to those outside the circle of people closest to us. While there is surely something to this approach, it seems to turn love for God into little more than a negative principle that protects against harm.

It is better, I think, to begin where Kass does, with the particular loves that accompany our “embodied existence”—with “the contingency and parochial character” of human life. Building up from those particular loves, we may be formed into people who can love God (and all whom He loves) with all our heart, soul, mind, and strength—becoming members, in Kass’s words, of “a parochial community that bears a universal way.”

Perhaps—or so it seems to me—this is not so different from what that “later scriptural teacher” had in mind when he forbade loving father or mother “more than me” and taught that “whoever does the will of God is my brother, and sister, and mother.” We will experience these sayings as hard, as calling for a kind of necessary renunciation, only if we have begun with a commitment to particular loves, such as that for father and mother. A universalist having, as Kass puts it, “contempt for the particulars” would be called to no renunciation and would experience no loss in learning to love God.

But, still, the beginning of our loves is not their end. We must build up if we are to take seriously the need to be “a parochial community that bears a universal way.” Particular bonds of love, such as the family bond, are a school in which we learn how to love those closely connected to us and thereby gradually become people more able to draw others—who have no special connection to us—within the scope of our love and loyalty. That is the end of the Abrahamic life: to know and to love all others as children of the one God who calls each of us in particular to Himself. ■

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**The Decalogue and the Identity of God**  
*A Response to Leon R. Kass by Meir Soloveichik*

# The Decalogue and the Identity of God

By Meir Soloveichik, June 2013

**In Leon Kass, author of the magisterial *The Beginning of Wisdom: Reading Genesis***, the Orthodox Jew discovers a fascinating intellectual anomaly. On the one hand, unlike many traditionalist Jews, Kass believes that the Bible can be read and understood on its own, as a self-contained text without the mediation of the rabbinic tradition. On the other hand, unlike many non-rabbinic Jewish readers, Kass approaches the Bible with a deep reverence for the ideas contained in it.

This combination can produce brilliant insights that complement the rabbinic reading and that have forever changed my own appreciation of many a biblical passage—even if, at other times, Kass’s approach (for example, in his reading of the figure of Joseph) is one that, in my opinion, no Orthodox Jew can accept. All in all, to read Kass on any subject—classical or contemporary—is an extraordinary experience, and *The Beginning of Wisdom* will stand, I believe, as one of the great works of Jewish thought of our age.

It is therefore with no small excitement that I approached Leon Kass’s “The Ten Commandments.” Here, too, I have found a treasure trove of insights that will continue to enhance my understanding and observance of these commandments. Yet, upon reflection, I wonder whether Kass may not have missed the most important message of these world-famous statements—this time, ironically, because he has not read the Bible literally *enough*.

Let me begin with Kass’s description of God’s opening announcement:

If the identity of the audience [i.e., the children of Israel] is unspecified, that of the speaker is plain: “I [the] Lord am thy God, who brought thee out of the land of Egypt, out of the house of bondage.”

Unfortunately, the translation here is an obstacle to understanding. God never, ever, introduces Himself as “the Lord.” At Sinai, the Almighty introduces Himself to Israel by means of His personal name, a name that Jews have long since ceased to pronounce but that is spelled with the Hebrew letters *yod heh vav*



*heh* or, in their English equivalents, YHVH. So understood, God’s opening salvo on Sinai is most accurately rendered in English as “I am YHVH your God, Who freed you from the land of Egypt.”

To the philosophical reader of the Bible, the point must be shocking. God is telling all Israel that just as human beings have personal names, so, too, does the omnipotent master and creator of the universe. “The God of Israel,” as Michael Wyschogrod puts it, “is not just a Thou. *The God of Israel has a proper name.* There is no fact in Jewish theology more significant than this.”

A little later on, Kass links the prohibition on taking the Lord’s name in vain to the idea that God is a Being who *cannot* be named:

Called by God from out of the burning bush, Moses, in the guise of asking what to respond when the Israelites inquire who sent him, seeks to know God’s name. The profoundly mysterious non-answer he receives—*ehyeh asher ehyeh*, I will be what I will be, or I am that I am—is in fact a rebuke: the Lord is not to be known or captured in any simple act of naming.

Yet, at Sinai, not only does God introduce Himself in an act of personal naming, but that name does in fact capture His essence, if in a way so profound that those who heard it are forbidden ever to use it in vain. If Jews traditionally have been loath to pronounce this “ineffable” name at all, but instead surround it with “endless mystery,” as Wyschogrod writes, that is precisely because it “celebrate[s] the most terrible of all recognitions, the personality of God.”

In Hebrew, Kass rightly notes, the Decalogue is never referred to as the “Ten Commandments” but rather as the “Ten Sayings.” The emphasis in Jewish tradition falls not on their being commanded but on their being *said*: unlike any other revelation in history, what is involved here is the most intimate encounter between a people and God in human history. In the rabbinic understanding, God’s opening salvo, “I am YHVH,” is not first and foremost a philosophical proof for God’s existence (à la Maimonides) or a preamble to the legal constitution that is the Torah (as Kass suggests). Rather, the two tablets containing the Decalogue comprise a betrothal document between Divine Groom and mortal bride. In this deeply personal moment, the omnipresent God who cannot be contained enters the finite space of Sinai to address the children of His beloved Abraham.

If you ever wondered why idolatry is so emphatically condemned by the Decalogue, the answer is that this sin of sins constitutes not only a denial of monotheism but also, as the biblical prophets remind us again and again, the adulterous betrayal by Israel of her Husband.

Does it violate divine dignity to suggest that the Almighty descended upon Sinai not as a monarch meets his subjects but as a groom greets his bride? Is it outrageous to suggest that the words addressed in the divine voice to a people of flesh and blood were first and foremost a declaration not of law but of love? It would indeed be outrageous, except that the Almighty Himself confirms it:

Did ever people hear the voice of God speaking out of the midst of the fire, as thou hast heard, and live? . . . Out of heaven he made thee to hear his voice, that he might instruct thee: and upon earth he shewed thee his great fire; and thou heardest his words out of the midst of the fire. And because he loved thy fathers, therefore he chose their seed after them, and brought thee out in his sight with his mighty power out of Egypt; to drive out nations from before thee greater and mightier than thou art, to bring thee in, to give thee their land for an inheritance, as it is this day.  
(Deuteronomy 4: 33-38)

According to the Talmud, the Decalogue used to be recited along with the *Sh'ma* in the morning prayers, but it was removed when (the rabbis inform us) some began to assert wrongly that it represented the divine law in a more permanent way than the rest of the Torah. As for the monotheistic summons of the *Sh'ma*—“Hear, O Israel, YHVH is our God, YHVH alone”—this, along with the Ten Commandments, constitutes the most widely known text in the Hebrew Bible. The paragraph of blessing immediately preceding the *Sh'ma* opens with a proclamation—“with an eternal love hast Thou hast loved us”—and concludes by invoking God as the One who “loves His people Israel.” The power and message of the Decalogue has changed the world, but at the heart of the story there still stands the love of Him who has sustained his people Israel throughout the centuries.

Does any of this detract from Leon Kass’s incisive exegesis of the tenets comprising the Decalogue—in particular, his truly brilliant reading of the Sabbath commandment and of the obligation to honor one’s parents? Not at all. But from

the point of view of Jewish theology, I believe Kass’s reading would only be strengthened by taking into account the role that covenantal love plays in the opening declaration of the Decalogue and its place in the self-understanding of countless Jewish generations. ■

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*Next*

**A Reply to My Respondents, and My Friends**

*Leon R. Kass*

# A Reply to My Respondents, and My Friends

By Leon R. Kass, June 2013

**I thank Michael Fishbane, Peter Berkowitz, Gilbert Meilaender, and Meir Soloveichik** for their generous treatment of my essay, for their serious engagement with its themes, and for their most interesting comments from which I have learned much—even where, as I will point out, I may still disagree with them. I am flattered by their kind remarks and, even more, gratified by the fact that they have for the most part not quarreled with my interpretation of the Decalogue. As it happens, I have known all four men for a long time (three of them for over twenty years), and I have worked with all of them in various contexts. It is thus more to friendship than to my essay's merits that I attribute their gentle and solicitous ways of dealing with me and with it. For these double gifts of friendship I am most sincerely grateful.

The richness of the responses is owed partly to the unsurprising fact that each respondent has written from his own professional perspective and out of his own personal concerns and commitments—none of them exactly my own, yet all of them engaging my sympathetic interest. But beyond the distinctive insights offered by each, the overall result is fascinating, not least because the four responses, in differing somewhat with me, wind up unintentionally but profoundly disagreeing with one another.

Thus, Michael Fishbane, the distinguished scholar of Judaica whose interests include, in his own words, “the primary ancient Near Eastern setting and grounding of the Hebrew Bible and its secondary (and massive) reinterpretation . . . over the millennia,” uses the Near Eastern context and later texts and commentary to argue that the God of the Decalogue is essentially a god of absolute power and absolute will, who wants and demands the complete and abject surrender of independent human will. In contrast, Peter Berkowitz, a political theorist devoted to the defense of modern liberalism, emphasizes the points in my essay where the biblical teaching seems to share common ground with the founding ideas of liberal democracy, most notably the idea of human equality and the crucial principle of consent of the governed; and he sees in the Torah support for the ideas of human freedom and self-government.

For his part, Gilbert Meilaender writes as the thoughtful Christian ethicist that he is. Provoked by a side-comment of mine to probe more deeply the relationship between our love for, and obligations to, particular people near and dear and our love for and obligations to God, he argues that the ultimate justification of particular (e.g., familial) loves is that they can and should lead to a most universal love—“to know and to love all others as children of the one God who calls each of us in particular to Himself”—a goal that he calls “the end of the Abrahamic life.” In contrast, Meir Soloveichik writes as the thoughtful Orthodox rabbi and scholar that he is, rightly correcting my translation of the name of God but then using later biblical texts and rabbinic commentary to argue that God at Sinai is proposing marriage—an exclusive relationship, based on a special and exclusive love—between Himself and (only) His beloved children of Israel.

Is God a despot or a teacher of human freedom? Is the covenant with Israel based upon love or power? Is God’s relationship with and teaching to Israel parochial and exclusive, or universal and inclusive? Readers of the four comments will find no agreement on these monumental questions. I hope in these remarks to illuminate and address the disagreements. But before responding concretely, I wish to clarify a few matters about how I approached and read the biblical text.

First, although I chose to write about the Decalogue largely as an isolated and self-contained text, it is a mistake to do so, and not mainly because it means ignoring the Near Eastern context or later rabbinic commentaries. The Decalogue (and the entire Sinai experience) needs to be read in light of the unfolding narrative of which it is a part, one whose future outcomes are not known, either to the reader or to the participants in the story.

This means that we must pay the greatest attention not to what appears later in the Tanakh, but rather to everything that has come *before*, beginning with the prior early steps toward people-formation already reported in the book of Exodus (including not only the background experience of Egyptian servitude and divine emancipation on the moonlit Passover eve but also the song at the sea, the murmurings and the manna, the war against the Amalekites, and Jethro’s visit that points up the need for a divine-backed law). And we must also keep in mind the stories of Genesis, many of which will have alerted the reader to enduring human problems to which the law given at Sinai will, he hopes, offer a direct answer.

So, for example, readers of the Decalogue's statement about the Sabbath must remember the rules for the gathering of manna, as well as the curse of unremitting toil laid upon Adam as he left the Garden of Eden. And readers of the statement about honoring father and mother should remember that the first divine-human covenant, made with Noah after the Flood, was glossed immediately by the story of Ham's "patricidal" trafficking in Noah's shameful drunken nakedness—to say the least, the very antithesis of honoring father and mother—a deed that exemplifies the threat posed by wayward parents and rebellious children to perpetuating *any* covenant that depends on awe and reverence.

Second, because the Torah is a book offering us at least national and personal self-understanding, and a book whose narrative is thus not merely a vehicle for conveying halakhic rules and obligations, it is useful when reading the text to try to *forget* what you know about what comes *later* in the Tanakh or still later in the rabbinic commentaries, and to try to imagine yourself in the position of the participants: in our case, that of the auditors at Sinai who were on the stage when the Decalogue was first spoken.

True, the things said to them there are hardly self-interpreting. But we should still try to begin with what they might have been able to apprehend on the spot, both from the language used and from their prior experience and understanding. When they are told, for example, to remember the Sabbath day and to keep it holy, it is very useful to start from what they might have known about the Sabbath day before they heard this injunction, as well as what they might have understood by the charge to "keep it holy." Unlike the participants in the story, we readers have the advantage of having read the Torah up to that point; but like them, we can—and at least for a while should—encounter the text ignorant of everything that is to come later.

Finally, although it is difficult to do, and I know that I have not succeeded, I believe that it is very important to try to set aside one's own concerns, sensibilities, and pre-judgments (prejudices) and to try to learn from this book, read many times over, how it asks you to read it and how it wants to be read. Unavoidably, we cannot help reading as the human beings we are, but we may not be able to learn what the book has to teach if our readings are colored by and filtered through those extraneous considerations. And on this point I wish to deny the suggestion, made by Fishbane, that I have brought to my reading of the Decalogue any utopian views of an egalitarian politics or my conservative concern

for family values. In fact, the text has changed my mind about many of these matters, and although my interpretations can never be more than provisional and tentative, I do not think that my so-called wisdom-seeking reading is deformed by my wish to find my own ideas or concerns reflected or “valorized” there.

The primary purpose of my essay was to try to understand the inner meaning of the Decalogue, read not as a code of law but as a comprehensive statement of the core principles for the new Israelite people, enunciated by God as the prologue to the covenant with Him that will make them a people—indeed, a most special people. Although, as I wrote, I wanted “also to build a case for the enduring moral and political significance of the Decalogue—a universal significance that goes far beyond its opposition to murder, adultery, and theft,” it was beyond my purpose to explore connections between the Ten Commandments and modern life or to show how its principles and insights are compatible with the idea and practice of liberal democracy, American or other.

I am therefore especially pleased with the careful way in which Peter Berkowitz has done that job for us. Berkowitz goes through the Decalogue’s statements, one by one, explaining how they contribute to the moral preconditions of self-government and ordered liberty. He rightly sees the kinship between—though not the identity of—the Torah’s principle of the equal dignity of human beings, made in the image of God, and liberal democracy’s fundamental moral premise, which is the natural freedom and equality of every human being. He astutely sees how the family-promoting principle of honoring father and mother fits with liberalism’s view of the family as the nursery of the virtues of self-government. He stresses an absolutely crucial fact (overlooked by Michael Fishbane; see below) that the Ten “Commandments” are offered to the children of Israel *as a choice*, and that “they become authoritative [only] upon the free acceptance by the Israelites of the covenant with God”—not altogether different from the principle of consent of the governed. Perhaps most important, correcting the common misunderstanding that sees religious beliefs and duties as threats to the freedoms associated with liberal democracy, Berkowitz affirms the religious neutrality of liberal *government* while pointing out that the inclinations of citizens’ hearts and souls are morally and politically relevant to the health of liberal society. I welcome his suggestion that my reading of the Decalogue is “not only consistent with but also supports human freedom.”

Yet I hope it will not seem churlish, in the face of Berkowitz's most generous treatment of my essay, to raise briefly some important difficulties for his otherwise welcome harmonization of the Decalogue and liberalism, difficulties that I am sure he appreciates even as his essay glides over them. First, the Israelites, although given a law that would enable them to govern themselves, were being summoned not to a life of freedom or simple self-determination but to a life of service—to God—expressed in the call to become, for God, a holy people and a kingdom of priests. Those who read the Exodus story as a tale of national liberation have thus missed the point: the Israelites' deliverance from the tyranny of Pharaoh and the American rebellion against the tyranny of George III point the newly liberated in very different directions.

Next, Berkowitz's discussion of the family, while sound as far as it goes, misses a crucial point about the injunction to honor father and mother: the inculcation of a disposition to respect, awe, and even reverence, implicit in the notion of *honoring*. The experience of awe before parents is the germ of the religious disposition; for within God's covenant, parents stand as representatives of divine authority and care, and the honor and reverence they are owed has purposes beyond family integrity and stability. Indeed, as I pointed out, honoring and fearing/revering mother and father are, at once, paths toward and manifestations of the *holiness* to which the children of Israel are called, in imitation of God Himself. Democracy, both in theory and increasingly in practice, is hostile to hierarchy, awe, authority, and ideas of superiority—even the superiority of roles. The modern democratic family tries to get along without them, although it is far from clear whether the family will survive the full flowering of democratic society, never mind lead us toward any higher fulfillments.

In addition, liberalism begins with the isolated human individual and celebrates his natural rights. The Torah begins instead with human beings in families and in community, and emphasizes their duties. The Declaration of Independence famously speaks of our (God-given) rights to life, liberty, and the pursuit of happiness, and the only duty mentioned is the obligation to throw off any government that evinces a design of establishing an absolute despotism. If you look for the idea of "rights" in the Torah, you will look in vain.

Thus, while I agree with Berkowitz that the Decalogue "supports human freedom," it is important to distinguish a polity (ancient Israel) of ordered liberty, based on internal self-command and encouraged by an awe-inspiring and demanding law prescribing duties, from a polity (the United States) that aims to



secure the uninhibited exercise of a naturally given right to pursue happiness, however one defines it or sees fit. In this connection, it is also worth pointing out that, as Berkowitz neglects to mention, *Federalist* 10 and the modern commercial republic take a rather more positive view of “coveting” than does the Decalogue: the licensed acquisitiveness on which our society depends for its liberty and prosperity would not have us satisfied with what we already have, but rather encourages us to desire and acquire perhaps even more than have our neighbors. Needless to say, the Torah’s pursuit of holiness does not produce the same habits of heart and mind as does liberalism’s pursuit of happiness and prosperity.

Yet despite—indeed, because of—these last difficulties and complications, I want heartily to endorse the important question Berkowitz raises in closing: whether, paradoxically, the Decalogue is not *indispensable* to the preservation and improvement of liberal democracy. He is surely right in identifying the deep inquiries that would be required before an adequate answer can be given. But since the health of a free and self-governing people depends in large part on whether its citizens are *internally* self-governed, anyone who looks around at the state of American society cannot help wondering whether a people bent only on claiming their rights, satisfying their desires, and tweeting their every impulse can long remain a home to ordered liberty, never mind also a place where the creature made in the image of God can answer his highest calling. Could the American soul not profit from Sabbath rest and honoring of parents?

In my wisdom-seeking reading of the Decalogue, and of the Torah altogether, I have wrestled with the question of whether and to what extent their teachings are intended solely for the people to whom they were first given and who are deliberately attached to them, or whether the wisdom of these teachings is open to, and even ultimately intended for, a wider, even universal, human audience.

In my essay I argued that the principles of the Decalogue, though announced only to the children of Israel, carry a deep wisdom that can be universally appreciated and affirmed. Yes, after the building of the city and tower of Babel, God chooses to establish His way of life for men on earth not by working with humankind united but (at least to begin with) only with the children of Abraham. But there are many hints that God has not become indifferent to the rest of humankind, and that the parochial ways of Israel—including many injunctions that produce and enforce separation from other nations and their ways—nevertheless make

wonderful human sense, to the point that, as the billboard advertising Levi's rye bread used to say, you do not have to be Jewish to embrace them.

In thinking about the issue of the universality of the Decalogue, I was struck by the juxtaposition of the statement about Sabbath-keeping, explained by a reason—God's resting on the seventh day after creation—that is accessible to all human beings, with the statement about the need to honor—singularly, among all other creatures—one's own particular father and mother. In this juxtaposition ("imitate God, *Creator of all*"; "honor *your* mortal sources"), I thought I saw a model for how the Torah holds together devotion to what is one's own and devotion to what is everywhere and always true and good. Perhaps mistakenly, I then made a side comment about Jesus' injunction to leave your father and mother and follow me, and I hinted that Judaism and Christianity might have different views on the right relation between these different devotions and attachments.

From his own Christian perspective Gilbert Meilaender rose to the occasion, deftly exploring the crucial question of the relation between particular and universal loves and obligations. In his own writings a profound interpreter of the meaning and importance of our contingent and embodied existence, and of the significance of the familial and intergenerational ties that this existence entails, Meilaender is friendly to my attempt to defend the moral soundness of giving preferential attention and care to those who are near and dear. He offers a very useful analysis of how to connect the universal and particular in our loves, defending the path that (I claim) the Torah takes by "building up" from the particular to the universal; and he endorses my suggestion that Israel is a parochial community that bears a universal way.

Emphasizing what I might call "the strong hyphen" in our Judeo-Christian teachings (he calls the disciples of Jesus a group of Jews who, like the group that followed the rabbis, "accepted the Scriptures of ancient Israel as authoritative"), Meilaender provides evidence to suggest that the Torah, no less than Jesus, requires hard choices when ties to our own come into conflict with our duties to God. Although he defends the propriety of particular bonds of love, he justifies them ultimately as way-stations on the road to a more universal love, the selfless love denoted by the Greek term *agape*.

There is much in this account to like and learn from, and I am sympathetic to the entire thrust of the argument. And yet, because Meilaender has largely abstracted from the details of my essay in order to explore a fundamental question of ethics,

there are subtle differences, not easily noticed, that add up to some significant points of divergence.

To begin with, the “vexed questions” I raised in my essay concerned the “universality versus the particularity of God’s teaching to Israel and of Israel’s special standing among the nations,” not the vexed question Meilaender chooses to discuss, namely, “the relation between universal and particular *obligations* in the moral life” (my emphasis).

For me, the question—difficult for philosophy and the search for universal wisdom—is whether and why teachings and practices that belong solely to one peculiar little people can both be celebrated in and for themselves and *also* be regarded as “your wisdom in the eyes of the nations.” But for Meilaender, love and the possibility of conflicting loves is the heart of the matter. Thus, abstracting from all sorts of ways in which Christianity rejected Jewish parochialism in the name of the call to love, he points out that both Jesus and Torah teach that we are to love God with all our heart, soul, and mind *and* that we are to love our neighbor as ourselves—and that there is a possibility that these two obligations might be in tension with each other. Although he joins in the defense of particular loves—of one’s own family members—he appears to do so largely because they are the path to making us love all other human beings as God loves them.

But in claiming this universal love as the “end of the Abrahamic life,” he departs from God’s specific call to Israel, which was a call to righteousness and (explicitly in the covenant at Sinai) to holiness, not to love. Holiness clearly embraces more than the love of neighbor—though that is surely a part of it. Keeping the Sabbath, observing the dietary laws, avoiding forbidden unions, and, pointedly, fearing/revering mother and father are all explicitly said to be part of the call to “Be ye holy as I the Lord your God am holy” (Leviticus 19:2). By moving from honor and awe, dispositions that imply distinction (superiority) and distance, to love, a disposition that merges differences and overcomes distance, Meilaender has embraced a universal solvent that ultimately washes out the special standing of parochial and particular associations and ties.

This is not what I had in mind when I suggested that Israel is a parochial community that bears a universal way. When the messiah comes, all nations will worship God equally and lovingly on His holy mountain; but for the time being,

upholding the awe-inspired covenantal obligations is a distinction that may make all the difference.

Love is also the central theme in Meir Soloveichik's lovely commentary, though the love he speaks of remains exclusive and particular. I thank him again for correcting my translation of God's opening words and for using the transliterated "YHVH" in place of "the Lord." (Truth to tell, until I received his reply, I was loath to use the Tetragrammaton even in print, for fear of giving offense.) And I am more than willing to follow his and Michael Wyschogrod's view that "the God of Israel has a proper name."

Yet I cannot follow Soloveichik in his claim that the Tetragrammaton "does in fact capture His essence." Forgive me, but what is that essence? Soloveichik says that Jews regard the divine name as "ineffable," but which meaning has he in mind: just unspeakable, or also indefinable, or both? The question is important because he asserts, again quoting Wyschogrod, that the ineffable name "celebrate[s] the most terrible of recognitions, the personality of God." Yet is God's being a "personality" the same as His essence? Judaism, I would provocatively contend, does not really do "theology"—speech about the being of God—but observance: hearkening to God's words.

But this is all by the way. The linguistic work about the divine name is, for Soloveichik, a preparation for the claim that the Decalogue is "a betrothal document between Divine Groom and mortal bride [Israel]."

This is a beautiful idea, especially if it is true.

I have no difficulty with the suggestion that the meeting at Sinai is "the most intimate encounter between a people and God in human history." But I think that the relationship is like a marriage only partially and tangentially. True, as I myself suggest, the statement "Thou shalt not have other gods before Me" calls for "an exclusive, intimate I-Thou relationship *like* that of a marriage, requiring unqualified fidelity and brooking no other that comes between the two partners." And we might gain support for the marriage metaphor from the next statement, "I YHVH your God am a *jealous* [or *zealous*] god." But beyond that I would not go.

The scene and mood at Sinai are hardly matrimonial. Even if God were moved to choose the Israelites out of His love of the patriarchs (as the passage from Deuteronomy 4 quoted by Soloveichik might suggest), that still does not mean that what we get at Sinai is a marriage. Surely, the tone and content of the delivered Decalogue are decidedly more like those of a suzerain speaking to his vassals than like a groom speaking to his beloved bride. And whatever latter-day prophets and edifying commentators may wish to think, the children of Israel on the spot did not regard it that way, and their reaction must be given primary place among the evidence. In reporting their reaction when God finishes speaking, the text says:

And the people saw the thunderings and the lightnings and the voice of the horn, and the mountain smoking; and when the people saw it, they trembled and stood afar off. And they said unto Moses: “Speak thou with us, and we will hear; but let not God speak with us lest we die.” (Exodus 20: 15-16)

Perhaps, you will say, some brides once upon a time had just such a response to a proposal of marriage, but I don’t buy it. I am struck by the people’s awe, fear, and terror, and by their wish not to hear another word from the putative Divine Groom. Indeed, so overwhelmed are they by the spectacle that their senses are utterly befuddled (“saw the thunderings . . . and the voice of the horn”): the text does not report that they even heard a word God said. This immediate textual evidence, to my mind, trumps later and gentler rabbinic commentary.

Having made my rejoinders, I still want to align myself with Soloveichik in several important respects. For one thing, I agree that nothing in my account needs to be altered if it turns out that he is right and I am wrong about the matter of marriage. For another, we should note that the love of which Soloveichik speaks is different from the love so central to Meilaender’s comment. The love of groom for bride (and of bride for groom)—unlike the love of neighbor—is particular, singular, focused, and exclusive. Moreover, love codified in a marriage is lifted up to a higher plane, thanks to the voluntary acceptance of the obligations that flow from self-consciously choosing to bind oneself to one’s partner. In these respects, the relationship between Israel and YHVH described under the image of marriage strikes me as closer to the spirit of the Torah—with its celebration also of our particularistic obligations and loves—than is the spirit of universal love that, according to Meilaender, is the goal of all biblical religion.

Michael Fishbane's powerful response I find most difficult to answer in short compass, not only because his criticisms of my interpretation are complicated and far-reaching, but also because, as he rightly says, we come at the text in such different ways. He claims that I read with humanistic glasses, in order to extract from the text edifying and livable moral and political teachings for the human race—whereas I think that I am “just reading the text” without presuppositions, except perhaps for the assumptions that God is philanthropic (even when He is being harsh) and that His injunctions to human beings and especially to Israel, though obligatory because commanded, are both intended for human benefit and have a meaning that is not utterly opaque to human reason. I, on the other hand, suspect that Fishbane's extraordinary humanity—with its respect for the human person and free will, its compassion, and its preference for mercy over justice—is what leads him to see in God's tough teachings a powerful autocrat who demands the full surrender of every human will.

Prompted by Fishbane's critique, I am happy quickly to acknowledge—for I have always thought—that God's law extends to all aspects of life and is in that sense “totalitarian,” and that the law received by Israel is, as Fishbane claims, surely theonomic (God-given) and not autonomic (self-given). In these respects, the Decalogue and the ordinances that follow are a far cry from the limited and self-determining legislation of liberal democracy.

But it is also true that the Israelites are given a choice, not about this or that principle or about this or that ordinance, but about *whether to enter* into the covenant that God is offering them. They voluntarily put their communal neck into the yoke that is the Torah. But—no surprise, at least to me—it thereby becomes for them a tree of life. And, as God recedes from overt intervention in their affairs, this sets a pattern for personal and national self-government, albeit one always pointed upward and lived not without fear and trembling. Fishbane's account completely neglects the fact that God has not simply imposed His law but has offered it within the context of a covenant that Israel is free to accept or not.

Now it is true, as I indicate both above and in my essay, that although the Sinaitic covenant is equally entered into, the parties to it are anything but equal. It is also true that the new relationship is to be based entirely on the historical fact that “I YHVH am your God who brought you out of the land of Egypt, the house of bondage,” or, as God says earlier when proposing the covenant, “You have seen

what I did unto the Egyptians and how I bore you on eagles' wings and brought you unto Myself." Therefore I agree with Fishbane (and not with Soloveichik) that the covenant is much more like an agreement between a suzerain and his vassals than like a marriage contract between groom and bride. But that does not mean that the model for such a relationship is to be found in the analogous agreements prominent among other cultures of the ancient Near East. Here, God's power is crucial, but so are His solicitude and care for this nascent people, and His wish to make them more like Him.

The Torah is replete with examples where events, ideas, and practices of the ancient world are referenced only to be turned on their head, in order to highlight the difference between God's way and the way of other peoples. The first Creation story and the story of the Flood are early and crucial examples of such "revisionist" treatments of the teachings of Mesopotamian cultures. Thus, when I examine *this* particular covenant between "ruler and vassals" with an eye to how it may conduce simultaneously to the human good and to the glory of God, I am not, as Fishbane suggests, imposing my "larger concerns for the human good, concerns he [Kass] finds valorized by the text." Rather, simply following important clues offered by the text, I make bold to assert that no suzerain of the ancient world would ever urge his subjects to cease work on a given day, never mind to do so in imitation of his own day of rest. No Pharaoh or Hammurabi would invite his subjects to "Be ye holy for I am holy," a call to be lifted up in partnership with the divine way.

In short, my view of these matters places me somewhere between Soloveichik and Fishbane: God's covenant with Israel is based on power but not on arbitrary willfulness, and it manifests an enduring, tough-loving solicitude but not spousal love.

Fishbane objects to my treatment of the so-called second commandment, the one about making graven images and worshipping them, claiming that I have softened the "stark punch" of the statement and also imported a concern for intergenerational legacies that is foreign to the text. I gladly agree that I have wrongly underemphasized the painful fact that innocent children and grandchildren will have visited upon them the iniquities of their fathers, but I do not think that this omission vitiates my reading of the whole, taken in context. Perhaps because this offends Fishbane's sense of justice and compassion, he

misses some subtle points, both in the text and in my essay, that I believe support my interpretation.

First, God does not say, as Fishbane has it, that He will “*punish*, even to the third and fourth generation, those who engage in [the *sin* of] false worship”; He says that, being a jealous/zealous God, He “will visit/remember (*poked*) the *iniquity* of the fathers upon the children unto the third and fourth generation of them that hate Me.” An iniquity (*avon*; a twistedness, a perversity) differs from a sin (*het*; a missing of the mark), and its consequences in the world and in law may therefore also differ. The twistedness of an Oedipus is visited upon his children, willy-nilly. As Robert Sacks puts it, speaking of iniquity, “Deeds get hidden away in rocks; they do not disappear.” The later Deuteronomic teaching that “every man shall be put to death for his own sin [only]” is not in conflict with, or a correction of, the Decalogue’s so-called harsher treatment of iniquity. God and the world really do “remember” iniquity, and the children suffer.

Second, what does God *mean* here by the “iniquity” of the fathers? And what would it mean for Him to visit that iniquity upon the children and grandchildren, if “visiting” means a punishment directly given by God, and especially if the iniquity were idolatry itself? Is God really saying that he will punish idolatry with idolatry? Or are there iniquities that are *consequent* to idol worship—incest, fratricide, patricide, rape, cannibalism, bestiality, wife-swapping, slavery—iniquities with which the reader of Genesis will be familiar and whose consequences God will see visited upon the descendants? Think of how the iniquity committed by Ham is visited upon his descendants, the Canaanites and the Egyptians, whose abominable sexual practices the Torah is zealous to condemn, in the central teaching of Israelite holiness.

Third, and most important, Fishbane completely ignores the immediate sequel to God’s remarks about visiting iniquity. Quite wonderfully—and utterly gratuitously, if the jealous/zealous God were here merely flexing His walloping muscles—God speaks about “bestowing *hesed* unto the thousandth generation of them that love Me and keep My commandments.” Is this not a teaching about Divine grace, and one that exceeds God’s retributive impulses and overreaching punitive power? What will the unsophisticated auditor conclude about God’s character from hearing the difference between “iniquity to the third or fourth generation” and “*hesed* to the thousandth”? (Please note, lovers of justice: what the children get in both cases is equally “unjust,” in the sense of equally undeserved.) Is there not also a teaching here about the intergenerational



consequences of one's deeds and one's attitude toward God and His commandments? Granted that both "punishment" and "reward" are dependent upon God's power, is it fair to say, as Fishbane does here, that these passages "highlight the chief characteristic of God"—his act of power that "evokes and justifies the demand for exclusive loyalty in terms of historical action"?

Fishbane rightly points out that, in my discussion of the Sabbath, I neglected to stress that the seventh day is said to be "a Sabbath *unto the Lord*," that "the Sabbath rest is a day *devoted unto the Lord*." It is an important and welcome correction. Yet, although later tradition will describe and prescribe in great detail the *content* of Sabbath ritual devotion, what is striking to me is that the Decalogue's statement "Sabbath unto the Lord" does not call for worship or specify sacrifices or even prayers or blessings, but simply the absolute cessation from work.<sup>1</sup>

Even more striking, and crucial to my interpretation, is the *reason* God gives for Sabbath observance, a point that Fishbane does not deal with at all. If he is right that the whole covenant rests on God's power and His deed of deliverance, why does God here—in the only utterance in the Decalogue that speaks about holiness, Israel's special calling under the covenant—invite the Israelites, each in his own home, exactly to *imitate* God's desisting from creating the world and His blessing and hallowing of the seventh day? Why does He not do as He does in Deuteronomy, and stipulate the deliverance from Egypt as the reason for keeping the Sabbath?

Finally, and most troubling, is Fishbane's rather shocking interpretation of the reason why so many of the divine injunctions in the Decalogue are in the negative. In his view, it is not that unruly human beings are more in need of restraint than of encouragement (witness, among other things, the scene of Jethro's visit when he sees Moses sitting all day every day settling disputes among the ex-slaves). Rather it is "the demand for a radical surrender of will and a radical offering of obedience according to the terms enunciated," which

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<sup>1</sup> Interestingly, the injunction to build altars for sacrificial worship is added only in the sequel to the Decalogue, and then only as a concession to the frightened standoffishness of the people, who, unlike Moses, need a more tangible way of being in relationship with God. Notice too that those instructions come with warnings to avoid the orgiastic iniquities that are associated elsewhere with such sacrificial worship.

“requires the self to replace self-will with divine will in virtually every area of life.”

This interpretation does not set my modern prejudices on edge, nor would my love of the human good recoil from such a demand, were it in fact true. But I do not think that it is.

I could point out any number of places where God has already encouraged the incipient nation of Israel to act *on its own*, from the need to “vote” for their own deliverance from Egypt by marking their doorposts in blood; to His rebuking Moses at the Sea of Reeds for telling them to stand still and let God save them, insisting that Moses instead tell the people to walk forward into the water (God helps those who help themselves); to His sitting on the sidelines as the Israelites defend themselves against the unprovoked attack of the Amalekites (descendants of Esau, perhaps visiting the iniquity of brother Jacob upon his descendants?). I could also point to God’s stated terrestrial purpose in producing the pyrotechnics on the mountain: “that the people may hear when I speak with thee [Moses], and may also *believe thee* forever” (Exodus 19: 9; emphasis added). The God of Israel is not another Pharaoh, seeking to break the human will, but a demanding teacher intent on enabling human beings to realize the highest possibilities of the creature made in the image of God. God wants the holiness of His people, not their abject surrender and submission.

All these differences notwithstanding, I would like to suggest that Fishbane and I may not in the end be so far apart. Following God’s way does indeed require self-restraint and self-denial. Yet precisely because, as Fishbane himself says, the “total way of covenant life [is] an inclusive practice of divine duty *and human perfection*” (emphasis added), it is also the path to human *self-fulfillment*, a way that can be readily embraced not only because it has been commanded but also because it can be understood to be good and good for us. The people who receive God’s law will surely find obedience less onerous to the extent that they can also see the law’s wisdom and beauty.

Although the auditors at Sinai were much more in terror of God’s power than of his beneficence, we who can actually read and ponder the text can discover its wisdom and its humanity. The beginning of wisdom may be in the fear of the Lord, but it is possible to come to see God as One whom we can learn to love with all our heart, with all our soul, and with all our might. ■

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