

*If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if your neighbor cries out to me, I will listen, for I am compassionate. (Exodus 22:25-27)*

*If a man dies, and has no son, then you shall pass his inheritance on to his daughter. If he has no daughter, then you shall give his inheritance to his brothers. If he has no brothers, then you shall give his inheritance to his father's brothers. And if his father has no brothers, then you shall give his inheritance to the nearest kinsman of his clan, and he shall possess it. It shall be for the Israelites a statute and ordinance, as the LORD commanded Moses. (Numbers 27:8-11)*

*You shall not spread a false report. You shall not join hands with the wicked to act as a malicious witness. You shall not follow a majority in wrongdoing; when you bear witness in a lawsuit, you shall not side with the majority so as to pervert justice; nor shall you be partial to the poor in a lawsuit. (Exodus 23:1-3)*

Alongside the purity laws, the Torah contains many laws that talk about how Yahweh wants the people of Israel to behave toward one another and how their society should be structured. The list of subjects addressed in these laws is quite broad, though not comprehensive. Some of the laws focus on the handling of specific social violations, while others speak more generally about the way in which societal institutions should operate and how people should treat one another. This chapter presents an overview of these laws and their place in the lives of the followers of Yahweh.

## RELIGION AND SOCIETY

Residents of the United States are accustomed to living in a society with a strong legal wall of separation between church and state. Most Americans would also agree that

societal institutions that are not explicitly religious (businesses, clubs, sports teams, and so forth) should follow a secular model of operation that either ignores the religion of their members or treats all religions alike. The idea of a society in which most or all of the citizens belong to a single religion and the government and other institutions base their policies on the teachings of that religion sounds odd and even threatening to many Americans. This is clear from the way in which Americans view Muslim nations such as Iran or Saudi Arabia that seek to base their laws on the Qur'an and the principles of Islam. Polls suggest that most Americans believe that these nations would be better off with a secular system of government.

Many Americans are surprised to learn that their vision of a society that is not tied to a particular religion is a relatively recent development in the history of civilization. At the time of the American Revolution, Europeans were convinced that the American proposal to eliminate

state support for religion and allow people to follow their own consciences in matters of religion could not possibly succeed, since a common religion was necessary to preserve the unity of society and to provide moral guidance for its leaders. To this day most European nations have an official state church that is supported by the tax system, even though Europeans in general are less religious than Americans.

In spite of a long-term global trend toward secularization, there remain many countries where daily life is dominated by a single religion that shapes the way the society operates. Most of the nations of Latin America are heavily Roman Catholic; Israel is a Jewish society; India is predominately Hindu; Thailand is culturally Buddhist; and dozens of nations are committed to following the path of Islam. In the United States, Protestant Christianity has shaped the values and institutions of society for most of the nation's history, despite a constitutional amendment prohibiting the establishment of a national church. Indeed, religion is such a vital element of human existence that it cannot be kept out of public life unless there is a deliberate effort to repress it, as in the Soviet Union and other Communist countries.

The role of religion was even more significant in ancient societies. Gods in the ancient Near East were associated with territories and groups of people from the level of the nation down to the city, town, or village. Everyone was expected to honor and obey the local deities in order to ensure their protection and avoid their displeasure. Individuals might perform special acts of devotion to a particular god or goddess, but they knew better than to neglect or offend the deities who watched over their locality. No one

would have imagined that it was either possible or desirable to have a society that did not honor the gods.

As we observed in the last chapter, rituals played a crucial role in maintaining a positive relationship between gods and humans. But the gods also had expectations for how their people should treat one another and how their societies should be structured. Not surprisingly, these expectations usually supported the status quo. At the top of every society stood the king, who was thought to have a special relationship with the gods, whether as the agent through whom they exercised their rule on earth or as a divine being himself. His decrees were to be honored and obeyed as divine law; to challenge the word of the king was to court punishment from the gods. Priests and other religious leaders also held a prominent position in society due to their familiarity with the gods and their ability to perform vital rituals on behalf of the people. Kings regularly turned to them for guidance, especially in times of trouble. Virtually all of the formal positions of honor and authority were held by men, since the gods had decreed that men should rule over women and children in both



Fig. 24.2. (left) A Babylonian king consults with an enthroned deity; (right) an Egyptian priest offers prayers to the god Ra-Horakhty.

the society and the home. In short, things were the way they were because the gods had made them so. As long as people accepted this view, the basic structures of society were regarded as fixed and beyond question. The result was a conservative social order that valued continuity and conformity and discouraged originality and independent thought.

At the everyday level, societies were regulated primarily by custom. Ideas about right and wrong and norms for social conduct were passed on within the family, rooted in traditions that had been inherited from the ancestors. While it would have been unusual for someone to claim that a particular ancestral tradition had come directly from the gods, the moral standards upon which these traditions were based would have been justified by reference to the will of the gods. This gave the accepted norms for social behavior a decidedly religious tenor, even when the religious element was not explicitly stated.

Within the broader community, interpersonal disputes and violations of social norms were handled by village elders or judges who relied on local precedent and their own sense of justice to figure out an equitable solution or a fitting punishment. Occasionally legal scholars or priests would compile a collection of rulings indicating how various social problems should be handled (as in the Code of Hammurabi), but these were useful only to people who could read. The relation between these collections and the actual distribution of justice in the towns and villages of the ancient Near East remains unclear due to the limited nature of our sources.

## EXERCISE 61

Read the following passages and make note of any patterns that you observe among them. What can you infer from these passages about the moral and legal principles upon which the social laws of the Torah were based?

- Exodus 21:18-27
- Exodus 22:1-8
- Numbers 35:16-28
- Deuteronomy 15:12-18
- Deuteronomy 21:18-21
- Deuteronomy 24:19-22

## SOCIAL LAWS AND THE TORAH

The Torah includes a host of laws aiming to regulate the everyday lives and social relationships of the people of Israel. These laws are scattered throughout the Torah, though they are concentrated in certain passages more than others (Exodus 21:1—23:9; Leviticus 19:1-37; Numbers 35:1—36:13; Deuteronomy 19:1—22:30). The sheer breadth of the issues addressed in these laws is remarkable for a religious text. Their inclusion in the Torah suggests that the people who compiled these laws believed that Yahweh's covenant relationship with Israel carried implications for all aspects of social life, from the behavior of individuals to the manner in which society was organized. According to their vision, all of life was to be lived as an act of devotion to Yahweh, and everyone was responsible for developing and maintaining a society that reflected and nurtured this ideal.

### Social Organization

For a book that is so full of laws, the Torah has surprisingly little to say about how the people of Yahweh are to be governed. Most of the verses on this subject relate to the conduct of the local courts. Judges are the primary arbiters of justice in these texts, though village elders and priests are also presumed to have judicial authority in certain cases (Deuteronomy 19:11-12; 21:1-9, 18-21; 22:13-18; 25:5-10), and at least one passage calls for the congregation to serve in a judicial role (Numbers 35:22-25). Most of the laws relating to the handling of court cases are quite general, directing judges to issue impartial rulings and avoid bribery and telling witnesses to speak the truth at all times. A few verses go into more detail, requiring careful investigation of the facts, the use of multiple witnesses, and severe penalties for false testimony (Deuteronomy 17:2-7; 19:15-21). Punishments are to be executed swiftly, whether they are performed by the judges (Deuteronomy 25:1-3), the elders (Deuteronomy 22:18-19), or the entire congregation (Leviticus 24:13-16; Numbers 15:32-36; Deuteronomy 21:18-21; 22:20-21).

Outside the judicial context, references to governing officials are sparse. Only one passage mentions the king

(Deuteronomy 17:14-20), while a few texts speak about elders and officials who play some sort of leadership role among the tribes (Exodus 3:16-18; 18:13-27; Leviticus 4:13-15; Numbers 11:16-17; Deuteronomy 1:15; 16:18; 20:5-9; 29:10). The Torah claims that these secondary positions of leadership, together with the office of the priests, were established by Moses under the guidance of Yahweh. In this way the Torah elevates the later occupants of these offices to a lofty position in society. On the other hand, the relative lack of laws pertaining to the conduct of these officials (apart from the priests) suggests that the people who created these laws were not in a position to regulate the behavior of societal leaders, whether because they lacked the necessary influence or because the offices no longer existed at the time when the laws were written (if they originated during the exilic period or later).

### Social Problems

Closely related to rules for social organization are laws that prescribe how to handle various problems that disrupt the social order. Many of these laws pertain to acts that would be covered by criminal laws in modern secular societies—thief, rape, murder, manslaughter, assault, kidnapping, and so on. Others provide guidance for resolving interpersonal disputes that would be settled today through civil lawsuits, including loss of or dam-

age to property, negligence, fraud, and similar issues. Still other laws address problems that are peculiar to the value systems and practices of ancient societies, such as escaped slaves, violations of female chastity, and disrespect to parents. Finally, the Torah contains laws designed to prohibit and punish various religious practices that would be protected in today's world under laws guarding freedom of religion: idolatry (worship of gods other than Yahweh), blasphemy, false prophecy, consultation of the dead, witchcraft, and the like.

Virtually all of these laws contain instructions for the punishment of wrongful acts, with the more serious violations, including most of the religious offenses, carrying a penalty of death. Only rarely, however, is there any indication of who is to carry out these punishments. Perhaps the punishment system was so well known to the original audience that no further explanation was needed. At the same time, such a glaring omission raises questions about whether these laws reflect actual practice or offer a blueprint for handling problems in an ideal society.

### Social Practices

Another category of laws aims to define how the primary institutions of society should operate under normal conditions. Some of these laws are framed in positive terms, identifying behaviors that should be followed, while others



Fig. 24.3. (left) A group of village elders from Afghanistan; (right) the Hebrew Bible speaks of judicial hearings taking place at the city gates, possibly in rooms like this one from the gate complex at Beersheba in southern Palestine.



Fig. 24.4. The Torah's vision for social justice includes provisions for the use of honest weights in the marketplace (top) and for farmers to leave some of their crops in the field so that poor people can gather them for food (bottom).

are cast in negative language, spelling out acts that should be avoided. Here, too, the laws cover a broad range of issues. Some of the laws pertain to economic transactions: sellers are to use honest weights for their goods, workers are to be paid each day, fraud is to be avoided. Others relate to the practice of agriculture: fields are to be left fallow every seven years, oxen are not to be muzzled while they are treading grain, portions of the crop are to be left in the field for the poor. Still others address the legal aspects of family life: women are to be protected in case of

divorce, husbands are to oversee the legal obligations of their wives and daughters, daughters may inherit when there are no sons.

Most of the laws in this category are designed to prevent people from abusing or taking advantage of others. Farm animals and agricultural property are also protected under these provisions. Almost none of the laws in this category include any provisions for identifying or punishing violations. As in the previous section, scholars disagree about the implications of this observation. Many think that violators were punished by local judges who had the freedom to determine the nature of the penalty. Others view the omissions as evidence that the laws were designed to function as general guidelines that carried no penalties or as model provisions for an ideal society.

### Social Relationships

Not all of the social laws pertain to the institutional side of life. The Torah also contains many laws that seek to encourage positive attitudes and relationships with people inside and outside of the group. On the positive side, the audience is told to respect the elderly, fulfill their promises, help those who are in need, protect others from harm, watch over other people's property, and "love your neighbor as yourself" (Leviticus 19:18; note that this verse originated in the Torah, not with Jesus). On the negative side, they are directed to avoid lying, slander, hatred, vengeance, cursing people in authority (parents and societal leaders), and abusing the weak and the powerless (widows, orphans, the disabled, and foreigners who live in their land). Less attention is given to conduct within the family: children are commanded to honor and obey their parents, but nothing is said about how parents should treat their children or how husbands and wives should relate to one another, apart from the broad requirement that wives must limit their sexual activity to their husbands (but not vice versa).

The inadequacy of the term *law* is especially apparent in these cases, since all of the provisions under this heading are too broad to function as legal guidelines and none specifies any penalty for violation. While it is possible that someone might have cited one of these laws as a basis for bringing a complaint before the local authorities, their chief purpose was to provide moral instruction for individuals concerning the proper way to relate to others.

### Social Stratification

One of the most interesting categories of laws centers on relationships between people who have power and resources and people who do not. Some of these laws have been cited already, but their distinctive nature calls for special treatment.

Several laws place limits on what people can do with their personal property, including some that require people to share their wealth with others. Landowners, for example, are not to harvest all of their crops; they are to leave some in the fields so that poor people can enter their property and gather food. People who have money are to lend to others without charging interest, since most borrowers were poor people who had exhausted their limited resources. Anyone who has needy relatives is to take care of them, including buying and returning to them any lands that they might have been forced to sell in order to survive and purchasing them out of slavery if they should be compelled to give up their freedom in order to pay off their debts. Perhaps the most remarkable provision calls for the cancellation of all debts every fiftieth year and the return of all lands to the families that originally owned them (Leviticus 25:8-13).

Other laws seek to protect the weak and powerless from abuse. Judges are to refrain from giving special treatment to the rich, avoid taking bribes, and protect the rights and property of widows and orphans. Men who divorce their wives must take care of them until the women marry again. Israelite slaves are to be treated as hired hands and freed after six years with enough provisions to enable them to start a new life. Slaves who are injured by their owners are to be compensated, and slaves who escape are not to be returned.

As with most of the other social laws that we have examined, few of these laws include any instructions for the investigation or punishment of violations. Some of the provisions are so unrealistic that it is hard to imagine that anyone ever followed them, though we cannot rule out that possibility. Certainly many people who had money and power would have found ways to avoid obeying the laws that obligated them to spend their resources on others. Once again we must be alert to the possibility that these laws represent someone's vision of the way things ought to be rather than a set of rules that was actually obeyed.

### EXERCISE 62

Based on what you have learned so far, what would you see as some of the positive and negative aspects of living in a society that followed the social laws of the Torah? Would your answer be affected by your social status within the community?

## THE SOCIAL VISION OF THE TORAH

In its present form, the Torah presents a particular vision of what life could be like if the people of Israel were committed to live in a manner that reflects the character and expectations of Yahweh. The society envisioned here is not perfect; if it were, there would be no need for atoning sacrifices or criminal punishments. Instead, the Torah depicts a society in which the majority of the people are making a serious effort to live by Yahweh's standards. To create a society based on this vision would require people to lay aside many of their selfish inclinations. The Torah clearly assumes that this is within the capacity of ordinary humans, as we see in the following passage from the book of Deuteronomy:

Surely, this commandment that I am commanding you today is not too hard for you, nor is it too far away. It is not in heaven, that you should say, "Who will go up to heaven for us, and get it for us so that we may hear it and observe it?" Neither is it beyond the sea, that you should say, "Who will cross to the other side of the sea for us, and get it for us

so that we may hear it and observe it?" No, the word is very near to you; it is in your mouth and in your heart for you to observe. (30:11-14)

In its overall structure, the social world envisioned in the Torah is quite similar to other societies in the ancient Near East. The reins of power are held by a small group of elite males, and a significant proportion of the property is concentrated in the hands of a small number of families. But there are notable differences as well. Most obvious is the virtual invisibility of the king. Only one passage in the entire Torah (Deuteronomy 17:14-20) mentions the conduct of the king, and the image there is highly idealized—a ruler who is devoted to Yahweh and his Torah, treats all people as equals, and refrains from accumulating both possessions and wives. On the whole, the society envisioned by the Torah operates without input or direction from the king. Power is vested in the priests, the judges, and the village elders, who share the responsibility for identifying and addressing threats to the social order, whether from criminal violations, disputes among individuals, or ritual impurities. People who own land and resources also wield a form of power in the world of the Torah, but they are expected to use their wealth for the common good and not for selfish gain. Again and again the Torah commands those who hold power to avoid exploiting the powerless and to help those who are in need.

At the heart of the Torah lies a vision for a society in which all of the citizens respect and care for one another as they would their own families. This vision was reinforced by a set of stories that portrayed the people of Israel and Judah as distant relatives who had descended from a common set of ancestors (Abraham and the Exodus generation). Those who accepted these stories were implicitly challenged to extend to their neighbors the same level of care that they would give to members of their extended family. As with real-life families, a family-based society would still have inequities, since people begin life with varying amounts of power and resources and are affected in different ways by the vagaries of life in a traditional agricultural society (location and fertility of farmland, exposure to insects and diseases, sickness or death of farm animals and family members, and so forth).

Unlike in modern families, however, the values of traditional societies dictate that the members of an extended family must come to the aid of a family member who is in need. Defining everyone in the society as kin was thus an effective strategy for motivating people who owned more resources to give generously to the poorer members of the society. Acts of personal generosity are vitally important for maintaining the stability of traditional societies, since there is no government safety net to care for the poor.

Such a system of benevolent **patriarchy** sounds antiquated and perhaps even oppressive to modern ears. In its own day, however, the social vision of the Torah was remarkably enlightened. Where the laws of the surrounding nations sought to uphold the status quo and defend the prerogatives of the wealthy, the Torah challenged those who controlled the power and resources of society to voluntarily limit the exercise of their privileges in order to help those at the bottom of the social ladder. Many of the people to whom this message was addressed (the wealthier members of society) would have viewed it as an unwelcome intrusion into their personal affairs.

Even more remarkable is the way in which the Torah links this message to the will of Yahweh. Where other nations claimed that the gods stood on the side of the rich and powerful, giving them what they had and defending it against challenge, the Torah places the god of Israel firmly on the side of the poor and the powerless. Those who abuse the needy are repeatedly threatened with divine retribution.

You shall not abuse any widow or orphan. If you do abuse them, when they cry out to me, I will surely heed their cry; my wrath will burn, and I will kill you with the sword, and your wives shall become widows and your children orphans. (Exodus 22:22-24)

If you lend money to my people, to the poor among you, you shall not deal with them as a creditor; you shall not exact interest from them. If you take your neighbor's cloak in pawn, you shall restore it before the sun goes down; for it may be your neighbor's only clothing to use as cover; in what else shall that person sleep? And if your neighbor cries out to me, I will listen, for I am compassionate. (Exodus 22:25-27)

You shall not revile the deaf or put a stumbling block before the blind; you shall fear your God: I am the LORD. (*Leviticus 19:14*)

A number of verses tie Yahweh's concern for the helpless directly to the Exodus story. These passages insist that the god who rescued his people from the oppression of the Egyptians stands ready to aid and defend those who are oppressed in later times.

You shall not oppress a resident alien; you know the heart of an alien, for you were aliens in the land of Egypt. (*Exodus 23:9*)

If any who are dependent on you become so impoverished that they sell themselves to you, you shall not make them serve as slaves. They shall remain with you as hired or bound laborers. They shall serve with you until the year of the jubilee. Then they and their children with them shall be free from your authority; they shall go back to their own family and return to their ancestral property. For they are my servants, whom I brought out of the land of Egypt; they shall not be sold as slaves are sold. You shall not rule over them with harshness, but shall fear your God. (*Leviticus 25:39-43*)

Passages such as these enhance the moral weight of the Torah's social vision by tying it to the central religious story from which the community derives its identity. No one who knew the Exodus story could have missed the underlying message: those who oppress Yahweh's people have aligned themselves with the Egyptians who experienced Yahweh's terrible judgment rather than with the poor and marginalized whose cause Yahweh supports.

## VISION AND REALITY

As we have seen, even a cursory reading of the Torah raises questions about how far the social laws were actually followed. Some of these laws, especially those framed in an "if-then" case format, sound as though they might have been derived from real-world court proceedings. Among the many examples that could be cited are rules

that explain what to do when an individual causes bodily harm or death to another person or inflicts damage upon another person's property. Mingled together with these laws are others that sound so unreasonable or unrealistic that it is hard to think that anyone ever tried to implement them. Did wealthy people really write off all of their debts, free their Israelite slaves, and restore their accumulated lands to the previous owners every fifty years (*Leviticus 25:8-55*)? Were children who cursed, struck, or failed to obey their parents actually punished by execution (*Exodus 21:15, 17; Deuteronomy 21:18-21*)? Did jealous husbands ever compel their wives to drink a potentially lethal liquid in order to prove that they were innocent of adultery (*Numbers 5:11-31*)? Did military officers tell their soldiers that they should leave the field prior to battle if they felt afraid or had unfinished business at home (*Deuteronomy 20:1-9*)? Laws such as these sound more like wishful thinking than actual practice.

Additional problems arise when we compare the laws of Torah with other books in the Hebrew Bible. Both the narrative books and the books of the prophets indicate that the people of Israel and Judah worshipped other gods alongside Yahweh and followed religious practices forbidden by the Torah during the era of the monarchy. Yet there is no indication that any of these people were executed or even disciplined; in fact, they probably constituted the majority at certain points in Israel's history. Similarly, many verses in the prophetic books denounce the rich and powerful for exploiting the poor and powerless. Yet nowhere do we hear of any of these people being prosecuted for their failure to live by the social laws of Torah. In fact, many passages in the books of Psalms and Proverbs imply that the rich followed an alternate theology that interpreted their success as a mark of divine approval for their behavior.

How are we to explain these facts? As we saw in our discussion of the purity laws, the answer depends on how we understand the history of the Torah. Conservatives argue that this discrepancy between theory and practice is consistent with their belief that the people of Israel and Judah knew the laws of Torah but failed to follow them. Maximalists insist that the mixed evidence favors their own view that the laws of Torah were only partially developed and little known among the broader populace



during the era of the monarchy. Minimalists point to the rarity of legal references in the narrative and prophetic books as proof that most or all of the laws originated during the postexilic period and therefore could not have been used to regulate the lives of people before that time.

As we saw in chapter 22, there are many reasons to believe that the maximalist position is closer to the truth when we consider the Torah as a whole. Further support for this conclusion comes from the observation that the books of the preexilic prophets (those who lived before the Babylonian conquest of Judah) routinely presuppose that their audiences are familiar with the social norms that were later enshrined in the laws of Torah. Otherwise their criticisms of the social behaviors of the people of Israel and Judah would have carried no weight. Precisely what they expected their audiences to know is unclear, since references to specific laws are hard to find (see chapters 32–33). But the presence of social laws in the book of Deuteronomy strongly suggests that such laws existed in some form during the preexilic period (see chapter 19). In short, there is substantial evidence to indicate that the Torah's postexilic collection of social laws is based on earlier materials that were known in oral or written form by at least some of the people of Israel and Judah during the preexilic period.

Whether the more idealistic and visionary parts of the Torah also date from this period is unclear. If they arose in the preexilic era, we might infer that they reflect the views of a fairly radical group of Yahwists who hoped that their alternative model of society would eventually replace the prevailing social system. If they originated in the exilic or postexilic era, we might see in them the hopes and dreams of a community that has lost its traditional framework and is trying to figure out what it might mean to create a society that is rooted in rigorous devotion to Yahweh. In the end, the evidence is too sparse to make any reliable judgments.

## EXERCISE 63

Read the two versions of the Ten Commandments that appear in Exodus 20:1-17 and Deuteronomy 5:1-21. How do these laws compare with the others that we have studied thus far? Which of the laws would you categorize as purity laws and which as social laws?

## THE ESSENCE OF THE TORAH?

So far we have not talked explicitly about the passage that many people would regard as the most important part of the Torah, and perhaps of the entire Bible: the Ten Commandments, also known as the **Decalogue** (meaning “ten words” or “ten sayings”). These materials, which Yahweh supposedly gave to Moses on two stone tablets at Mount Sinai, appear in two versions in the Torah, one in Exodus 20:1-17 and the other in Deuteronomy 5:1-21. The language of the two passages is different, reflecting the complex textual history of the collection, but their general content is the same. The first four laws would be classified as purity laws under the terms that we have been using, while the last six would qualify as social laws.

Most people who refer to the Ten Commandments today know little about their original cultural setting and therefore misinterpret many of the verses. A brief review of the individual commands will show what these statements might have meant to the people who created and used them.

1. *You shall have no other gods before me.* Both Exodus and Deuteronomy link this commandment to the story of the exodus from Egypt. Implicit in this command is the idea that Yahweh has chosen the people of Israel as his covenant partners and that he deserves their heartfelt devotion in return. The existence of other gods is not denied, but the verse insists that Israel should honor no other gods above Yahweh. Whether this means that they should worship Yahweh alone is unclear. At a minimum, such a statement would have drawn a dividing line between those who saw Yahweh as the chief god of Israel and those who honored him as one god among many, or not at all.



Fig. 24.5. Lucas Cranach the Elder, *The Ten Commandments*

2. *You shall not make for yourself an idol.* The use of the English word *idol* here is unfortunate, since most people today interpret this term to mean something like “statue of a false god.” The behavior that is being criticized in this commandment is not the worship of other gods besides Yahweh, but the use of a visible image to mark the presence of a deity. The Torah does not depict Yahweh as inherently invisible—various texts show him walking in the garden with Adam, appearing in human form to Abraham, and allowing Moses to see his “back” but not his “face” (Exodus 33:12—34:10). But the Torah does insist that Yahweh’s appearance is too awesome to be captured in any physical image. The ultimate aim of this command is to set Yahweh apart from all other gods—to underline his holiness. Archaeological discoveries have suggested that some people did in fact make images to represent Yahweh and use them in their worship alongside the statues of other gods. This commandment rejects all such practices as a diminishment of Yahweh’s distinctive glory.

3. *You shall not make wrongful use of the name of the LORD your God.* Ancient people were impressed by the power of words. In the proper ritual context, words could be used to exert control over other people or the forces of nature. Names were thought to carry special power, since it was believed that they conveyed the essence of a person.

Names were often used in rituals to manipulate the gods or other humans. The use of divine names in oaths is a natural extension of this practice. The commandment against using the name of Yahweh in a wrongful manner seems to have had these kinds of activities in mind. As in the previous verse, the text suggests that using Yahweh’s name in oaths or magical rituals cheapens his dignity by reducing him to the level of other gods who can be manipulated by the application of certain techniques or rituals. The god of Israel is ultimately beyond human control.

4. *Remember the Sabbath day, and keep it holy.* The historical roots of the practice of resting from work on the last day of the week (Saturday) in honor of Yahweh are obscure. The Genesis creation story explains it as a commemoration of Yahweh’s rest on the seventh day of creation (Genesis 2:1-3), but this explanation lies outside the realm of history. The practice appears to be unique to Israel. Interestingly, the Torah does not mandate any kind of worship on this day, only rest. Perhaps the intent was to provide a break from the backbreaking work of farm life in antiquity. If so, it could be interpreted as having a humanitarian purpose.

5. *Honor your father and your mother.* The Torah is addressed to adults, so this law probably refers to the honor and material provision that are due to elderly parents from their adult children. In a society with no social

security system, this verse implies that people who are too old to work should not be discarded as useless but should be given respect and support by their offspring. This kind of respect does not arise overnight; it requires training beginning with the earliest days of childhood. Thus the law applies indirectly to younger children as well as adults. The inclusion of the mother suggests that both parents were valued and honored in the world of the Bible, despite the fact that men held ultimate authority in the home.

6. *You shall not murder.* The Hebrew language has many different words for killing. The word that is used here refers to the premeditated taking of an individual's life by another person without legitimate cause. Both capital punishment and killing in warfare appear to lie outside this prohibition, since both are permitted and even required in other parts of the Torah. In fact, murder is one of the many violations for which the Torah prescribes capital punishment, apparently as a means of avoiding perpetual blood feuds within the society.

7. *You shall not commit adultery.* Marriage was valued quite highly in the Yahwistic community, but the obligations that were imposed upon the two parties were unequal. Women were expected to have no sexual partners besides their husbands, while men could have sex with slaves or prostitutes without penalty. Thus the term *adultery* technically refers to sexual contact between a married woman and a man who is not her husband, whether he is married or single. While chauvinism no doubt played a role in this double standard, placing limits on women's sexuality also ensured that everyone would know the identity of a child's father when the time came to pass on property within the family or to fulfill other familial obligations.

8. *You shall not steal.* Virtually all wealth in the ancient world was tied up in farmland or movable items. There were no banks where excess funds could be stored for safekeeping, though the Jerusalem temple sometimes fulfilled this purpose for the wealthier members of society. As a result, a successful burglary or robbery could lead to the loss of everything that a person owned. This command aims to keep people from engaging in this socially destructive act. The Hebrew word used here could also refer to



Fig. 24.6. The Ten Commandments hold a place of honor in both Jewish synagogues (top) and Christian churches (bottom).

kidnapping, or the “stealing” of a human being for the purpose of sale or slavery.

9. *You shall not bear false witness against your neighbor.* As the term *witness* implies, this verse refers primarily to testimony given in court. Again and again the Torah reminds its audience to tell the truth when they

are called to provide testimony about possible criminal or civil violations. While this might suggest that people lied routinely to judges, the repetition was probably meant to underline the seriousness of legal testimony as compared with other forms of speech. The term *neighbor* may have been chosen to indicate that the obligation applies not only to fellow Israelites or Yahwists but also to non-Israelites who lived in Palestine. In this way the command promotes a sense of social responsibility to people outside of one's family or clan.

10. *You shall not covet.* This commandment is different from the others in that it refers to an inner attitude rather than an outward action. The intent, of course, is not merely to prevent a bad attitude but also to ensure the security of private property by teaching people to respect one another's possessions and to be content with their own. In a society where rich and poor often lived in close proximity, such a law could apply as much to the poor who might be tempted to steal as to the rich who might use subtler means to gain control of others' possessions. The listing of the wife among the items that "belong to your neighbor" reflects the male orientation of the passage.

The history of this collection is murky. Some scholars see it as one of the earliest parts of the Torah, perhaps even the basis for the entire collection. Certainly that is the impression that the Torah gives by placing it first among the laws that Yahweh gave to Moses at Mount Sinai. Others view it as a late summary that was created to distill the central principles of the Torah. All agree that the list functioned more as a teaching tool than as a legal code, since the statements are all quite general and none includes any penalty for violation.

While the Ten Commandments clearly occupy a central position in the Exodus story, their role in the lives of the people of ancient Israel is less clear. Many scholars have noted that the laws are framed in simple, repetitive language that would have been easy for ordinary people to remember. The presence of ten rules also makes the list more memorable, since it matches the number of fingers on a person's hand. These factors have led many scholars to conclude that the Ten Commandments were formulated as a functional summary of some of the key laws of Torah for the illiterate masses.

On the other hand, there are few verses in the Hebrew Bible that refer explicitly to any of the Ten Commandments, apart from the narrative texts that describe how they were given to the people by Yahweh. Some of the other laws of Torah contain ideas or wording that are similar to what we see in the Ten Commandments, but the points of contact are so broad that it is difficult to say whether they reveal an awareness of this collection or simply the use of a common vocabulary. Even if the collection arose early in Israel's history, the Ten Commandments say nothing about a number of issues that are considered important elsewhere in the Torah, such as ritual purity, the annual festivals, and the obligation to care for the poor. Thus while it might be correct to say that the Ten Commandments summarize some of the basic principles that underlie the individual laws of the Torah, it would be historically inaccurate to describe them as the core or essence of the Torah.

## CONCLUSION

The inclusion of social laws alongside the purity laws of the Torah sends a clear message that Yahweh cares as much about how his people treat one another as about how they follow the ritual aspects of his laws. Similar ideas can be found in the words of the preexilic prophets, who repeatedly criticize the people of Israel and Judah for abusing and mistreating one another, especially the poor and the marginalized. While there are questions about whether the prophets actually knew the social laws, it seems clear that they based their pronouncements on principles similar to those found in the Torah.

Social laws define not only how people are to treat one another as individuals but also how their society should be structured and how violations of the social order should be handled. While some of the laws were designed to uphold the status quo, others place Yahweh firmly on the side of those at the bottom of the social ladder. Few of the laws in this category include any penalties for violation; instead, they claim that Yahweh himself will act to aid the oppressed, as he did long ago when he rescued their ancestors from Egypt. Such a

message would have been somewhat countercultural in its day.

While some of the laws of Torah might reflect actual practice, the collection as we know it presents a vision for society that was never fully realized within the bounds of history. Much of this vision probably originated with a group of dedicated Yahwists who lacked the power and influence to implement their views in society, though their ideals seem to have been taken more seriously in the postexilic period. The fact that these laws were eventually included in the sacred Scriptures of Judaism suggests that the people of Israel continued to be inspired by their vision long after the laws were formulated.

## EXERCISE 64

Look back over the list of laws at the end of chapter 22, focusing on the ones that were actually included in the Torah. Make a list of which laws from the list would qualify as purity laws, which are social laws, and which could be placed in either category. Be prepared to explain your answers.



Fig. 25.1. Personal prayer is a vital means of contact with the supernatural world in many religious traditions.