

JUDAISM

mente sola unumque numen (Tac. *Hist.* V, 5)

JUDAISM is known to the Western world almost entirely through the 'Old' Testament, as studied either in itself or as reflected in the 'New.' But it is more than an ancient creed. It is a way of life which has been lived continuously by an historical people; and its vicissitudes may be traced, both in written records and in traditions of living, for well over three thousand years. Again, as the parent of the great monotheistic religions it has much in common with its offspring, and it is part of the common front against the revived materialism which threatens to engulf the world, non-Jewish and Jewish alike. Further, there are those who have seen in the very survival of the Jewish people an empirical argument against the final value of mere force, and there is no doubt that in this survival Judaism has been a determining, if not the decisive, factor. We must remember, therefore, throughout the discussion that we are studying not an abstract system of inert ideas but a living tissue the understanding of which is of importance to the interpretation of human experience as a whole.

I

It is a commonplace that the genius of the Hebrew Bible lies in its moralising tendency. Its God is "exalted" in "righteousness"; its people "chosen" to "do justice"; its land "holy" because it "vomited out" evildoers. It demands "mercy and not sacrifice"; it takes account of the "desire of the heart" no less than the "work of the hands"; "thou shalt not covet" as well as "thou shalt not steal." It actually equates the "knowledge of God" with "judging the cause of the poor and needy" (Jer. xxii. 16). And the same holds in the widest sphere. Its world is a world of history in which there is a purpose and a judgment and all the acts of men are weighed. Empires are a "rod of God's anger"; kings are brought to eat grass; whole dynasties are dismissed with the curt refrain that like Jeroboam the son of Nebat they made Israel to sin. Public legislation is similarly directed to moral ends—the relief of the poor; the proper settling of disputes; the maintaining of just weights; the humanising of slavery (even the freeing of slaves); the regulation (even the remission) of debt.

I have spoken of 'tendency' advisedly. The picture is one of striving, and of progress hardly won. From the point of view of education this characteristic is all-important. We are not presented with a finished order. We are shown the lower as well as the higher, and we are left in no doubt as to which of the two is the lower. The Hebrew Bible is not only a moralising book. It is a book of moral instruction.

I take an obvious example, the episode of Uriah the Hittite. David says to Uriah: "Art thou not come from a journey? Wherefore dost thou not go down into thine house?"

"And Uriah said unto David:

The Ark and Israel and Judah abide in booths; and my lord Joab and the servants of my lord are encamped in the open fields; shall I then go into mine house to eat and to drink and to be with my wife? as thou liveth and as thy soul liveth, I will not do this thing."

As we read that, we say: that man is noble, he shows character; and as the story continues, we feel ashamed, ashamed morally, for the king; the kingliness is on the side of Uriah. And that of course is the point of the story, as it is the point of the other story of King Ahab and Queen Jezebel and Naboth. But if our moral feelings are dulled and we do not feel ashamed of our own motion, we are *taught* to be ashamed: "But the thing that David had done displeased the Lord, and the Lord *sent Nathan to David.*"

We all know the superscription of the 51st Psalm ("A Psalm of David: when Nathan the prophet came unto him, after he had gone in to Bathsheba"). This psalm is almost the classic prayer, and as such is one of the great documents of religion. It is not to our purpose to inquire whether its ascription to David the king, and to David the king in connection with the Bathsheba episode specifically, is authentic or not—that is to say, whether these were the actual words of the historical David on that actual historical occasion. The important point is not the historical point at all: David may or may not have said this or that on this or that occasion. The important thing is that the written tradition ascribes just this psalm to just this person on just this occasion. We are not referred (for example) to David in his dealing with the Moabites (2 Sam. viii. 2). For such methods of treating a beaten enemy we may perhaps find excuses, parallels, extenuating circumstances. But David the decimator is not the David held up to us by the Bible. Our David is the David of the repentant spirit who gave expression to the moral intuition that "a broken and a contrite heart, O God, thou wilt not despise." The point is put plainly in the later record (1 Chron. xxii. 8) which sees David as a man of blood and as such not fit to build God's temple. This statement is an explicit moral valuation. It is a condemnation of what, as a result of this and other Biblical judgments, we have learned to recognise as barbarism.

It is thus one of the essential characters of the Hebrew Bible that the lower levels are not obliterated: we are shown both the higher and the lower. And we are taught to recognise them and to choose between them. There are set before us "life and good" and "death and evil", "the blessing" and "the curse"; and while we are advised to follow the blessing, we are free to choose the curse. But the curse and its ways are exposed to our view from the very first story of Cain, the primitive murderer. Here is no divine predestination or acquiescence in remorseless fate but a guiding of, and a call to, moral choice.

2

The passages quoted are, as I have said, explicit. The lower is specifically condemned. I turn to an instance where the higher value is seen as struggling to emerge.

And the Lord said: "shall I hide from Abraham that which I do? . . . For I have known him to the end that he may command his children and his household after him that they may keep the way of the Lord, to do justice and judgment . . ." And the Lord said, "Because the cry of Sodom and Gomorrah is great, and because their sin is very grievous; I will go down and see whether they have done altogether according to the cry of it which is come unto me . . ."

And Abraham drew near and said, "Wilt thou consume the righteous with the wicked?"

We need not go into the details of this famous scene. God is prepared to destroy every single person in Sodom, and his action is a punishment for sin: surely (it would seem) a moral idea. And indeed it is, when compared with the barbaric conception that there is no such thing as action which is morally wrong, but that whatever is supported by the strength of one's own arm is right. But there is a further stage in moral reflection and our story proceeds to reveal it. In the person of Abraham—a man—it asks of the standard of morality—God—whether indiscriminate punishment is moral.

The protest is sharp: "Shall not the Judge of all the earth do right?"; and the Judge of all the earth is put on the defensive. His defeat, left tacit in the present passage, is proclaimed to the world at large by later writers: each man shall die for his own sin. But the struggle between the levels of moral valuation could not be put more pointedly than in this dramatic conflict.

We may follow the idea further in a Talmudic passage (Sanhed. III). According to Numbers xiv (following the 'evil report' of the spies) God wishes to wipe Israel out and Moses pleads for them on various grounds, appealing at last to God's compassion and His own proclamation (Ex. xxxiv. 6) that He is "slow to anger." On which there is a Rabbinic comment (based evidently on the dual form of part of the Hebrew phrase [*erech apayim*]

translated "slow to anger" which they interpret as signifying "slow to anger" *both* to the righteous *and* to the wicked):

When Moses ascended to Heaven he found the Holy One, blessed be He, writing the words: God is slow to anger. Said Moses: "to the righteous." Said God: "to the wicked too." Said Moses: "Let the wicked be destroyed." Said God: "By thy life, thou shalt stand in need of this." When the Israelites sinned on the occasions of the golden calf and the spies and Moses appealed to God as "slow to anger", then said to him the Holy One, blessed be He: "Didst thou not say to me: 'to the righteous only'?" Said Moses: "And didst thou not say to me: 'to the wicked too'?"

My point in recalling this story is simply that by now the higher level has finally won. God has (as it were) learned the lesson; and He turns the lesson against man just as before man taught the lesson to God: the lesson which (the Biblical) Abraham taught to God, God now teaches to (the Talmudic) Moses. He seems indeed to be teaching something even higher. Abraham taught the "Judge of all the earth"—how magnificent (and significant) the phrase—what justice involves: it is not compatible with the summary sweeping away of a whole community; there is wheat as well as chaff in every heap, and the proper function of the judge is to discriminate. But the later passage gives expression to yet another thought: there is no man on earth who is utterly righteous; we all at some time need compassion, and the compassion we need we should give.

I am reminded of a remark of Bacon quoted by John Morley: "The nobler a soul is, the more objects of compassion it hath"; and I should add that 'soul' here may be understood as including God as well as man:

The Lord is gracious and full of compassion, slow to anger and of great mercy. The Lord is good to all, and his tender mercies are over all his works. . . . The Lord upholdeth all that fall, and raiseth up all those that be bowed down. The eyes of all wait upon thee; and thou givest them their food in due season. Thou openest thy hand, and satisfiest the desire of every living thing. The Lord is righteous in all his ways and gracious in all his works. The Lord is nigh unto all them that call upon him, to all that call upon him in truth. . . . Let all flesh bless his holy name.

Those who see the God of Israel as a tribal deity would do well to count the number of times the word 'all' is used in this Psalm (cxlv). But we should note it not only as a fact of the *written* record. We should remember (a fact of the 'tradition of living') that just this psalm is a favourite of the Jewish prayer book and is a part of the set service, public or private, every morning (in which it appears twice) and afternoon.

Thus the vision broadens, and the very broadening of the vision is noted as its moralisation:

Listen, O isles, unto me: and hearken, ye peoples, from far: the Lord hath called me from the womb; from the bowels of my mother hath he made mention of my name: and he hath made my mouth like a sharp sword, in the shadow of his hand hath he hid me; and he hath made me a polished shaft, in his quiver hath he kept me close; and he said unto me, Thou art my servant; Israel, in whom I will be glorified. But I said, I have laboured in vain, I have spent my strength for nought and vanity: yet surely my judgment is with the Lord, and my recompense with my God. And now saith the Lord that formed me from the womb to be his servant, to bring Jacob again to him: (for I am honourable in the eyes of the Lord, and my God is become my strength:) yea, he saith, it is too light a thing that thou shouldst be my servant to raise up the tribes of Jacob, and to restore the preserved of Israel: I will also give thee for a light to the Gentiles, that thou mayest be my salvation unto the end of the earth.

Attention should be directed to the two levels mentioned in this passage, the tribal and the universal. The universal, be it noted, is not opposed to the tribal but includes and, as it were, justifies and illumines the tribal, and the levels themselves are not only distinguished specifically but are judged as such: "It is *too light* a thing that thou shouldst be my servant to raise up the tribes of Jacob. . . . I will *also* give thee for a light to the Gentiles, that thou mayest be my salvation *unto the end of the earth.*" The one God imposes one standard on "all flesh." Morality, to be morality, is universal.

3

We may now note a second characteristic of Judaism which also springs from the nature of morality itself. After all, what is a moral act? It is not just a physical happening. It is a certain *quality* in the happening; or it is a happening of a very special kind. A well-known Talmudic passage declares the very same action to be in the one case 'good' and in the other 'bad'—"*they* rise from their slumbers and *I* rise; *they* work and *I* work; *they* walk and *I* walk", and so on: the actions are the same, but their *direction* is different, and in the direction lies the morality. For morality is just this: a shaping, a turning, the imposition of form or rule. And its root is differentiation, the exercise of choice between alternatives. To be moral is to discriminate.

And here the Jewish outlook is peculiarly illuminating. In a sense the whole of Judaism is discrimination. The physical world (and with it the world of actions considered as just physical happenings) is, as it were, neutral; Judaism cuts it up into significant parts. "Why does one day excel another when all the light of every day in the year is of the sun?" asks Ecclesiasticus (xxxiii. 7 ff.); and answers: "By the knowledge of the Lord were they distinguished and he varied seasons and feasts." For nature any one day is like any other. For Judaism the seventh day is unique. For nature all meats are alike. For Judaism some are proper and some are not. For nature all acts are the same. They are

happenings, and no one of them is more or less so than any other. But in the thunders of Sinai came the proclamation: "thou shalt not." There are acts, however natural, which are wrong.

The later literature revels in this great theme. It relates that creation was imperfect till the Torah (the 'Law') was given; that man was imperfect till the commandments were given; that if the Torah had not been accepted natural order would have been chaos and the world could not have survived. The root idea is clear: morality is not mere nature but a shaping and taming of nature; and this lesson is a cardinal point both of ethics as such and of the moral tradition of Judaism.

The well-known phrase 'ethical monotheism' would thus seem to be justified. I do not say that Judaism is *only* that. But it is *at least* that. And this fact stares out at us from all the record, whether written or living. I need not argue to the centrality in Judaism of the principle of the Divine Unity. But it is more important to realise that the unity is not arithmetical. It is primarily, and more importantly, moral. It implies what in the human world is known as integrity: singleness of character and purposive direction.

4

As one studies the Hebrew Bible and in particular the Pentateuch (and for Judaism the Pentateuch is primary), one finds at first sight four types of consideration urged for the observance of the prescriptions of morality. There is the utilitarian ("when thou buildest a house, then shalt thou make a fence round it lest one fall"); the historical ("for in booths did I cause the children of Israel to live when I brought them forth from Egypt"); the moral ("for thou knowest the heart of the stranger"; "thou canst not turn thine eye away"; "lest thy brother break down before thine eyes"); and the religious ("be ye holy for I your God am holy"). Further study, however, reveals that none of the sections is watertight. The prudential, the historical, and the moral all disappear under scrutiny and reduce themselves finally to the religious. However we start—with advice or with reminiscence or with moral feeling—we come finally to God and His acts and His requirements from man.

And God and His acts and His requirements are finally seen themselves to depend on the idea of distinction, of separation, that is, of holiness; and the holiness is, as it were, typified in the historic act of the deliverance from Egypt. It is that concrete act of separation and distinction which is the mainspring of Pentateuchal ethics and religion: "After the ways of the land of Egypt wherein ye dwelt, shall ye not do"; "I have brought you unto myself." And it is the source of ritual practice as well: "Defile not yourselves with any manner of creeping thing. . . . For I am

the Lord that brought you up out of the land of Egypt to be your God: ye shall therefore be holy for I am holy."

This conception links itself immediately with the righteousness which in particular is associated with Israel's God. The holy God, in Isaiah's great words, is exalted in judgment and hallowed in righteousness. Unity, integrity, holiness, righteousness—this is the great sequence of Jewish moral theology. And already the Sifra (a basic Rabbinical commentary to Leviticus ascribed to the third century) knows its significance:

"Ye shall be holy for I am holy"—that is to say, if you hallow yourselves, I account it unto you as if you hallowed me. Or does it mean that if you hallow me I am hallowed, and if you do not, then I am not? Nay, for it says: "*for I am holy*"—I remain in my holiness whether ye hallow me or not.

Here is the definite assertion of the fixed value from which the moral universe depends. Jewish ethics is neither utilitarian nor sociological. It is a direct derivative from the monotheistic principle. It is rooted in the oneness of God.

5

This oneness or integrity comes to its fullest expression for humanity in the idea of law. God is not wilful. He displays His holiness in right action. And so with man: the life of holiness is a life which is regulated by rule. It is a commonplace that one of the words for God in the Hebrew Bible is traditionally interchangeable with one of those for judges, and we have seen already that the theological début of Abraham lay in the moralising of Deity, as if God too, in order to be God, had to submit to the reign of law. But it is often forgotten that according to the same passage the future people of Abraham were made the bearers of that law even before the birth of Isaac and the establishment of the Abrahamic succession: "for I have known him, to the end that he may command his children and his household after him, that they may keep the way of the Lord, to do justice and judgment." Here we have the classic conception of the Hebrew Bible on the election of Israel and the chosen people (the chosen *people*, be it noted, not the, or a, chosen *person*: it is always a community which is thought of, and the R.V. margin rightly refers to Amos iii. 2), a people appointed to "keep the way of the Lord, *that is*, to do justice and judgment", and so to bring the idea of law and the impersonal regulation of conduct into the concrete structure of human society.

It is worth while listening to the spirited remarks of Josephus¹

¹Trans. H. St. J. Thackeray, Loeb Edition. The excerpts are from Book II, chapters 15-18, 38-9.

on this theme (he is replying to the attacks of the Alexandrian Greek Apion):

Now, I maintain that our legislator is the most ancient of all legislators in the records of the whole world. Compared with him, your Lycurguses and Solons, and Zaleucus, who gave the Locrians their laws, and all who are held in such high esteem by the Greeks, appear to have been born but yesterday. Why, the very word 'law' was unknown in ancient Greece. Witness Homer, who nowhere employs it in his poems. In fact, there was no such thing in his day; the masses were governed by maxims not clearly defined and by the orders of royalty, and continued long afterwards the use of unwritten customs, many of which were from time to time altered to suit particular circumstances. On the other hand, our legislator proved himself the people's best guide and counsellor; and after framing a code to embrace the whole conduct of their life, induced them to accept it and secured, on the firmest footing, its observance for all time. . . .

All schemes of education and moral training fall into two categories; instruction is imparted in the one case by precept, in the other by practical exercising of the character. All other legislators, differing in their opinions, selected the particular method which each preferred, and neglected the other. Thus the Lacedaemonians and Cretans employed practical, not verbal, training; whereas the Athenians and nearly all the rest of the Greeks made laws enjoining what actions might or might not be performed, but neglected to familiarise the people with them by putting them into practice.

Our legislator, on the other hand, took great care to combine both systems. He did not leave practical training in morals inarticulate; nor did he permit the letter of the law to remain inoperative. Starting from the very beginning with the food of which we partake from infancy and the private life of the home, he left nothing, however insignificant, to the discretion and caprice of the individual. What meats a man should abstain from, and what he may enjoy; with what persons he should associate; what period should be devoted respectively to strenuous labour and to rest—for all this our leader made the Law the standard and rule, that we might live under it as under a father and master, and be guilty of no sin through wilfulness or ignorance.

For ignorance he left no pretext. He appointed the Law to be the most excellent and necessary form of instruction, ordaining, not that it should be heard once for all, or twice, or on several occasions, but that every week men should desert their other occupations and assemble to listen to the Law and to obtain a thorough and accurate knowledge of it, a practice which all other legislators seem to have neglected.

Indeed, most men so far from living in accordance with their own laws, hardly know what they are. Only when they have done wrong do they learn from others that they have transgressed the law. Even those of them who hold the highest and most important offices admit their ignorance; for they employ professional legal experts and assessors and leave them in charge of the administration of affairs. But should anyone of our nation be questioned about the laws, he would repeat them all more readily than his own name. The result, then, of our thorough grounding in the laws from the first dawn of intelligence is that we have them, as it were, engraved in our souls. A transgressor is a rarity; evasion of punishment by excuses an impossibility. . . .

Nowadays, indeed, violation of the laws has with most nations become a fine art. Not so with us. Robbed though we be of wealth, of cities, of all good things, our Law at least remains immortal; and there is not a Jew so distant from his country, so much in awe of a cruel despot, but has more fear of the Law than of him. . . .

An infinity of time has passed since Moses, if one compares the age in which he lived with those of other legislators; yet it will be found that throughout the whole of that period not merely have our laws stood the test of our own use, but they have to an ever increasing extent excited the emulation of the world at large. . . . There is not one city, Greek or barbarian, nor a single nation, to which our custom of abstaining from work on the seventh day has not spread. . . . The greatest miracle of all is that our Law holds out no seductive bait of sensual pleasure, but has exercised this influence through its own inherent merits; and, as God permeates the universe, so the Law has found its way among mankind.

6

In this vivid passage we have the fundamental idea of law as informing the whole of life, law not as priestly secret or philosophical mystery but as a system of personal and social life, fully understood and consciously adopted, inculcated in the people both by regular instruction and by the habit of living until it becomes second nature. It is the ideal of a "kingdom of priests and a holy nation" translated into the concrete terms of a living and instructed discipline.

Criticism agrees, but insists that there is too much law, too much regulation, too much instruction. Charity, it says, should be left to the giver: we ought not to be *told* to leave the corners of the field and the gleanings of the harvest. Times of rest should be left to individual discretion: we have no need for the fourth *commandment*. The release of debtors should not be laid down as an *injunction*, nor should the returning of a pledged garment before nightfall, nor the refraining from bearing a grudge, nor the loving of a stranger, nor the bringing back of our brothers' sheep when they go astray. Need we be *instructed* (we are asked) when we "rejoice before the Lord our God", to rejoice "with our sons and our daughters and our manservants and maidservants and the Levite which is within our gates and the stranger and fatherless and the widow"? Need the "voice of the living God" Himself "speaking out of the midst of the fire" have troubled to enumerate for participation in the weekly day of rest not only the members of our family and household but even "our ox and our ass and our cattle", and then even repeat "that thy manservant and thy maidservant may rest"? On such questions different opinions may be held, although the observation may be permitted that even the minutest regulation would be not only supportable but desirable if by it we could attain the real social sense implied in these and other provisions of the Pentateuchal legislation. We are concerned here only to establish the fact as characteristic of Jewish society as depicted in its oldest literature, that conduct is to be regulated by law. The precision is sometimes mathematical. In that society the maximum number of stripes to be given an offender by the judge is forty, and the amount set aside for the poor is one-tenth.

True, the prophets often say otherwise and their sayings are hard. But their criticism is a criticism of society and presupposes the existence of society. It is *our* Sabbaths and New Moons which are an "iniquity", not the Sabbath and new moon as such. If Zion can be "redeemed with judgment", it is because she had "judges and counsellors" "*at first and at the beginning.*" No wonder that "wisdom" by which "kings reign and princes decree justice and all the judges of the earth rule" is declared (Prov. viii. 15-16, 23) to be "from everlasting, or ever the earth was." Torah (law, or 'the' Law), as the Rabbis said, summing up the whole outlook in a phrase, was created before the world; and characteristically enough they give the exact number of generations by which the one antedated the other.

The point I wish to make is that although we may find it irksome, definite regulation is as necessary a condition of the very existence of society as is habit of individual life. In our own societies, too, when we pay income-tax, we pay indeed more than a tenth, but we pay according to a fixed scale; and when we inflict punishment, we inflict it within circumscribed limits expressed in precise figures. And with regard to moral duty, is it really superfluous, even now, to be reminded that when we take a holiday, we should remember that those dependent on us need a holiday too; and since memories are short and mere reminders are apt to be neglected, is it really wrong, is it not rather a social obligation, to lay it down as a part of a definite ordinance and even to repeat it if by repetition the desired end can be achieved? The prophets may have stood for an 'open' (if we may adopt the phraseology made familiar by Bergson) as opposed to a 'closed' morality, and an 'open' morality may be held to imply an 'open' society. But an 'open' society is by way of being a contradiction in terms; society, however free, must be regulated. There must not be "divers weights", and neither the rich *nor the poor* (Ex. xxiii. 3; Lev. xix. 15) can be "favoured in his cause." And men must be taught. "Citizens are made, not born." The great contribution of Judaism to the art of life is its insistence that living means living in a society, and that living in a society means living in accordance with public rule.

7

Akin to the maintenance of set forms in society which is law is the maintenance of set forms in worship which is ritual, and much has been written about the 'institutionalism' of Biblical and later Judaism, not least by the long line of Jewish moralists themselves. The *de*-moralising influence of the over-insistence on 'works' is the recurring subject of the cries of the prophets; but the prophets are parts of the tradition of Judaism and their message is a Jewish message. And the voice is never silent. The Rabbis of the Talmud

laid down the general principle that "the all-merciful desires the heart", and it may come as a surprise to the non-Jewish reader that "all-merciful" is a standard Talmudic phrase both for God and for the Law, i.e. Scripture as the word of God. The great ethical classic of mediaeval Jewry is entitled the *Duties of the Heart*; and throughout the whole course of Jewish history there have been 'revivalist' movements (the latest was the 'Hassidic' movement which swept over large sections of world Jewry from the seventeenth century on), movements which all centred on the demand to revive the spirit in the ritual.

But it is a demand for the revival of the spirit in the ritual, not a rejection of the ritual. It is an affectionate drawing out of, and a lingering on, the intention behind the ritual act. From this there is no budging throughout the whole tradition. The Sabbath is never a day of gloom, but is illumined by a thousand activities each one of which has a spiritual significance of its own; and the "bride" (as the Sabbath is called in the Talmud) is welcomed with songs and dancing and bright clothes as well as with the traditional wine. The Lord is "served with gladness." Asceticism is condemned as a wrongful rejection of the gifts of God. The Nazirite, by a somewhat arbitrary rendering of Numbers vi. 11, is declared traditionally to be a *sinner*. To the "beauty of holiness" (Ps. xxix) is added, in Heine's phrase, the holiness of beauty. The spiritual movement is always from the outer to the inner, and from the inner back to the outer again. Ritual is envisaged as the detail. The principle is that of joy in worship. Rule is supreme, but it is rule that has become a precious personal possession. The Law is ever (Ps. cxix. 92) a "delight."

8

Thus in ritual as in law the rule in no wise excludes consideration of the person. It is rather (as we shall see again later, and in a fuller connection) based upon the person and aimed towards him. It is worth turning again to our random examples from Pentateuchal legislation: the day of rest (i), the being kind to a stranger (ii), the returning of a pledge (iii), the leaving of the corners of the field (iv), the forty stripes of punishment for the ill-doer (v)—and we shall see that for each of these regulations a reason is given which is based on consideration of the person.

- (i) "The seventh day is a Sabbath unto the Lord thy God . . . that thy manservant and thy maidservant may rest *as well as thou*." [The Hebrew word translated "as well as thou", which gives the reason, is the same as that used in the 'Great Commandment' (Lev. xix. 18): "thou shalt love thy neighbour as *thyself*."] (ii) "And a stranger shalt thou not oppress; *for ye know the heart of a stranger, seeing ye were strangers in the land of Egypt*" (Ex. xxiii. 9; so also xxii. 21; Deut. x. 19, xxiv. 17-8); and the same

reason is given for not going over the vines and olive-trees again ("it shall be for the stranger, for the fatherless, and for the widow; *and thou shalt remember that thou wast a bondman in the land of Egypt: therefore I command thee to do this thing*"—Deut. xxiv. 21-2). (iii) "If thou at all take thy neighbour's garment to pledge, thou shalt restore it unto him by that the sun goeth down; *for that is his only covering, it is his garment for his skin: wherein shall he sleep?*" (Ex. xxii. 26-7). In certain cases a pledge should not be taken at all ("no man shall take the mill or upper millstone to pledge: *for he taketh a man's life to pledge*"—Deut. xxiv. 6); but if a pledge be taken, "thou shalt not go into his house to fetch his pledge; *thou shalt stand without*" (Deut. xxiv. 10-11), surely in order to spare his feelings. And then lastly (v), of the malefactor, "if the wicked man be worthy to be beaten, the judge shall cause him to lie down, and to be beaten before his face, according to his wickedness, by number; forty stripes he may give, he shall not exceed: *lest, if he should exceed, and beat him above these with many stripes, then thy brother should seem vile unto thee*" (Deut. xxv. 2-3). A more literal translation of the last phrase would be "lest thy brother become contemptible before thine eyes", and the meaning is: lest he break down before thine eyes and thus shame himself as a human being before other human beings, i.e. shame humanity as such; an idea well caught by the Rabbis when they remarked: "though he 'seem vile', remember he is still 'thy brother'." A similar sense of moral fitness is shown in the case of the "beautiful woman" taken in war (Deut. xxi. 10-14): "thou shalt not sell her at all for money, thou shalt not deal with her as a chattel, *because thou hast humbled her*"; and the same phrase is used (Deut. xxii. 29) of the Jewish girl forcibly wedded: "and shall be his wife, *because he hath humbled her.*" Thus captive or malefactor, bond or free, stranger or native Israelite, they are yet human beings, and as human beings (and as such "but little lower than the angels") are entitled to consideration.

9

Thus the basis of law and the regulation of society lies in consideration for the person, and the person is to be considered because he is a person, that is, in Biblical language, because he is created "in the image of God" who is "the God of the spirits of all flesh." We shall have occasion later to note the further significance of this. Meanwhile one may remark two shattering conclusions in the sphere of economic and social relations deriving from the idea of God. If God is really the "God of the whole earth", then the earth and the fullness thereof is the Lord's and not ours; if God is really the God "of the spirits of all flesh", then all men are equal not only in His sight but in practical life. "And the land shall not be sold in perpetuity; for the land is

mine; for ye are strangers and sojourners with me" (Lev. xxv. 23). "Over your brethren the children of Israel ye shall not rule, one over another, with rigour. . . . For they are my servants, which I brought forth out of the land of Egypt; they shall not be sold as bondsmen. Thou shalt not rule over them with rigour; but shalt fear thy God" (Lev. xxv. 46, 42-3). True, in this latter case, that of the inadmissibility of the very idea of slavery, the regulation is limited to the children of Israel who had been "brought forth out of the land of Egypt." But the supplementary voice was not lacking in the very earliest, as in the very latest, of the recorded prophets, and their cry still calls for its fulfilment: "Are ye not as the children of the Ethiopians unto me, O children of Israel? saith the Lord; have not I brought up Israel out of the land of Egypt, and the Philistines from Caphtor, and the Syrians from Kir?" (Amos ix. 7); "Have we not all one father? hath not our God created us? why do we deal treacherously every man against his brother?" (Malachi ii. 10).

10

Let us now turn to less familiar fields and discuss the broadening of Biblical prescriptions in later Judaism. Before I give examples I revert to a point touched on earlier.

It is customary to treat Judaism as synonymous with the 'theology' and 'morals' of the 'Old Testament'; and indeed it is obvious that its root ideas are there. But since Judaism is a living growth, the selection and development of these root ideas lie with the tradition; and as I have endeavoured to show earlier, the selection itself has introduced modifications and shifts in stress which amount to actual change. This process becomes more apparent in the later literature. The *lex talionis*, for example, is specifically abrogated in Rabbinic law: the phrase "an eye for an eye" is understood to mean a fine. But the imposition of fines is already a part of Pentateuchal law itself. So the Rabbinic modification of the law in question is only an extension of an existing principle. This practice of 'reading back' newer ideas into ancient texts is of course frequent in all development (one remembers the 'fictions' of law in general). We need not be surprised, therefore, at the method adopted, and should remember only what is achieved.

We may offer a couple of examples.

(α)

A not too clear verse in Deuteronomy (xx. 19) says: "When thou shalt besiege a city a long time, in making war against it to take it, thou shalt not destroy the trees thereof by wielding an axe against them; for thou mayest eat of them, and thou shalt not cut

them down; for is the tree of the field man, that it should be besieged of thee?" It then adds: "Only the trees which thou knowest that they be not trees for food, thou shalt destroy and cut them down."

As I said, the first verse is not too clear, but we can say definitely that the prohibition against destruction is limited: "If thou mayest eat of them, thou shalt not cut them down." And the utilitarian point is emphasised in the verse following: "Those that be *not* trees for food, thou *shalt* (i.e. canst) destroy." The prohibition is thus against cutting down fruit trees in time of war.

The Rabbis proceeded to expand the prohibition. First of all, why only the *tree*? Surely the *fruit*, too, should not be destroyed (Sifra); and a Rabbi (B.B. 26) states (somewhat surprisingly) that his own son forfeited his life because he plucked a fig before its time! But it is not a question only of trees and fruit. Every act of wilful destruction is a sin; and we come to the general Talmudic prohibition against destruction as such ('*Bal tashchith*') which has bitten so deep into the Jewish consciousness and which has passed into a common Hebrew, and—even more significantly—a common Yiddish, phrase. The Ghetto mother, with upraised finger (and perhaps with even more than that), has impressed this moral value on the passing generations so that it has become an abiding principle in Jewish life: Do not destroy!

(β)

Akin to this principle is the far-reaching one of the sanctity of life as such. We open our Bibles—and here I apologise at once to the scholars who will smile at my opening my Bible at *Genesis*; but it is surely significant that in the very first chapters of the Bible as arranged by the tradition we find the bleak and utter condemnation of the taking of life. No one can as it were touch the Bible without observing that the giving of life to man by God, the taking of life from man by man, and the immediate and utter repudiation of that act, follow in one rapid and conclusive sequence.

We may consider the terms of the repudiation:

The voice of thy brother's blood crieth unto me from the ground. And now cursed art thou from the ground which hath opened her mouth to receive thy brother's blood from thy hand; when thou tillest the ground it shall not henceforth yield unto thee her strength: a fugitive and wanderer shalt thou be in the earth!

We may well note the recurring reference to the *ground*. Could the character of the act condemned be more strongly emphasised? It is *un-natural*. The very ground rebels. It opened its mouth to try to swallow the blood but (as it were) could not; and it, the very ground, refuses in punishment to accept the ill-doer's efforts

in the time to come. For this crime, and to this criminal, nature itself is adamant.

Anthropologists, occupied with problems of *origin*, will murmur 'blood taboos.' Our interest, however, is in *validity*; and we note that the later tradition fastens on the plural form of the Hebrew word 'blood' in the phrase "the voice of thy brother's *blood*", and comments: "i.e. not only *his* blood, but also the blood of his descendants to the end of all the generations." The spilling of blood (the wisdom of the tradition seems to instruct us) is one of those acts the consequences of which go on and on to the day of the last judgment; and the point is emphasised in the story of Zechariah, the son of Jehoiada the priest, who, according to the Second Book of Chronicles (xxiv. 21) was killed in the Temple. "When he died, he said: the Lord look upon it and require it" (verse 22); and the Talmud recounts that the blood was actually 'required' by Nebuzaradan 'the butcher.' (According to the Talmudic story the blood refused to be quiet and rest but soaked through the Temple floor [Gittin 57; San. 96] until Nebuzaradan slaughtered countless victims in expiation.)

The vigour of the original text is well known:

At the hand of man, even at the hand of every man's brother, will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man (Gen. ix. 5-6).

But the later tradition is, if possible, even more vigorous, using an exegetical artifice which is startling and unforgettable:

How were the ten commandments given? [I quote the Mekilta, the ancient Rabbinical commentary to Exodus, Yithro 8.] Five on the one tablet and five on the other, on the one: "I am the Lord thy God", and corresponding to it on the other: "Thou shalt not murder." The text teaches us that everyone who sheds blood is accounted by Holy Writ as if he diminished the stature of the King. It is as if a king of flesh and blood came unto a country and set up statues and made of himself images, and they coined for him coins. After a while they threw down his statues and broke his images and annulled his coins and diminished the stature of the king. So everyone who sheds blood is accounted by Holy Writ as if he diminishes the stature of the King, as it is said: "he who sheddeth man's blood, by man shall his blood be shed, for in the image of God made He man."

A few miscellaneous points from the Bible itself may bring home further the unique importance of the theme. A wilful murderer is to be taken to his death "from my altar": the prohibition is to override all considerations of institutional religion. And again: "Thou shalt not take blood money for the murderer . . . the very earth is defiled by him" (again the Cain motive). If you take blood money you make the very land you live on impure, and "I dwell within it, for I, God, dwell within the children of

Israel": God and blood-shedding do not, as it were, go together; and Israel must in this follow Israel's God because they share one land together. Again, the very choosing of Israel to receive the word of God, so the Midrash relates, was due to the fact that alone of the nations it repudiated blood and so could accept a code containing the prohibition of murder. And again, and lastly: "Hast thou killed and taken possession?" The prohibition is universal. There are no exemptions or exceptions. Even reasons of state are not accepted or acceptable.

I am aware of the command to "blot out the remembrance of Amalek" and the story of Samuel and Saul; and much has been made of this and other familiar prescriptions and precedents. I can only say, as I said before of King David and his treatment of the Moabites, that it is not the barbaric side of the old stories which is significant. The legal principle (Exodus xxi. 12-14; xxii. 2) is quite clear. Murder is condemned; accidental homicide condoned; killing in self-defence permitted. Life itself remains sacred. Even judicial killing is in Talmudic law so hedged about as to make it almost impossible. As for Amalek, I am glad to be able to quote a modern Jewish gloss, although I am unable to affirm that all modern Jews would accept it: "translate *not* Thou shalt blot out the *remembrance* of Amalek *but* Thou shalt blot out the *remembering* of Amalek" (i.e. cease remembering past injuries; give up always thinking of revenge); adding the remark that the very existence of this gloss is a welcome indication that some spark of the prophetic spirit is still living in Jewry.

II

It is the fashion to-day to consider all human activity from the social angle; and we hear a great deal about religion as a collective phenomenon and Judaism as a social, rather than an individual, experience. Yet in few literatures is the loneliness of the human heart depicted with greater pathos than in the Psalms, its rebelliousness with greater force than in Job. True, God "goes up with the sound of a trumpet" and appears, with thunders and lightnings, to the people as a whole assembled at the foot of the mount; but He is also revealed in the "still, small voice" and in the "panting" and "thirst" of the soul. Nor is the Hebrew Bible blind to the existence of conflicts between society and the individual: witness the agonised nonconformity of Jeremiah. Yet its faith is in the possibility of reconciliation. The *ideal* society at any rate does not swallow up the individual. On the contrary, its whole structure is conceived as providing the conditions in which the emergence of the individual becomes possible. Nor in it is law abrogated or abolished. Law becomes supreme because it takes up its seat within the completed individual. "I will put my law in their inward parts, and in their heart will I write it; and

I will be their God, and they shall be my people: and they shall *teach* no more every man his neighbour, and every man his brother, saying, Know the Lord: for they *shall all know me*, from the least of them unto the greatest of them" (Jeremiah xxxi. 33-4)—so the mediaeval thinker Maimonides, in a famous passage contained in an appendix to his commentary on Mishnah Sanhedrin X, gives his authority for his views on the state of man in the coming messianic age. And he adds a reference to Ezekiel (xxxvi. 26): "A new *heart* also will I give you, and a *new spirit* will I put within you" (the passage continuing: "And I will put my spirit within you, and cause you to walk in my statutes"). To both prophet and philosopher, divided though they are by seventeen centuries, the consummation of law lies in the refashioning of the individual. Right living thus becomes not an imposed command but a free discipline. It remains discipline ('law'); but it is yet a free activity, springing from the spontaneity of the 'heart.' The end of the whole story is the ideal of goodness 'for its own sake': "the reward of doing the right is the right, the punishment for doing the wrong, the wrong"—these and similar Talmudic phrases and sayings are repeated throughout the literature of the centuries. In the famous saying of Spinoza taken over from Maimonides: "Blessedness is not the reward of virtue but virtue itself."

12

Thus the Jewish doctrine of man may be best summed up in the old words "created in the image of God", and it is significant that "the one created in the image of God" is a common Rabbinic synonym for man. In this regard a saying of Rabbi Akiba may be noted: "Beloved is man, for he was created in the image of God; but it was by a special love that it was *made known to him* that he was created in the image of God." Man is not only created in the image of God but knows it; and the knowledge imposes an obligation: it gives him an ideal to live up to. However much the 'image' may be defiled, it may be 'washed' and 'made clean'; and the very consciousness of having defiled it (and that consciousness is the special quality of man as man) provides the spur to reform. The realisation of divine origin constitutes the moral sense which draws back the sinner to his Creator. Consciousness becomes conscience. "In all matters given over to the heart of man it is written (e.g. Lev. xix. 14; xxv. 17): 'thou shalt fear thy God'."

Thus man can recapture his own self ("return, ye erring children"; "let the wicked forsake his way"; "turn yourselves and live"), and he has a self to recapture; and we come back to the conception of personality and responsibility which is at the heart of practical morals.

13

This conception rests for Judaism on the idea of creation, and we may consider three passages, taken from three different epochs, which would seem to draw out the implications of this primary fact.

(2)

The spirit of God hath made me,
 And the breath of the Almighty giveth me life.
 If thou canst, answer thou me;
 Set thy words in order before me, stand forth.
 Behold, I am towards God even as thou art:
 I also am formed out of the clay.
 Behold, my terror shall not make thee afraid,
 Neither shall my pressure be heavy upon thee. (Job. xxxiii. 4-7.)

All men are created by the one God and formed out of the one clay: they can therefore speak to one another without "terror" or "pressure." It was Carlyle, I believe, who quoted as the watchword of democracy the divine call to the prophet (Ezek. ii. 1): "Son of man, stand upon thy feet and I will speak with thee." The Rabbis put the point even more directly. "It is written" (Gen. v. 1), they say: "'This is the book of the generations of Adam' [in Hebrew, Adam = man]. Priest, Levite or Israelite is *not* mentioned here; only *man*."

(3)

My second passage is from the Mishnah (San. iv. 5):

And therefore was man created one, in order to teach us that he who destroys one human being is considered as if he had destroyed a whole world, and he who preserves one human being is considered as if he had preserved a whole world; and for the sake of the general peace, so that no one should say to his neighbour, my father was greater than thine; and in order that sceptics should not say there are many gods in heaven; and in order to declare the greatness of God; for a man impresses many impressions with one seal and they are all alike to one another, but God impressed every man with the seal of the first man yet not one of them is like another; and therefore each individual man should say: for me was the world created.

This passage lays down, in quaint and simple fashion, the fact of human diversity notwithstanding the equality of all. Men, *because they are the creation of God*, are individuals. They are not parts of man-made machines, interchangeable with one another or completely definable in terms of a manufacturer's catalogue. We are, each one of us, different from each other, and in the difference lies the sign-manual of divine (as opposed to mere human) creativity. In this sense individuality is the end. For it was the "world created."

(γ)

But thirdly and lastly, this individuality is not individualism. On the contrary, it means social responsibility. And for this I call to witness a Talmudic idea embodied in Maimonides' code:

Every single man has merits and sins. If his merits outweigh his sins, he is righteous; if his sins his merits, he is wicked. If they balance, he is between the two. And so it is with a community. If the merits of all its inhabitants are more than their sins, it is righteous; if their sins are more, it is wicked. And so too is it with the whole world.

Therefore should each man see himself as half-righteous and half-sinful. If he sins one sin, he inclines himself and the whole world to the bad and brings it to destruction; if he performs one meritorious deed, he inclines himself and the whole world to the good and thus brings himself and them to deliverance and salvation.

This passage comes from the Regulations concerning Repentance (cap. iii) laid down at the end of the first book of the code, and one may ask, as before, whether such matters as repentance can be regulated, and what place they can hold in a legal code. The arithmetical approach also is again worthy of note and may perhaps arouse a smile: our actions are in a precise balance, and one good or bad deed can incline the scale.

But is not the thought a striking, nay, even a salutary, one, and is it not strikingly, even unforgettably, expressed? Each man is responsible for his own actions; but each one of his actions affects the fate of the community of which he is a part, eventually indeed the fate of the whole of humanity. The great Hebraising, but non-Jewish, poet spoke of one's every deed done as in "the great taskmaster's eye." Here we have no taskmaster, but rather a father ("like as a father pitieth his children"; "as one whom his mother comforteth"); or better still, perhaps, in the fundamental Rabbinic term which fills the Jewish prayer book, "*our Father*"; or, better even still, in the complete and truly significant phrase, "*our Father and King*", king of our society and father of its citizens.

And He is King and Father because He is Creator; and, because Creator, He is not tied down to our fumbling regulations and tentative laws, but is the author and promulgator of the immutable Law to be "written" one day "in the heart" of men and "put in their inward parts."

14

I seem to be raising the theological spectre of the issue between "transcendence" and "immanence"; but Judaism was never rigidly consistent on its theoretical side and was always inclined to override this and other apparent contradictions. There is a simplicity in its approach which at times borders on the naïve but

which none the less strikes deep. Its God is both beyond and within; both "at hand" and "afar off" (Jer. xxiii. 23).

This is brought home in a remarkable Talmudic passage (Meg. 31), read every Saturday evening at the end of the service for the conclusion of the Sabbath (*Authorised Daily Prayer Book*, trans. Singer, pp. 214-15), and with it we may bring these brief notes to an end:

Rabbi Jochanan said, In every passage where thou findest the greatness of God mentioned, there thou findest also his humility. This is written in the Law, repeated in the Prophets, and a third time stated in the Writings.

It is written in the Law, For the Lord your God, he is God of gods, and Lord of lords, the great, mighty and revered God, who regardeth not persons, nor taketh a bribe. And it is written afterwards, He doth execute the judgment of the fatherless and widow, and loveth the stranger, in giving him food and raiment.

It is repeated in the Prophets, as it is written, For thus saith the high and lofty One that inhabiteth eternity, and whose name is holy, I dwell in the high and holy place; with him also that is of a contrite and humble spirit, to revive the spirit of the humble, and to revive the heart of the contrite ones.

It is a third time stated in the Writings, Sing unto God, sing praises unto his name: extol ye him that rideth upon the heavens by his name Jah, and rejoice before him. And it is written afterwards, A father of the fatherless, and a judge of the widows, is God in his holy habitation.

In passages such as these (and how well Rabbi Jochanan understood the art of selection!) religion and morals come together. There is here no attempt at proof or scientific demonstration; nor is there any question of competition between Judaism and other creeds—some of the phrases used are said indeed by the learned to derive from the ancient Babylonian. But there would seem to be enshrined in them the very essence of the religious outlook upon the relationship between God and man and the relationship obtaining between them.

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