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THE RABBINIC 'IDEA OF THE HOLY'

(As reflected in the <u>Sifra</u>, <u>Sifre</u>, and <u>Mekilta</u>)

by

Samuel Egal Karff

Submitted in partial fulfillment

of the requirements for the

Master of Hebrew Letters Degree

and Ordination

Hebrew Union College-Jewish
Institute of Religion
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THE RABBINIC 'IDEA OF THE HOLY'

(as reflected in the Sifra, Sifre, and Mekilta)

This study is an attempt to examine the nature of the covenantal
relationship between God and Israel, as conceived by the rabbinic mind.
In so doing, we have assumed that the key to an understanding of the
rabbinic 'idea of the holy' is contained in the nature of the relation-
ship between a holy God and a holy people (Israel).

The categories employed by Rudolf Otto in his The Idea of the Holy
have served as a major methodological tool, and a convenient point of
departure throughout this study. Otto has defined 'holiness' as man's
total experience of the Deity. By applying his categories to an analysis
of the rabbinic view of the covenant, we attempt to clarify, by contrast,
the rabbinic concept of holiness.

Turning first to an analysis of Israel's 'election' and the basis
for the maintenance of the covenant, we note a tension between two counter-
vailing forms of relatedness: (1) a paternal-filial bond of unconditional,
non-rational love, and (2) a contractual, functional bond based on
rational purposiveness, in terms of which the covenant becomes an
instrument for the achievement of mutually satisfying objectives, and
is terminable upon a 'breach of contract' by either party.

This two-fold nature of the covenant is then examined in terms of
God's judgemental role, vis-a-vis Israel - where it takes the form of
a creative tension between middat-hadin (justice) and middat-harachamim
(mercy). An analysis of the mitzvah system also reflects the same two-
fold relationship. God's issuance of mitzvot is an expression of pater-
nalistic love and contractual demand; Israel's observance of the mitzvot

is an expression of the loyalty of love and the loyalty of contractual obligation. The mitzvot casts Israel in the dual role of a beloved son and an accredited partner of a fuhctional relationship.

The covenant significantly affects Israel's experience of God, and renders Him the 'non-wholly other' (as contrasted with the 'wholly other' Deity, which according to Otto, is part of the 'numinous' consciousness). God's 'non-wholly otherness' results from the limitations imposed upon Him by the covenant, and is reflected in 'divine sensitivity' to the actions and fate of Israel, Israel's air of 'bold familiarity,' etc.

Out of this two-fold relationship between God and Israel there emerges a 'pyramid of holiness,' which has, at its base, the observance of the mitzvot and, at its apex, the concept of kiddush-hashem.

A concluding chapter deals with the 'holy as a category of value' which, being an expression of the two-fold covenant, embodies both the ethics of love and the ethics of contractual obligation.

A suggestion is offered to explain why a relationship organically embodying 'paternalism' and 'contractualism' is much more conceivable to the rabbis than to the modern western mind.

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S.E.K.

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INTRODUCTION

"Holiness," said Lord Morley, is the "deepest of all words that
defy definition." Nevertheless, students of religion have recognized
its centrality and have devoted a great deal of creative energy in attempts
to understand the 'idea of the holy.' In early Semitic religions, the
root K-D-S' seems to have expressed the

> separation or reservation of a thing or a person
> for divine use or a divine cult, and the state of
> an object or a person so reserved and brought
> into close relation with Deity as inaccessible or
> hardly accessible, and invested with a quasi-
> divine character and power.[1]

Rudolf Otto, in his classic work, The Idea of the Holy, does not
dissent from this generally accepted view.[2] He does maintain, however,
that in early Semitic religions the term 'holy' referred essentially to
the worshipper's unverbalizable experience of deity, an experience which
later came to be externalized and objectified in the form indicated
above.[3] In other words, the primary function of the term 'holy' was
to designate an essentially ineffable experience of deity. This cate-
gory of experience, Otto characterizes as 'numinous' (Latin numen).

What was the nature of this 'numinous' (non-rational) experience?
According to Otto, it contained elements of 'dread' and 'fascination,'
feelings of 'creaturliness' and 'profaneness' - in the face of an over-
powering, incomprehensible, 'wholly-other' force.[4]

Otto does not deny that this experience has, in the course of
religious history, been rationalized and moralized: "The 'numinous'
deity has been invested with such rational attributes as purpose, good-
will, supreme power, unity, self-hood..."[5] But his treatise is a reaction

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against a hyper-rationalizing tendancy which, he maintains, does not do justice to the full dimensions of 'holiness' as a religious experience; and leads one to equate the 'holy' with the 'ethical.' According to the view which he sets forth:

(1) The 'numinous' or non-rational aspects of religious experience constitute the primary meaning of the term 'holy.'

(2) The rationalization and ethicization of the term in the course of religious history is a derived rather than a primary aspect of 'holiness.'

(3) The virtue of Christianity, properly understood, is the magnificent balance of rational and non-rational elements in its idea of the holy.

In short, Otto defines 'holiness' as a designation for the totality of man's experience of God. Included in this concept is man's view of himself in relation to God, since in the nature of the 'numinous' experience there is a self-evaluation as well (creaturliness, profaneness, etc.).

If one approaches the concept of holiness in terms of its institutionalized framework alone (concentrating on the religious cult), then one's method of study may be confined to word analysis. Applying this approach to rabbinic Judaism, one could limit his investigation to an analysis of the contexts in which some form of the root K-D-S" is found or is commented upon. If, on the other hand, one is inclined to Otto's definition of the term, word analysis is not adequate. Instead, one must look for clues to the rabbis' conception of the relationship between the worshipper and God.

This study is based on the premise that Otto's approach can be fruitfully applied to rabbinic sources. It is our contention that from such an

approach one can derive a more adequate understanding of the idea of the holy in Judaism than by confining oneself to the contexts in which some form of the term K-D-S' is employed or commented upon.

Before expounding the nature of this application more fully let us briefly consider two alternate approaches. Solomon Schechter's Aspects of Rabbinic Theology deals with the concept of holiness in a chapter entitled, "The Law of Holiness and the Law of Goodness."[6] According to Schechter, "holiness is the highest achievement of the Law and the deepest experience as well as realization of righteousness... In its broad features

> holiness is but another word for imitatio-dei,
> a duty intimately associated with Israel's close
> contact with God. The most frequent name for God
> in the rabbinic literature is 'The Holy One,'
> occasionally also 'Holiness,' and so Israel is
> called holy. But the holiness of Israel is depen-
> dant on their acting in such a way as to become
> God-like.[7]

Schechter bases his position on such rabbinic statements as Abba Saul's interpretation of Leviticus 12.2; "Israel is the familia of the King (God) whence it is incumbent upon them to imitate the King."[8] Within this framework of imitatio-dei, Schechter incorporates the body of ritual mitzvot, including the Levitical laws of purity. They are, he maintains, "fences" against acts which would render Israel unlike God.[9] "...all the commandments, negative and affirmative, have to be considered as so many lessons in discipline, which if only as an education in obedience, result in establishing that communion between man and God which is the crowning reward of holiness."[10]

It is evident from the above that Schechter's treatment of 'holiness' in rabbinic thought is anchored to the concept of imitatio dei, and he proceeds to link that concept to the whole mitzvah system. Max

Kaddushin approaches the concept somewhat differently.[11] His starting point is that holiness is part of the 'category of significance' which is concretized in the halachah. "Halachah directs the individual to the commonplace recurrent situations and actions, and renders it possible for him to fill them with significance."[12] According to this view, the blessing before partaking of food becomes a religious experience in which God is recognized as a bestower of bounties, etc. Eating is thereby invested with significance (or holiness). Related to this view is Kaddushin's assertion that "halachah enables the individual to experience, in recurrent ritual acts, the mystical consciousness of holiness, and at the same time it makes him clearly apprehend the objective nature of the things that contribute to that experience."[13] In other words, the reciter of the blessing is able to experience the lovingkindness of God as he is confronted by the objective product of God's beneficence.

Halachah, according to Kaddushin, also externalizes the experience of holiness by investing certain fixed objects (such as the Torah) and certain fixed days (the various holydays, etc.) with significance.[14]

Thus, Schechter equates the rabbinic view of 'holiness' primarily with a personal emulation of God's attributes of goodness, and Kaddushin maintains that the concept refers to the 'significance' invested in the normal occasions of daily life when they become occasions for experiencing God. Both imitatio-dei and the experience of 'significance' are effected by the scrupulous observance of the halachic system.

In this study we shall maintain that both imitatio-dei and the 'significance' of the mitzvot are inextricable parts of the rabbinic idea of the holy, but that they do not embrace the totality of the concept. Instead, we shall equate the rabbinic idea of the holy with

the rabbis' conception of the total reciprocal relationship between God and Israel. As Schechter points out, God is frequently referred to as "The Holy One blessed be He" and the people of Israel are characterized as a holy people. By studying the rabbinic view of the relationship between a Holy God and a Holy people we hope to illuminate the fuller implications of the concept of holiness in rabbinic Judaism. What does being holy signify on the part of the people? How is God's holiness reflected in His relationship with Israel? Is this relationship completely 'rational?' Is it 'ethical?' The following study will address itself to these questions. We shall use Otto's categories as a springboard or analytical tool. This approach will reveal certain basic differences between the concept of holiness as it emerged in Christianity and as it evolved in rabbinic Judaism, differences which are partly traceable to divergent starting points. Whereas the primary relationship in Otto's study is between God and the individual worshipper, the primary relationship in rabbinic Judaism is between a Holy God and Israel. The implications of this distinction will become evident as we systematically apply Otto's categories to rabbinic Judaism.

To test this conceptual approach to the 'idea of the holy,' we have selected as sources the Sifra, Sifre, and Mekilta, all Tannaitic midrashim. The editions used are the following:

> Sifra de be Rab - I. H. Weiss, Vienna, 1862
>
> Sifre (Numbers and Deuteronomy), M. Friedman, Vienna, 1864
>
> Mekilta de Rabbi Ishmael, Jacob Z. Lauterbach, Jewish
>
> Publication Society, Philadelphia, 1949

All citations refer to these editions.

Since we have necessarily confined our study to a limited portion of rabbinic literature (even within the Tannaitic period) our conclusions are exceedingly suggestive, and our entire study is more of an exploratory venture than a definitive treatise. It is our hope, however, that our study may reveal sufficient merit in this approach to justify its more comprehensive application in future studies of this central concept in rabbinic theology.

CHAPTER 2

THE ELECTION OF ISRAEL AND THE BASIS OF THE COVENANT

The relation between God and Israel is, rabbinically conceived, a relationship between a holy God and a holy people. We propose to approach the 'idea of the holy' by considering the nature of this relationship. Our starting point will be the rabbinic view of God's choice of Israel for the holy covenant.

In his chapter on the 'numinous' aspects of the New Testament, Otto regards the doctrine of 'election' as an expression of the non-rational, non-ethical components of holiness.

> The idea of 'election' - i.e. of having been chosen out and pre-ordained by God into salvation - is an immediate and pure expression of the actual religious experience of grace. The recipient of divine grace feels and knows ever more and more surely, as he looks back on his past that he has not grown into his present self through any achievement or effort of his own, and that, apart from his own will or power, grace was imparted to him, grasped him, impelled him, and led him, and even the resolves and decisions that were most his own and most free, become to him, without losing the element of freedom, something that he experienced rather than did.[1]

According to Otto, the process of 'election' has overwhelmingly 'numinous' overtones. No attempt is made to justify the act either in terms of divine purpose or human merit.

Before considering the rabbinic attitude toward Israel's election, we must note certain basic differences between the Christian and the rabbinic framework. In rabbinic literature, the process of divine choice embraces a people rather than an individual; secondly, the process of election provides the people with a system for salvation, rather than an assurance of divine grace. The nature of this system will concern us in succeeding chapters.

Turning now to the rabbinic view, we ask the following questions from our sources: (1) Does this 'election' of a particular people constitute a purely non-rational manifestation of God's holiness? Or (2) does this act of divine choice follow completely from a consideration of divine purposes, the merit of the people, etc. ...? The extent of our source material, though inadequate for the formulation of definitive conclusions, does suggest at least a tentative answer to these questions.

First of all, the rabbis clearly affirmed the decisiveness of God's choice of Israel and the particularity of the relationship which resulted from this divine act. A characteristic expression of this relationship is the following:

> What does Scripture mean to teach by saying "the God of Israel?" Simply this: He conferred His name particularly on Israel... I am God for all those who come into the world, nevertheless I have conferred My name particularly on My people Israel.[2]

A variant expression of this same concept is the following comment on a verse from the Song of Moses: " 'Till thy people pass over O Lord, till the people pass over that Thou hast gotten' (Ex. 15.16): For the whole world is Thine, and yet Thou hast no other people than Israel..."[3] Inherent in this election of a particular people is an element of exclusiveness. At one point, the rabbis depict the nations of the world as so impressed by the glory of Israel's God that they express a desire to join them: "Let us join you," they say. Israel's reply is couched in the terms of the Song of Songs: "You have no claim to Him. 'I am my beloved's and my beloved is mine.' (Song of Songs 6.3)"[4]

Taken at face value, the rabbinic concept of Israel's 'election' would appear to be a totally non-rational manifestation of God's holiness, or, in other words, a completely arbitrary expression of divine

will. Certain significant midrashim, however, make it impossible to rest content with this conclusion, for these sources indicate that the rabbis themselves felt some need to rationalize Israel's 'election' by a universal God.

The rabbis maintain that the nations of the world were asked to accept the Torah "in order that they should have no excuse for saying 'Had we been asked we would have accepted it.' For behold they were asked and they refused to accept it."[5] The children of Esau refused to accept the Torah because of its prohibition of murder; the children of Ammon and Moab, because of its prohibition of adultery; the children of Ishmael, because of its prohibition of theft.[6] R. Simon b. Eleazar says: "If the sons of Noah could not endure the seven commandments enjoined upon them, how much less could they have endured all the commandments of the Torah!"[7] In short, the election of Israel is somewhat rationalized by adding an element of choice: Israel was the only nation prepared to accept the Torah. God's grace was bestowed upon Israel because it alone was willing to accept the conditions of election. The act of 'election' is linked to the giving of the Torah, and its rational component made even more emphatic in the following account: "When God gave the Torah to Israel, He stood and looked about Him... and there was no other nation among all the nations which was worthy of receiving it but Israel, as it is said, 'He set up the boundaries of the peoples.' "[8] *

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* The merit of Israel is elaborated upon in midrashim referring to Israel's praiseworthiness (‎אֵיכֶה‎ ‎שֶׁ‎ ‎יִנְאֵל‎) both in Egypt and at Sinai. In Egypt, their praiseworthiness consisted in having faithfully followed Moses out of Egypt, though they had not prepared any provisions for themselves; their reward: "Israel was the Lord's hallowed portion." (Jer.2.3) (Mekilta - Pisha, Vol. I, p. 110) At Sinai, their praiseworthiness consisted in having all made up their mind at once to accept God as their king. (Ibid. Bahodesh, Vol. II, p. 230) The covenant at Sinai had, accordingly, an element of merit attached to it.

In his discussion of the doctrine of 'election,' Otto considers the inference that those outside the orbit of election are doomed to damnation. He dismisses such an inference by saying:

> ...this conclusion is not and must not be drawn, for what we are concerned with is a religious intuition which, as such, stands alone and is only warrant for itself, and which indeed is outraged by any attempt to weave it into a system or make it yield a series of inferences.[9]

The upshot of Otto's statement is this: a concern with the implications of 'election' for those not included in its orbit presupposes a rationalization of the act. Since, however, the Christian idea of 'grace' is overwhelmingly 'numinous' in character, it does not lend itself to a conceptual analysis. The rabbinic concept of 'election' does reveal a rationalizing tendency. It is, therefore, not surprising to find rabbinic statements concerned with the implications of Israel's particularity for those outside the covenantal relationship. The following midrash, commenting on the Shema, is a case in point:

> Why does it say the Lord our God? Has it not already been stated that the Lord is one? And what then is the purpose of the phrase our God? To teach that His name was conferred particularly upon us. An alternate interpretation: ...to all those who come into this world, the Lord is "our God" in this world; "The Lord is one" – This refers to the world to come, and thus it says "and the Lord shall be king over all the earth; on that day the Lord shall be one and His name shall be one." (Zech. 14.9)[10]

In other words, Israel's particular relationship to God is linked to the world's non-acceptance of God's sovereignty. When Israel's God becomes acknowledged by the world, Israel's particularity will be nullified. Accordingly, acceptance of God's will is the key to attaining the status of Israel. Such indeed is the implication of the following midrash:

> Rabbi Jeremiah used to say: "You ask on what basis
> a Gentile who fulfills the Torah is comparable to
> a high priest? We learn it from the statement
> 'which if a man do them he shall live by them.'And
> it does not say 'this is the Torah of the priests,
> the Levites, and the Israelites,' but rather 'this
> is the Torah of man...' " 11 *

The above midrashim reflect some concern with the implications of

God's particular relationship to Israel for those outside the orbit of

the covenant. Clearly discernable in the cluster of statements regard-

ing Israel's election is the belief that such an act was something to be

explained or rationalized. Israel's chosenness no longer remains within

the confines of the 'numinous.' To be sure, God entered into a parti-

cular relation with Israel, but this was to be explained, at least part-

ly, in terms of Israel's special merit.

To conclude from these midrashim, however, that the rabbinic view

of Israel's 'election' was totally rational would be equally unwarranted.

It is more proper to conclude that the rabbinic view reflects both a

rational and non-rational element, and that the tension between them is

not logically resolved. The presence of both elements is evidenced by

the following comments, both of which appear in the Sifre:

> Before our father Abraham came into the world, the
> Holy One blessed be He was, as it were, king over
> the heavens alone, as it is said "The Lord, God of
> the heavens, Who has taken me..." (Gen. 24), but
> after Abraham came into the world, he made God
> king over the heaven and the earth, as it is said:
> "And I shall cause you to swear by the Lord the God
> of heaven and earth." (Ibid.)12

This account of the relationship between God and Abraham closely

parallels the Mekilta's rational account of the election of Israel: All

the other nations had an opportunity to accept God's Torah, but refused

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* The rabbis also say that the Torah was given in a public place (the wilder-
ness) so that "everyone wishing to accept it could come and accept it."
(Mekilta - Bahodesh, Vol. II, p. 198)

to do so. Israel in effect chose God — even as they were chosen by
Him — because Israel did accept His Torah. Similarly, in the case
of Abraham, it was his acceptance of God's sovereignty which accounts
for God's special relationship with him. But compare the tenor of
that midrash with the following:

> We would not know whether God chose Israel for
> His treasure or whether Israel chose The Holy .
> One blessed be He. The answer is taught us in
> the following: "And the Lord, your God chose
> you." (Deut. 7) And whence do we know that the
> Holy One blessed be He chose Jacob? As it is said:
> "Not like these is the portion of Jacob; for He is
> the creator of all things and Israel is the tribe
> of His inheritance; the Lord of Hosts is His name."
> (Jer. 10.16)[13]

This midrash runs counter to the spirit of the one concerning Abraham,
and certainly is not akin to the rationalizing element of the midrashim
quoted above. Instead, God's choice is characterized as non-rational
and rather arbitrary. Accordingly, let us note that side by side with
an attempt to rationalize and ethicize the initiation of this relation-
ship, there is a definite non-rational element in the rabbinic doctrine
of Israel's 'election' – an element suggested by references to Israel as
God's 'beloved,' 'inheritance,' and 'treasure.' As we proceed with our
study we hope to be better able to characterize the non-rational elements
suggested by these terms.

Following his discussion of the 'numinous' elements in the concept
of election, Otto proceeds to discuss the related concept of 'pre-destin-
ation:'

> ...the religious conception in the notion of pre-
> destination is nothing but the creature-conscious-
> ness, that self-abasement and the annulment of
> personal strength and claims and achievements in
> the presence of the transcendant as such. The
> numen, overpoweringly experienced, becomes the all
> in all. The creature, with his being and doing,
> his 'willing' and 'running,' his schemes and re-
> solves, becomes nothing.[14]

If the above were a description of the rabbinic view of Israel
confronting the Holy God, there would be no point to discuss the degree
of conditionality in the relationship. Were such the case, the main-
tenance of the relationship would depend entirely upon the 'grace' of
God. We shall have occasion to discuss the significant difference
between this concept of human creaturliness and the rabbinic view of
Israel when we consider the mitzvah system. The question to which we
address ourselves currently is this: Given the 'election' of Israel
as a people related by the covenant to God, to what extent do the
rabbis view the maintenance of this relationship as conditional? Or to
what extent is it unconditional? Can God abandon Israel? If not,
why not?

The literature we are dealing with is generiously sprinkled with
evidence of conditionality. One phase thereof may be referred to as
the contingency of praise. When the Israelites were freightened by the
pursuing Egyptians, Moses reassured them: "The Lord will fight for you,
and ye shall hold your peace." (Ex. 14.14) However, the Mekilta's
interpretation of this verse highlights the contingency of praise:

> The Lord will fight for you and ye shall hold
> your peace? Shall God perform miracles and
> mighty deeds for you and you be standing there
> silent? ... you should be exalting, glorifying
> and praising, uttering songs of praise, adora-
> tion and glorification to Him in whose hands are
> the fortunes of wars, just as it is said: "Let
> the high praises of God be in their mouth."
> (Ps. 149.6)[15]

Similarly God's graciousness to Israel during their jaunt in the
wilderness was somewhat contingent upon their faith in Him. The Bible
depicts Moses as causing the Israelites to prevail over Amalek by lift-
ing up his hands. The rabbinic interpretation of this episode, however,

points up the <u>contingency of faith</u>:

> "And it came to pass when Moses held up his hand,
> etc."(Ex. 17.11) Now could Moses' hands make Israel
> victorious or could his hands break Amalek? It
> merely means this: When Moses raised his hands to-
> wards heaven, the Israelites would look at him and
> believe in Him Who commanded Moses to do so; then
> God would perform for them miracles and mighty
> deeds.[16]

The rabbis depict Israel as having recognized the reciprocity of its

relationship with God. Israel says of God: "He has proclaimed me of

special distinction and I have proclaimed Him of special distinction."[17]

Such reciprocity of <u>praise</u> is very beautifully portrayed in the <u>Sifre</u>'s

interpretation of Moses' final blessing to the children of Israel:

> "There is none like unto God, O Jeshurun."
> (Deut. 33.26) Israel says, "There is none
> like God," and the Holy Spirit answers "O
> Jeshurun." Israel says,"Who is like unto
> Thee, O Lord," and the Holy Spirit answers,
> "Happy art thou, O Israel, who is like unto
> thee?" (Ibid. 33.29)[18]

The contingencies of <u>praise</u> and <u>faith</u> are both expressions of the

broader concept of <u>loyalty</u> to God and acceptance of His sovereignty. God

redeemed them from Egypt on condition that they accept Him as their God.[19]

Such loyalty involves obedience to His will. "If you do the will of

God,then here is the Land of Canaan for you, and if not, you shall be

exiled from it."[20] The <u>conditionality</u> of God's blessing -- which is

an assurance of material prosperity, etc. -- is also stressed by the

rabbis: "'And the Lord bless thee...' (Num. 6.24)...And all these bless-

ings shall come upon you and reach you - when? 'If you hearken to the

voice of your God' (Deut. 28).[21] In keeping with the conditional as-

pects of the God-Israel relationship, disobedience invites disaster:

> A man or woman who does evil in the eyes of the
> Lord your God by violating the conditions of the
> covenant causes five things to come to pass: He
> defiles the land, profanes God's name, removes
> the <u>Shekinah</u>, causes Israel to fall by the sword,

and causes them to be exiled from their land.[22]

Affirmation of the conditionality of God's relationship with
Israel is sometimes expressed by way of a reconciliation of apparently
contradictory verses in the Bible. The rabbinic juxtaposition of the
following two verses is a case in point: Deut. 11.12 - "A land which the
Lord thy God careth for; the eyes of the Lord thy God are always upon
it..." And Psalm 104.32 - "Who looketh on the earth and it trembleth;
He toucheth the mountains and they smoke." Finding these verses con-
tradictory, the rabbis conclude that the first is valid when "Israel
does the will of God." When Israel fails to do God's will, His des-
tructive power is against them.[23]*

Thus far, the holy relationship between God and Israel would
appear to have a rational, contractual basis, the benefits to be de-
rived depending on Israel's observance of the conditions. Conspicuous-
ly absent are those elements described by Otto in his analysis of
'predestination.' Instead, the rabbinic material considered above points
to a relationship whose maintenance hinges on Israel's willful obedience
to the conditions of an agreement:

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* A very significant comment on the conditionality of the relationship
is attributed to Johanan Ben Zakkai. In this midrash (Mekilta-
Bahodesh, Vol. II, p. 194), R. Johanan explains the contemporary
status of the Jews in terms of their failure to live up to the con-
ditions of the covenant: "You were unwilling to repair the roads
and streets leading up to the Temple; now you have to keep in repair
the posts and stations on the road to the royal cities. And thus
it says, 'Because thou didst not serve the Lord thy God ... therefore,
thou shalt serve thine enemy...' (Deut. 28.47f)"

> ...This is the general rule: While Israel does
> His will, He fights for them, as it is said, "God
> will fight for you." (Ex. 14) And when Israel does
> not do His will, He fights, as it were, against
> them, as it is written "and He shall be their
> enemy. (Is. 63)[24]

But do the sources justify an unqualified acceptance of the above

'general rule' (which the rabbis place in the mouth of Balaam)? Are

they able to accept the full implications of a completely conditional

relationship with God? Certain concepts which we shall presently con-

sider reveal both (1) an attempt to maintain the conditional aspects

of the relationship, and (2) a hint of a different aspect of Israel's

relatedness to God.

One of these concepts is 'the merit of the fathers.' Underlying

this concept is the view that Israel could not have sustained the re-

lationship on a conditional basis by its own merit; yet God continually

bestows His grace upon Israel because He takes into account the merit of

the fathers. The splitting of the Red Sea for the fleeing Israelites is

attributed to the merit of Abraham.[25]

A characteristic formulation of this same principle is found in

the following midrash:

> Then the Lord said unto Moses: Behold I will cause
> to rain bread from heaven for you. (Ex. 16.4)
> R. Joshua says: God said to Moses: Behold I am re-
> vealing myself immediately and will not delay.
> R. Eleazar of Modiim says: He says: Behold I will
> ('JJ ה) only to indicate that it was because of
> the merit of the fathers.[26]*

Commenting on the passage in Ex. 17.12 where Aaron and Hur held up the

hands of Moses, Rabbi Eleazar of Modiim attributes Moses' difficulty to

the sin of the people at Meribah (where the children of Israel had

striven with God):

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* According to Lauterbach, the word 'JJ9 "points to the merit of the
  fathers who were wont to use this word to express their readiness to
  do the will of God." (Mekilta, Vol. II, p. 102, note No. 1)

> The sin weighed heavily upon the hands of Moses
> at that hour and he could not bear it. What did
> he do? He turned to the deeds of the fore-
> fathers. For it is said "and they took a stone
> and put it under him," which refers to the deeds
> of the fathers; "and he sat thereon" which refers
> to the deeds of the mothers.[27]

These passages portray the function of אבות זכות in sus-

taining a conditional relationship. But the concept 'merit of the fathers'

also foreshadows the non-rational, non-contractual aspect of the rela-

tionship: the very fact that God takes into account the deeds of the

fathers indicates that more than strict contractualism governs His re-

lationship with Israel.

One of the most central concepts in rabbinic thought is the con-

cept of repentance (תשובה). This concept, as employed of the rabbis,

also enables them to uphold the conditionality of the God-Israel bond.

The rabbis ask why God, Who knew all the time that Israel was destined

to sin against Him, persisted nonetheless in maintaining His relationship

with them. The answer given is: "because of the power of repentance

which is mighty."[28] According to Rabbi Judah Ben Baba, God says to the

children of Israel, "Make repentance and I shall accept it, as it is

written, 'and I have blotted out, as a thick cloud thy transgressions,

and as a cloud, thy sins.' (Is. 44.22)"[29] God immediately responds to

Israel's repentance by reversing His decree against them and remembering

the merit of the fathers.[30] The concept of repentance does, in some

respects, sustain the conditionality of the relationship by demanding

that Israel indicate an intention to mend its ways and abide by the

terms of the covenant; yet, the fact that such an opportunity should be

made available to them suggests that their relationship with God is more

than contractual. This further element of the relationship is manifest

in the following midrash:

> "Ye are children of the Lord your God." (Deut.
> 14.1) Rabbi Judah says: "If you conduct your-
> selves as sons, then you are indeed sons, and
> if not, then you are not sons." Rabbi Meier
> says: "In either case, you are sons unto the
> Lord your God, and thus it says 'and the number
> of the children of Israel shall be like the
> sand in the sea...' "[31]

The above midrash (Rabbi Meier's statement) exemplifies the non-contractual
or unconditional aspects of the God-Israel relationship. It may be char-
acterized as a paternal-filial bond of love and is even more pronounced in
the following statement: "Beloved are Israel for in spite of their defile-
ment the Shekinah is among them and thus it says 'Who dwells with them in
the midst of their defilement' (Lev.17)"[32] Again we find traces of it in
this kal v'chomer: "...and behold can we not argue from minor to major. If
when they hear but do not hearken, they are still called 'my people,' were
they to hear and hearken how much more so would they be called 'my
people.' "[33]

The midrash which portrays this familial aspect of the relation-
ship most sharply is one in which Israel teases God to abandon them.[34]
In effect, Israel admits its sins and asks God why He has not brought
to pass the consequences He had promised! When God assures Israel that
these consequences will indeed come to pass, their reply is: "But have
you not already written 'Shall a man send forth his wife that she
might go and marry another man?' (Jer. 3)"[35] Whereupon God answers that
this citation applies to a man, but "I am God and not man."[36] However,
God follows this rejoinder with a poignant question: "...are you indeed
divorced from me, oh house of Israel? For has it not been already said:
'Thus saith the Lord: where is the bill of your mother's divorcement,
wherewith I have put her away? Or which of my creditors is it to whom

I have sold you?' (Is. 50)"[37] In the final analysis, God declares that He is not contemplating a severance of the relationship.

The persistance of God's relatedness to Israel in spite of their disobedience to the conditions of the covenant is by no means completely divorced from rational considerations. A rabbinic view of the period of exile bears this out. God said of Israel: "I shall not forsake them but I shall, instead, raise up prophets over them and restore them to goodness under my wings..."[38] Another interpretation accounts for the setting up of prophets as an act of God designed to prevent the Israelites from following in the footsteps of the other nations, saying: since we have been placed among these peoples, let us behave like them.[39] These mid-rashim imply that by maintaining His relationship with Israel, God expected to restore them to the path of covenantal obedience.

A further rational consideration in God's maintenance of the relationship with Israel is contained in the concept 'for His name's sake.' God is prevented from repudiating Israel in spite of their violations of the covenant because of the repercussions of such an act upon His reputation among the nations. God's reputation depends upon Israel's testimony to His greatness and power.[40] Using Isaiah as their proof-text, the rabbis express the same position as follows: "for the sake of His name He acted thus towards them, as it is said: 'for mine own sake, for mine own sake will I do it' (Is. 41.11) and it is written 'that divided the water before them' (Ibid. 63.12) What for? 'To make thyself a glorious name' (Ibid. 14)"[41] The concept of */יר יﬧﬦ* gains fullest expression, Biblically, in the book of Ezekiel (especially Chap. 36. 20-24). The prophet maintains that God's reputation is bound up with the fate of Israel. Accordingly, He must continue to rule over

them and bestow His benefactions upon them in order to protect His holy name. The Sifra quotes the passage in which God proclaims: "...Surely with a mighty hand, and with an outstretched arm, and with fury poured out, will I be king over you," (Ezek. 20.33) and then comments on it as follows: "Even against your will because not for your sake do I establish my sovereignty over you."[42] In other words, the rabbis accept Ezekiel's basic premise: God, once having linked Himself to Israel, has no choice but to be judged by other peoples on the basis of the fate of His 'chosen one.'[43]

The concepts discussed above, however, are only one aspect of the problem of conditionality vs. unconditionality, or of rationality vs. non-rationality. Counterposing the evidence of contractualism and rational purposiveness is the non-rational bond of love discussed previously, and expressed most forcefully in the following midrash:

> ...Is it possible for the Holy One blessed be He
> to hate Israel? Has it not been said "I have
> loved you, saith the Lord? (Mal. 1)" But rather
> they hate God...[44]

If we now briefly reconsider the nature of the God-Israel bond as reflected in the act of 'election' and in the basis for its maintenance we are confronted by two countervailing relationships: The one is rational, functional, contractual – the type of relationship which we would expect between two partners to an agreement; the other is a non-rational, unconditional love bond patterned after the structure of relationships within a family. We noted the tension between these two types of relationships in our discussion of Israel's 'election.' Why did God enter into an agreement with Israel? The rabbinic answer certainly includes an element of rational-purposiveness: Israel was to be the executor of God's Torah; Israel alone had shown a willingness to accept God's

sovereignty; Israel merited being chosen as God's people, etc....But the rabbis also maintained that a universal God's choice of a particular people could not be adequately accounted for in such terms: There seems to have been a strong element of non-rational love in God's choice of Israel. They were His 'beloved,' His 'treasure,' etc... But a choice overwhelmingly determined by love immediately invests the chosen people with a responsibility to live according to the provisions of the Torah, and so we are confronted by a relationship embracing both the non-rational, unconditional bond of love and the rational bond of function-alism or purposiveness. The two elements are inextricably bound up one with the other, and together they characterize the nature of God's relationship with Israel.

This same two-fold character of the covenant manifested itself in our discussion of the basis for the maintenance of the relationship. The rabbis do not repudiate its conditionality, and yet they must con-clude that the bond is more than contractual. Israel is God's people, bound to Him by the paternal bond of love. The appointment of prophets over Israel was an expression of both the rational and non-rational aspects of the covenant. God appointed prophets over them because He loved them — and because He hoped thereby to renew their fidelity to the demands of the covenant. The concept of 'merit of the fathers' is again an expression of the two-fold nature of the relationship: that God should take into account the deeds of the fathers both salvages the conditionality of the relationship and implies that it is more than merely contractual! The concept of 'repentance,' we have suggested, also reflects both aspects of the relationship. It was also found, how-ever, that in some midrashim the rabbis emphasize one aspect to the

exclusion of the other. Thus, some of our sources were found to
express the conditionality of the covenant; others regarded the re-
lationship as essentially a bond of paternal-filial love. On the
whole, however, the sources point to the two-fold nature of the holy
relationship between God and Israel embracing both the concept of
love and the concept of demand, the elements of rational-purposiveness
- and unconditional paternalism.

CHAPTER 3

THE JUDGEMENTAL ROLE OF GOD WITHIN THE RELATIONSHIP

In the preceding chapter we discussed the two-fold basis for Israel's 'election' - and for the maintenance of its on-going relationship with God: non-rational paternalism, on the one hand; purposiveness and conditionality, on the other. We noted that the total effect of the interplay of these elements made it inconveivable for God to abandon Israel, even though He might punish them. The rabbis are unable to draw the inferences of an Amos from their dual conception of the holy covenant.

Presently, we shall attempt a fuller consideration of the judgemental role of God within the context of His enduring relationship with Israel. Phrased somewhat differently, the problem is: Does God's judgemental role reflect His two-fold relatedness to Israel? In the course of this chapter, we shall attempt to demonstrate the following: the rabbinic view of God as judge reveals a tension between middat-hadin (justice) and middat-harachamim (mercy) which, in turn, reflects the two-fold nature of His relatedness to Israel.

Again we use Otto as our point of departure. According to Otto the 'numinous' takes two forms of development in the history of religion. The first involves a refinement within the framework of its totally non-rational character:

> ...daemonic dread...rises to the level of 'fear of gods,' and then to fear of God...dread becomes worship...the numen becomes God and Deity. It is then to God and Deity, as 'numen' rendered absolute, that the attribute denoted by the terms kadosh, sanctus...holy, pertains, in the first and directest sense of the words.[1]

The second form of development is:

> ...the course of the process of rationalization and
> moralization on the basis of the numinous conscious-
> ness... Almost everywhere we find the numinous at-
> tracting and appropriating meanings derived from
> social and individual ideals of obligation, justice,
> and goodness... More and more these ideas come to
> enter into the very essence of the numen and charge
> the term with ethical content...[2]

Otto maintains that the moralization process presupposes the
'numinous' and is grounded in it. He credits the religion of Israel,
at least since the time of Amos, with having effected this fusion of
holiness and goodness, but his extensive elaboration of this rationali-
zing process deals primarily with its development in Christianity.

According to his view, the rational elements (ideas of justice,
moral will, etc.) "schematize" the non-rational elements such as
"tremendum." So schematized it "becomes the 'holy wrath' of God which
Scripture and Christian preaching alike proclaim."[3] The "fascinans" -
or the attracting and alluring aspect of the 'numinous' becomes "sche-
matized by means of the ideas of goodness, mercy, and love - and so
schematized, becomes all that we mean by grace..."[4] Both 'holy wrath'
and 'grace' are tinged with the 'numinous' or non-rational elements.
Otto ranks Christianity as superior to its "sister religions" precisely
because it combines "in healthy and lovely harmony" the rational and
non-rational elements of the idea of the holy.[5]

The dual elements, 'holy wrath' and 'grace,' are means of des-
cribing man's experience of God. We shall be concerned primarily with
God's judgemental role vis-a-vis Israel and the extent to which it reflects
the two-fold nature of the relationship. Within this rabbinic framework,
the two middot (/'3ﬡ ﬡ3ﬡ and P/ﬡﬡﬡﬠ ﬡ3ﬡ) are the analogues of
'holy wrath' and 'grace.'

According to the rabbis, the term Elohim designates the attribute
of God's justice (/'ɔ ɔɔʃ): "Elohim designates the judge who
is just in exacting punishment and faithful in giving reward."[6] This
attribute of God as righteous judge is central in rabbinic thought.
"Righteousness," notes the Sifre, "is linked to the judgement...as it is
said: 'thus saith the Lord: observe the requirements of justice and do
righteousness.' (Is. 50.6)"[7] God is portrayed by the rabbis as the ever
active guardian and dispenser of justice. Even on the seventh day of
creation He did not cease from administering justice.[8] The attribute of
justice is no respecter of peoples or individuals and governs God's
relationships with Israelites as well as with members of the other nations.
If justice demands it, God will make the rich man poor and vice versa.[9] No
one can escape God's justice:

> When a man departs from the world all his deeds
> come and are recounted before Him and He says to
> him (the defendant) thus and thus have you done
> in such and such a day...and he accepts the judge-
> ment...[10]

The effectiveness of God's justice is by no means confined to the
period after-death. This is forcefully exemplified in the concept of
"measure for measure." Pharoah who was first to sin was the first to
be punished.[11] As for his chariots, "the measure with which they meted
Thou hast measured unto them."[12] Similarly explained is the blindness
inflicted upon the evil men at Lot's door who wished to molest his guests.[13]
The same principle of meticulous justice is exemplified, say the rabbis,
in Biblical laws: The adulterous woman's belly swells because "the limb
which began the transgression is the first to experience retribution."[14]

As the guarantor of justice, God exacts punishment for transgres-
sions which may not be punished by a human court (Bet-din). Thus, even

though the court may not punish a person who sets fire to his neighbor's
field on the Day of Atonement, God can and will punish him.[15]

In all cases when 'evil' is inflicted by God, it is a righteous
judgement. An oft-used formula for this principle is taken from Deut.
32.4: "The Rock, His work is perfect." The Sifre comments on this
verse as follows: "...His activity is complete with respect to all who
come into the world, and there are no grounds for questioning His ways."[16]
This same midrash ends with the statement that God created man to be
righteous and it is they who have dealt wrongly with Him.[17] In a different
comment on this verse (Deut. 32.4), the rabbis maintain that man has no
grounds for doubting the justice of the destruction of the generation of
the flood, or the dispersion of the people at the tower of Babel, or the
destruction of Sodom and Gommorah, for God "sits with everyone in judge-
ment and gives Him his due."[18] Another formulation of this principle is
contained in a citation from the Mekilta:

> R. Pappias asked Akiba how he interprets "but He
> is at one with Himself and who can turn Him?"
> (Job 23.13) Akiba replied: "There is no possible
> argument against the words of Him who spoke and
> the world came into being, for every word is in
> accordance with truth and every decision in accord-
> ance with justice."[19]

When Israel experiences 'evil' at the hands of God, it is in
accordance with God's justice. Envisaging the possibility of Israel's
complaint that God has dealt wrongly with them, the rabbis conclude:
"(The children of) Israel have dealt wrongly with God and the Lord has
not changed His relationship to them, as it is said 'for I am the Lord.
I change not.' (Mal.3)"[20] When God finds it necessary to inflict evil
upon Israel He says to them:

> ...This is more difficult for you to bear than
> anything, for My great name is upon you as that
> of a holder of a promissory note. From your
> hand this has come about. Evil never proceeds
> from me...[21]

God is here portrayed as a collector of a debt under the institution of
prosbul. He is merely collecting on a pledge taken from the debtor (Israel).
We have here a very graphic expression of God's administration of justice:
it is dependable and follows directly from the actions of the defendant.

God's 'justness' is manifest in the way He always accompanies a
statement of penalties (for a given trespass) with a warning. Thus, the
stipulated penalty for blasphemy - which is death - is accompanied by
the warning: "Thou shalt not curse Elohim." (Ex. 22.27)[22] Similarly,
the stipulated penalty for profaning the Sabbath is death, but this
penalty is accompanied by the warning: "...the seventh day is a Sabbath
unto the Lord thy God..." (Ex. 20.10)[23]

It is significant that the note of resignation present in the
rabbinic discussion of 'God's ways' is based, not on the assumption
that a 'numinous' God cannot be expected to conform to rational stan-
dards of justice, but rather on the premise that 'God's ways' are
rationally grounded on justice.

Perhaps, the most significant aspect of God's justice is that it
is not confined to 'holy wrath.' Clearly manifest in the rabbinic sources
is the assumption that man does merit reward as well, and that, accord-
ingly, God's administration of justice involves rewards as well as pun-
ishment. Therefore, the concept 'measure for measure' has a positive
aspect. The tarrying of the children of Israel for Miriam is explain-
ed in these terms:

> Miriam tarried for Moses one hour, as it is said,

> "and his sister stood from afar. (Ex. 2)" Therefore,
> the Shekina caused them to tarry for her...as it is
> said, "and the people did not journey forth until
> Miriam joined them." (Nu. 12.15)[24]

Similarly, just as Abraham had accompanied the ministering angels
("and Abraham went with them to bring them on their way" - Gen. 18.16)
so God accompanied His children in the wilderness forty years; and
Joseph, who buried his father, was in turn honored by Moses, who car-
ried his bones out of Egypt; as for Moses himself, there was no man
more deserving of honor than he, and so he was attended to by God Him-
self, as it is said 'and He buried him in the valley' (Deut. 34.6)"[25]
The righteous, by their deeds, merit reward for their contemporaries:
Geror was blessed by Isaac's presence (Gen. 20.7), Laban was blessed on
account of Jacob (Gen. 30), and Potiphar, because of Joseph (Gen. 39)[26]
In fact, the existence of blessing in the world depends on the lives of
righteous men: "as long as there are righteous men in the world, there
is blessing in the world; when the righteous disappear, so does the
blessing."[27]*

God's attribute of justice is more than 'holy wrath' not only
because it embraces the possibility of merited reward, but also because
God is much more 'anxious' to mete out goodness. The rabbis calculate
that the flood waters released by God in the time of Noah were about one
quarter the volume of manna released in the desert.[28] The Sifre states
unequivocally that "the measure of goodness is greater that the measure
of retribution..."[29] A further indication of the presumed priority given
to the meting out of good is the following a fortiori argument:

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* This concept of God's justice parallels that which we find in the
story of Abraham's dramatic argument with God (Gen. 18): God would
not have destroyed the city if there were at least ten righteous
men in it.

> If in the case of punishing evil deeds, which is
> of less importance, the rule is that he who sins
> first is first punished, how much the more should
> this be the rule in rewarding good deeds, which
> is of greater importance.[30]

In so far as God is more 'interested' in meting out reward than
punishment, His middat-hadin foreshadows His middat-harachamim. The
rabbis claim that Adonai is the designatory term for God'sattribute of
mercy: "Every place where it is said Adonai, this refers to the attribute
of mercy as it is said 'Adonai is a compassionate and forgiving God'
(Ex. 34)."[31] Although generally the world is described as having been
created with both attributes, the rabbis do at one point emphasize the
importance of the middat-harachamim by baldly stating: "Thou hast shown
us mercy for we had no meritorious deeds to show...and the world from
its very beginning was created by mercy..."[32]

God is so merciful that He does not rejoice at the destruction of
the wicked.[33] He provides for the needs of wicked men and even people
who worship idols.[34] The Sifre enjoins men never to refrain from
appealing to God's mercy:

> Can we not derive it from a fortiori reasoning:
> If Moses, a great sage and the father of all
> sages, and the father of the prophets did not
> refrain from asking for mercy – even though the
> decree had already been issued against him, how
> much more befitting it is for the rest of man-
> kind (to entreat God's mercy) for it is said by
> Moses "and I made supplication before God."[35]

So far, we have been concerned with a general description of
God's justice and mercy. We now turn to a discussion of these
middot in so far as they reflect more particularly God's relationship

with Israel.* How do God's middot affect His judgement of Israel?
It shall be our contention that the interplay of justice and mercy
in God's judgement of Israel reflects the tension between the two
aspects of the relationship: the contractual-rational aspect demands
justice; but the non-rational paternal aspect demands mercy. The
rabbis portray historical incidents of evil overtaking Israelites as
an expression of God's justice. But God cannot mete out evil to
Israel dispassionately. Such retributive acts place a great strain
(בכביכול) on God. Thus, according to the rabbis, evil decrees
against Israel are not reported back to Him by the executors of His
will. Only in the case of favorable decrees, do the executors report
back to Him.[36]

Generally, the rabbis portray God's treatment of Israel in such
a way as to reflect both middat-hadin and middat-harachamim, without
completely sacrificing one to the other. A central concept embodying
elements of both middot and reflecting the two-fold aspect of God's
relatedness to Israel is the concept of 'suffering' (chastisement).
The suffering which God metes out to Israel is more than direct and
immediate retribution for wrong-doing; it is also a means of atone-
ment: "Rabbi Nehemiah says: 'Precious are chastenings because, just as
sacrifices are ways of regaining favor, so chastenings are a way of
regaining favor.' "[37] According to this view, Israel's suffering is an
application of the following principle:

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* In other words, our discussion thus far has focused on the rabbinic
conception of God's judgemental role vis-a-vis the world, in which
context the middat-hadin and middat-harachamim appear to affect
Israel.in the same manner as they affect the other nations of the
world. We now focus specifically on the middot as reflections of
God's relationship with Israel.

> A man should even rejoice in adversity more than
> when in prosperity. For even if a man lives in
> prosperity all his life, it does not mean that
> his sins have been forgiven him. But what is it
> that does bring a man forgiveness? You must say
> suffering![38]

Suffering has also been the means by which Israel earned its
three precious gifts: the Torah, the land of Israel, and the here-
after.[39] In addition, the chastisements inflicted upon Israel are
also a sign of their special relationship to God: "God's glory rests
upon him whom He chastens, as it is said, 'The Lord your God chastens
you.' (Deut. 8.5)"[40] Rabbi Eleazer ben Jacob draws the same con-
clusion from the verse "He whom the Lord loves He chastens, even as
a father, the son in whom He delights." (Proverbs 3.12)[41] Rabbi
Meier's comment on Deut. 8.5 also suggests that suffering is more
than a meting out of punitive justice:

> "And thou shalt consider in thy heart, that, as
> a man chastens his son, so the Lord thy God
> chastens thee." (Deut. 8.5) - You know in your
> heart the deeds which you have done and the
> chastening which I have inflicted upon you (and
> know that) not according to the number of mis-
> deeds have I brought them upon you.[42]

In other words, Israel's suffering is disproportionate to its misdeeds.
By the standard of punitive justice alone, they merited to suffer less,
but suffering has benevolent aspects. The Sifre records an occasion,
during R. Eleazar's sickness, when R. Akiba explained to those present
that suffering is precious, for it was chastenings at the hands of God
which brought Israel back to the right path and disciplined them effect-
ively.[43]

Chastenings administered by God are an expression of both middot:
Israel must earn forgiveness by means of them; Israel must earn its

blessings by showing a willingness to suffer for them — but God's chastenings are signs of <u>love</u> as well, even as a father disciplines his son. In short, 'suffering' is transvalued by the rabbis so that it is not merely an expression of justice. The interplay of the two <u>middot</u> in the concept of $ P ' \partial / o'$ also reflects the interplay between the two aspects of God's relationship with Israel.*

The tone of many rabbinic statements concerning God's judgement of Israel clearly reflects a similar attempt to safeguard elements of both <u>middot</u>, and strike somewhat of a compromise. Witness, for example, the <u>Mekilta</u>'s comment on the verse "visiting the iniquity of the fathers upon the children." (Ex. 34):

> When there is no skip, but not when there is a skip. How is this? The wicked son of a wicked father, who in turn also was the son of a wicked father. R. Nathan says: a destroyer, the son of a destroyer, who in turn was the son of a destroyer. When Moses heard this word, "And Moses made haste and bowed his head toward the earth and worshipped." (Ex. 34.8) For he said: "God forbid! In Israel there is no case of a wicked son of a wicked father who, in turn was also the son of a wicked father."[44]

This <u>midrash</u> is a characteristically rabbinic manipulation of a Biblical idea so as to disarm it without violating its literal meaning. The concept of justice contained therein makes guilt inheritable. After interpreting this concept of justice in such a way as to mitigate its severity,

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* We are suggesting that the transvaluation of suffering in rabbinic literature is more than an attempt to cope with the problem of theodicy. (1) It is, on the one hand, a reflection of the justice governing a contractual relationship: Israel must earn its blessings and atone for its sins. (2) But it is also a reflection of the mercy (love) governing a paternalistic relationship: Israel is disciplined by receiving chastisements of love. Suffering is 'rehabilitative' rather than merely <u>punitive</u>: it is designed by a loving father to educate a recalcitrant son. Thus, the concept of $P ' \daleth / o'$ embraces both elements of the relationship.

the rabbis conclude that an Israelite would never fulfill the 'require-
ments' for such retribution. In effect, God's justice has been both
re-affirmed and tempered.

We have already discussed the function of 'repentance' in both
salvaging the conditional basis for the maintenance of God's relation-
ship with Israel and expressing its paternalistic nature. (p.17) This
same concept also reflects the interplay of justice and mercy within the
relationship. Witness the following midrash:

> "For the Lord will not hold him guiltless that
> taketh His name in vain." (Ex. 20.7) R. Eleazar
> says: "It is impossible to say He will not clear
> since it is also said "and that will clear."
> (נקה) (Ex.34.7) But it is just as im-
> possible to say "He will clear" since it is also
> said: "He will not clear." (לא ינקה) (Ibid.)
> You must therefore say: He clears those who, repent
> but does not clear those who do not repent.[45]

In other words, the concept of repentance is employed to soften the
justice meted out to Israelites who fall under the category described
in the Biblical verses.

There are cases where this 'leniency' is effected through divine
interpretation of the human situation. In Exodus 2.23-25, we find an
account of how the children of Israel cried unto God "by reason of the
bondage. And God heard their groaning, and God remembered His covenant
with Abraham, with Isaac, and with Jacob. And God saw the children of
Israel. And God took cognizance of them." The Mekilta comments: "And
God saw in them that they were repenting though they themselves did not
see it in one another..."[46] The rabbis also depict God as equating
Israel's confession of sins with repentance; as soon as they confess,
He turns back His wrath and has compassion for them.[47]

Another interesting example of God's 'leniency' is based on the

section in Numbers 15.22-26 where the sin-offering is described as
effecting God's forgiveness: "And the priest shall make atonement
for all the congregation of the children of Israel and they shall be
forgiven; for it was an error..."(Ibid. v.25) The Sifre contains the
following comment on this verse:

> "And they shall be forgiven" - I might assume
> (that this is so) whether it was done in error
> or presumptuously; therefore, it says "for it
> was an error." Rabbi Eleazar says: "Scripture
> intends to consider the presumptuous sins of
> the congregation as though they were committed
> in error. Therefore, it says 'for it is an error.'"
> Rabbi says: "whence could you say that if some
> of the congregation were unwitting sinners and
> some, presumptuous sinners, that they are all
> accounted by Him as in error? We learn this from
> the phrase 'for it is an error.'"[48]*

In this midrash, as in the preceding, justice is tempered without
being sacrificed. God accounts presumptuous sins as if they were
committed in error.

The interplay of middat-hadin and middat-harachamim in God's
'treatment' of Israel within the relationship is suggested by the
rabbinic account of Moses' encounter with God before his death. Moses
entreats God to nullify the decree denying him an opportunity to cross
the Jordan and enter the land of Canaan.[49] Moses buttresses his appeal
by citing cases in the past where God had tempered justice with mercy
(when the Israelites were in the desert, etc.). God does not revoke
His decree, but He enables Moses to get a view of the land.[50] A comment
on this appeal concludes that God did not even show Moses favoritism
($P\,'\lrcorner\,9$ /$\epsilon\epsilon\lrcorner$); how much more should He not be expected to show

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* The reverse is true in the case of idolatry; Rabbi Judah b. Bathira
says: "He who performs idolatrous acts even in error, it is accounted
as though he did them presumptuously." (Sifre 33a) (See p. 45 for a
discussion of this stringency.)

favoritism to others who pervert justice, etc.[51]

The phrase which the rabbis employ to mean 'favoritism' is taken
from the priestly benediction: "The Lord lift up His countenance
($p \cdot \jmath 9 \quad \kappa \ell'$) to Thee." (Nu. 6.26)   This same phrase also appears
in Deuteronomy 10.17, where God is described as One who is no regarder
of persons ($f \cdot \jmath 9 \quad \kappa \ell' \quad \kappa \int \neg \ell \kappa$).   Taking the phrase in Nu. 6.26
to mean that God will show favoritism to Israel, the rabbis are confront-
ed with a contradiction, which they resolve as follows: " When Israel
does God's will, 'the Lord lift up His countenance on thee,' and when
Israel does not do His will, 'who does not regard persons.'"[52] Accord-
ing to an alternate interpretation, the first verse applies before the
decree is sealed, and the second, after it is sealed.[53]   Here, then
is another example of a rabbinic statement whose tone contains both
elements of justice and mercy.

The tension which God experiences in His attempt to be true to
both His attributes of justice and mercy is suggested by a rabbinic
comment on Deut. 32.18:

> "Of the Rock that begot thee thou wast unmindful
> ($\ell \ell \jmath$), and didst despise the God that bore
> thee." - Every time I desire (seek) to do good to
> you, you weaken the power from above ($f \cdot \jmath 8 \quad \iota_{\jmath N}$)
> (by your sins). You stood by the sea and said:
> "This is my God and I will glorify Him" (Ex. 15)
> and I sought to do good to you, but you regressed
> and said "Let us make a captain, and let us return
> into Egypt." (Nu. 14.4); you stood at Mount Sinai
> and said: "Everything which the Lord has spoken we
> shall heed and do" (Ex. 24) and I sought to do good
> to you; but you regressed and said to the calf
> "These be thy gods, O Israel..." (Ibid. 32.8) Every-
> time I seek to do good to you, you weaken the power
> from above (by your sins).[54]

We find here a poignant account of God's 'role conflict.' He actively
desires to bestow goodness upon His children, but the attribute of

justice "weakens" His power to do so.

By way of a summary, let us first return to Otto's conceptual framework. According to Otto, the development of the idea of the holy involves a 'schematization' of the 'numinous' elements: the aspect of 'dread' (or 'tremendum') becomes God's 'holy wrath' which is governed by standards of justice; the 'fascinans' or overpoweringly alluring aspect of the 'numinous' consciousness becomes God's mercy – i.e., the experience of 'grace.' The conflict between these two aspects of God's holiness produces the basic Christian paradox: namely, that in spite of man's unworthiness, God grants him the intimacy of grace:

> For the God of the New Testament is not less holy than the God of the Old Testament, but more holy. The interval between the creature and Him is not diminished but made absolute; the unworthiness of the profane in contrast to Him is not extenuated but enhanced. That God none the less admits access to Himself and intimacy with Himself is not a mere matter of course; it is a grace beyond our power to apprehend, a prodigious paradox. To take this paradox out of Christianity is to make it shallow and superficial beyond recognition.[55]

In the course of this chapter, we have maintained that the rabbinic analogues of 'holy wrath' and 'grace' are the two middot: middat-hadin (justice) and middat-harachamim (mercy). Within the context of God's relatedness to the world, we find evidence of both middot. Within this same context, Israel experiences these middot in a manner not unlike the rest of the nations. (1) God punishes them when they sin; (2) He rewards them when they are deserving of reward; (3) He is more 'interested' in reward than in retribution. We noted that God's justice, unlike 'holy wrath,' is based on the premise that

man can qualify for reward by fulfilling the required standard of behavior.

In the second part of this chapter we considered the interplay between justice and mercy in the context of God's particular relationship to Israel. We maintained that the interplay of these middot reflects the two-fold relationship: its conditional-functional aspect demands justice; but the paternalistic aspect of the God-Israel bond requires a tempering of justice. The tension between paternalism and contractualism is reflected in the tension between the two middot. Thus, the tone of many of the midrashim cited above suggests a divine policy of 'discreet leniency' which tempers justice without abandoning it as an operational standard. Significantly absent in the rabbinic treatment of the two middot is the Christian 'paradox.' Mercy is not divorced from justice. Instead God's 'leniency' is a working compromise which reflects both the paternalistic and contractual aspects of the relationship. A related factor, accounting for the absence of 'paradox' is the rabbinic evaluation of Israel's potentiality within the relationship. This factor will become more pronounced in the following chapter when we focus on the mitzvah system.

CHAPTER 4

THE MITZVOT: A KEY TO THE NATURE OF THE RELATIONSHIP

We may perhaps best introduce this phase of our study by consider-
ing Otto's approach to the 'rites' of Biblical religion. He conceives
of these 'rites' as

> a manifestation of the numinous awe, viz., the
> feeling that the 'profane' creative cannot
> forthwith approach the numen, but has need of
> a covering or shield against the ὀργή   of
> the numen. Such a covering is then a conse-
> cration, i.e., a prodecure that renders the
> approacher himself 'numinous' frees him from
> his 'profane' being and fits him for inter-
> course with the numen.[1]

Elsewhere, Otto refers to "those queer 'sacramental' observances
and rituals and procedures of communion in which the human being seeks
to get the numen into his possession.[2] That such elements do exist in
Biblical ritual, and vestiges thereof even in its rabbinic modifications,
will not be denied, but one cannot understand the role of the mitzvot,
from the rabbinic point of view, in these terms. The covenant which
Israel has with God is Israel's 'covering,' and the observance of the
mitzvot is (1) Israel's testimony to the existence of the relationship
and (2) a means of fulfilling its function in the relationship. At the
outset, we should also note the absence of a distinction in the rabbinic
mind between 'ethical' and 'ritual' mitzvot. Both Peah and Shatnez are
equal members of the mitzvah system.*

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* George Foot Moore describes the 'integrity' of the system as follows:
"...the whole range of religious observances...are all integral and
inseparable parts of a revealed religion and correlated to the reve-
lation of God's nature and character and this relation to His people
collectively and individually...the norms of belief and practice were
given in the two-fold law, 'the Torah in writing' and 'the Torah orally
transmitted' which together constitute the unitary revelation, in all
parts ahd in every particular of divine origin and authority, and as
such of equal and identical obligation." (George Foot Moore, Judaism,
Vol. II, p. 5, Harvard University Press, Cambridge, Mass., 1927)

Commenting on the verse "and ye shall be holy unto me" (Ex. 2.30),
Rabbi Ishmael says: "With every new commandment which God issues to
Israel, He adds holiness to them."[3] Viewed in terms of the relationship,
each commandment is both a sign of God's special relatedness to Israel,
and an opportunity for Israel to strengthen its link with God. The
Sifra suggests that Moses was commanded to communicate the imperative
of holiness (/'פ ר פ'ני3ה) to the children of Israel publicly and
while they were assembled together, "because most elements of the Torah
are dependent upon this imperative."[4] In other words, being holy in-
volves observing the mitzvot.

In the opinion of the rabbis, observance of the mitzvot is a
testimony of loyalty to the relationship as well as an expression of
its essential nature. Let us examine this aspect of the mitzvah-system
by turning directly to the sources. The following comment on the ritual
involving the paschal lamb may serve as our point of departure.

> "And ye shall keep it until the 14th day of the
> same month." (Ex. 12.6) Why did Scripture re-
> quire the purchase of the paschal lamb to take
> place four days before its slaughter? R. Matia
> the son of Heresh used to say "Behold, it says,
> 'Now when I passed by thee and looked upon thee,
> and behold the time was the time of love.'
> (Ezek. 16.8) This means that the time has arriv-
> ed for the fulfillment of the oath which the Holy
> One blessed be He had sworn unto Abraham to deli-
> ver his children. But as yet they had no reli-
> gious duties to perform by which to merit redemp-
> tion..."[5]

The view of the mitzvot expressed in this midrash reflects the
dual nature of Israel's relationship with God. God is motivated by
love to redeem Israel, but the conditionality of the relationship re-
quires that they fulfill their part of the agreement. In effect, the
commandment is an opportunity for them to express their loyalty to

God (by obeying His will), and thereby merit redemption. This rationale
for mitzvot is echoed in other rabbinic sources as well. Why, ask the
rabbis, did God command Israel to build a sanctuary for Him? "Has it
not been said 'the heaven is my throne?...Where is the house that ye
may build unto me?' (Is. 66.1)" The answer given is: "to enable them
to receive reward for fulfilling it."[6] In a similar manner, the rabbis
explain such commandments as the consecration of firstling males and
the morning lamb sacrifice.[7] This concept of the mitzvah system is
also given expression in the following midrash (attributed to Rabbi
Eleazar ben Azariah):

> "You are standing this day all of you... your
> little ones, etc." (Deut. 29.9) Now what do
> little ones know about distinguishing between
> good and evil? It was but to give the parents
> reward for bringing their children, thus in-
> creasing the reward for those who do His Will."[8]

God is cast in the dual role of loving father and 'senior partner' to
a conditional agreement which calls for obedience to His will. He
wants to reward Israel because He loves them, but they must be given
an opportunity to express their loyalty to Him - as the price for such
rewards. The mitzvot gave them this opportunity.

The conditional aspect of the relationship is perhaps best ex-
pressed in those commandments which, on the basis of Biblical proof
texts, are linked to the exodus from Egypt. In the eleventh chapter
of Leviticus, the "dietary laws" are discussed. Lev. 11.45 gives the
following rationale for the prohibition against "swarming things:"
"For I am the Lord that brought you up out of the land of Egypt, to be
your God." To this the Sifra comments:

> On this account did I take you up out of the land
> of Egypt, on condition that you would accept the
> yoke of the commandments; for everyone who acknow-

> ledges the yoke of the commandments acknowledges
> the exodus from Egypt, and everyone who denies
> the yoke of the commandments denies the exodus
> from Egypt.[9]

This same interpretive comment is found in connection with the laws

pertaining to usury[10] and just weights.[11]

In effect, such an approach to mitzvot makes them the specific

terms of the covenant: God redeemed Israel on condition that they

would obey the mitzvot. He who fails to obey them is denying the

existence of God's covenantal relatedness to Israel. That obser-

vance of the mitzvot represents an expression of loyalty to the

covenant is aptly suggested by the Sifre's comment on Deut. 15.9:

> "Beware that there be not a base thought in
> thy heart, saying, 'the s eventh year, the
> year of release is at hand,' and thine eye
> be evil against thy needy brother and thou
> give him nought" - Beware that you do not
> withhold compassion, for everyone who with-
> holds compassion from his friend is likened
> to an idol worshipper, and he removes the
> yoke of heaven from upon him."(/רי-'ר= /ג'/ך)[12]*

In some cases a mitzvah may be primarily a reminder that the

relationship exists - a "reminder of the exodus from Egypt." Such is

the interpretation given the commandment to dwell in booths.[13] Even

the commandment of fringes (_ת'33) is linked to the Egyptian

experience and is, at one point, considered a reminder of it. Why,

ask the rabbis, is it called _ת'33 ? "Because God watched over

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* Rabbi Ishmael defends the centrality of circumcision by asserting that
the word _ת ורפ is used thirteen times in the Torah in con-
nection with this rite (Mekilta - Amalek, Vol. II, p. 169). Circumcision
is a sign of the covenant. He also maintains that the commandment con-
cerning the seething of a kid in its mother's milk is mentioned in three
places corresponding to the three covenants which God made with Israel
(Ibid.- Kaspa, Vol. III, p. 187, cf. Sifre 95b). M. Guttman discusses
the relationship between the mitzvot and the "yoke" or covenant,in his
_ת ורבת פירך _ב_גרתב , Breslau, 1931   , pp. 66-69.

(‏ילדּה‎) the houses of our ancestors in Egypt..."[14]

In what sense does observance of the mitzvot we have mentioned 'add holiness' to an Israelite? It adds holiness by expressing his loyalty to his people's relationship with God, and thereby strengthening that relationship. This is true whether a mitzvah is viewed as a specific term of the covenant or as a reminder of those events which brought the covenant into being. The mitzvot, viewed as actions to be performed by a covenanted people, express predominantly the conditional aspect of Israel's bond with God. Yet, as we have noted (see p.40) God's issuance of mitzvot may adumbrate the non-rational or familial aspects of His relationship with Israel. Reciprocally, Israel's performance of the mitzvot may express loyalty to God, the loving father, and thereby reflect more than compliance with the terms of a contract. This additional element in the performance of mitzvot is suggested by the tone of the following midrash:

> "This is my God and I will glorify him." (Ex.15.2)
> R. Ishmael says: and is it possible for a man of
> flesh and blood to add glory to his creator? It
> simply means: I shall be beautiful before Him in
> observing the commandments. I shall prepare be-
> fore Him a beautiful lulab, a beautiful sukkah,
> beautiful fringes and beautiful phylacteries.[15]

This midrash portrays Israel, the beloved, beautifying itself before God, the loving Father. The extra-conditional aspect of Israel's performance of the mitzvot is generally suggested by the element of joy which should, ideally, accompany their observance. Moses, the exemplar par excellance, is depicted as having fulfilled God's commandments with joy: "'I have done according to all that Thou hast commanded me ' (Deut. 26.14) - I have rejoiced and caused others to rejoice."[16]* To serve God with joy

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* See Schechter's discussion on "The Joy of the Law" in Aspects of
Rabbinic Theology, pp. 148 - 169.

is an expression of love for Him. Another aspect of the extra-condi-
tional character of Israel's observance of the _mitzvot_ is expressed in
the rabbinic interpretation to the phrase "of them that love me and keep
my commandments." (Ex. 20.6) The _Mekilta_ states that this "refers to
those who dwell in the land of Israel and risk their lives for the
commandments.[17] The willingness to take such risks is also an expression
of the love bond between God and Israel. When an Israelite performs a
commandment out of _love_ rather than _fear,_ it is more deserving of re-
ward.[18] When the motive of love predominates, he is testifying deci-
sively to the non-rational element in the relationship between Israel
and God.

More is involved in performing the _mitzvot_ than an expression of
loyalty to Israel's two-fold relationship with God. According to the
rabbis, such loyalty was a means whereby Israel could discharge its
functional responsibilities to the God of the covenant. The following
statement expresses this function:

> When the Israelites do the will of God His name
> becomes glorified in the world...But when the
> Israelites fail to do the will of God, His name
> becomes profaned in the world.[19]

Israel acts as God's "witness."[20]   Israel testifies to God's existence
by obeying His will as expressed in the commandments. Why, it is asked,
is the phrase "for a sweet savour" (נִיחֹחַ רֵיחַ) applied to the ox, to
a member of the flock, and even to a fowl? The answer given is: in
order to teach that "there is no eating and drinking before Him;(their
significance is) merely, that He commanded and His will was obeyed..."[21]
But such obedience does more than merely express Israel's loyalty to
God. Obedience to God's will is a way of glorifying His name among
the nations. In this sense, the _mitzvot_ are to be obeyed אֶל הַנָּבִיא -

for the sake of God's name. Commenting on the phrase "ye shall be
holy" (Lev. 19), the rabbis write: "If you make yourselves holy I
credit you with making Me holy."[22] In being loyal to its relation-
ship with God (through the performance of the mitzvot), Israel pro-
motes God's relationship to the rest of the world. The Mekilta's
interpretation of Sabbath observance is particularly edifying in this
regard:

> "And ye shall keep the Sabbath for it is Holy
> unto you." (Ex. 31.14) This tells that the
> Sabbath adds holiness to Israel. Why is the
> shop of so-and-so closed? Because he keeps
> the Sabbath. Why does so-and-so abstain from
> work? Because he keeps the Sabbath. He thus
> bears witness to Him by whose word the world
> came into being that He created His world in
> six days and rested on the seventh. And thus
> it says: "Therefore ye are my witnesses, saith
> the Lord, and I am God." (Is. 43.12)[23]

By observing the Sabbath, an Israelite testifies to the creative power.
of God. He dramatizes or publicizes God's creativity among the nations
around him.

The functional aspect of the mitzvot is their polemical value. By
observing them, Israel testifies to God's greatness and may hasten the
day when all the nations will acknowledge the one true God. Nowhere
in the midrashim is this polemical function more explicit than in the
following comment on Deut. 33.19:

> "They shall call peoples unto the mountain.
> There they shall offer sacrifices of right-
> eousness..." From this, you may conclude
> that nations and kings used to assemble and
> come before the merchant princes of Israel;
> and they say: "In as much as we have troubled
> ourselves and have come here, let us go and
> see the 'wares' of the Jews..."And they go up
> to Jerusalem and see that the Israelites are
> worshipping one God and eating one type of
> food, for among the nations the god of one is
> not the god of the other (polytheism) and
> the food of one is not the food of the other.

> And they say: "Wouldn't it be nice to cling to
> this nation?" And whence can you say that they
> do not move from there until they convert and
> bring sacrifices and burnt offerings? We learn
> it from the verse "There they shall offer sacri-
> fices of righteousness."[24]

The two-fold role of the mitzvot as a (1) testimony of loyalty to
the relationship and (2) a fulfillment of its functional aspects is most
aptly evidenced by the stringency attached to the prohibition against
idolatry. The rabbis attribute to God the statement: "Your sin with the
golden calf is the most repulsive to me..."[25] According to the Mekilta:

> The law against idolatry outweighs all other
> commandments in the Torah...just as the trans-
> gression of all the commandments breaks off
> the yoke, annuls the covenant between God and
> Israel, and misrepresents the Torah, so also
> the transgression of this one commandment
> breaks off the yoke, annuls the covenant, and
> misrepresents the Torah.[26]

This view is re-echoed even more forcefully in the Sifre. Arguing
from the position that "all of the commandments serve to teach this one
commandment," the Sifre concludes that one who transgresses this one
commandment annuls the covenant.[27]

The stringency of the prohibition against idolatry certainly follows
from the nature and function of the relationship. There is no more blatant
denial of its existence or violation of its purpose than idolatry.*

The most common rabbinic interpretation of the imperative "ye shall
be holy" is "ye shall be separate."[28] A distinctive pattern of mitzvot is
Israel's emblem of separatism, whereby they attest loyalty to their spec-
ial relationship with God - and thereby fulfill the function of the rela-
tionship as well. Attempting to expound the concept of separateness, the

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* The polemical overtones of the prohibition against idolatry is reflec-
ted most clearly in a purported conversation between Rabbi Gamaliel
and a philosopher. (Mekilta - Bahodesh, Vol. II, p. 244f)

rabbis portray a loyal Israelite confessing that he wants to eat pork,
wants to violate the laws of consanguinity, etc...but he concludes:
"...what can I do, since my father in heaven has decreed these injunc-
tions upon me?"[29] This, say the rabbis, is the meaning of the phrase
"And I separated you from amongst the peoples to be mine."[30] By con-
situting a separate, identifiable group which obeys God's will, Israel
is helping to glorify God among the nations, for it is ultimately hoped
that God will gain the obedience of all nations, and that all will
accept His sovereignty.[31]

We have been attempting to suggest in these pages that the
rabbinic view of the mitzvah system sheds light on their view of the
nature of God's relationship with Israel; that this relationship is
composed of two strands: There is the strand denoted by the terms
'conditional,' 'functional,' 'rational' – and there is the strand de- .
noted by the terms 'unconditional,' 'paternal-filial,' and 'love.'
Both strands are reflected in the rabbinic view of the mitzvah system.
Often, one strand is emphasized to the neglect of the other, but in
many rabbinic statements both are present. Note, for example, the
following rabbinic answer to the question: Why are so many commandments
linked to the exodus from Egypt?

> Just as a king, whose beloved's son is in
> captivity, redeems him not as a son but as
> a servant (as one who would serve him)...
> when the Holy One blessed be He redeemed
> the seed of Abraham His beloved, He did

not redeem them as sons but as servants...[32] *

The above parable suggests elements of <u>functionalism</u> and <u>paternalism</u> in God's redemption of Israel: He redeemed them because they were part of the family of Abraham, His beloved: -but also because He expected them to serve Him. Reciprocally, Israel's observance of the commandments expresses their two-fold relationship to God: they are expressing loyalty and love to a "patron" who has bestowed His grace upon them — and they are also fulfilling their part of a conditional agreement. Although these strands are (from our point of view) <u>logically</u> opposed to one another, the rabbis did not experience them as mutually-exclusive or self-contradictory.

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* The conception of God as "king" which is expressed in the phrase "the yoke of the kingdom of heaven" embodies both elements of the relationship: a sovereign demands to be served by his subjects. Israel serves its king by observing His <u>mitzvot</u>. Within the concept of God's kingship, however, there is a <u>strong</u> element of paternalistic-benevolence. M. Guttman, in his ‎_‏_(‏מ‏ב‏ו‏א‏ ‏ק‏ר‏י‏ע‏ ‏ת‏מ‏ו‏ת‎ (Breslau, 1931   ) discusses the significance of this concept as follows:

> "Man sees in the 'kingdom of heaven' the king and from this awareness, the whole view of his world is nourished. The link which binds the king to the subjects of his kingdom is the link of the <u>mitzvot</u>, statutes, and ordinances. His demands are that his subjects shall fulfill his commandments and submit to his will and his law...(But) the king who is above all others is not like a human sovereign and does not act tyrannically toward his creatures...He sweetens the judgement by means of mercy...He feeds and sustains His creatures...(Ibid. p. 87)

> This "king," writes Guttman, is also referred to as "our Father in heaven" because the Holy One blessed be He "delights in those who do His will and receives with love even those who wander from the straight path, if they return to him with contrition." (Ibid.)

According to Otto, man's experience of the 'numinous' Deity is grounded in a consciousness of his own 'creaturehood' and 'nothingness' as contrasted with a 'wholly-other' God.[33] There follows from this concept of man's 'relationship' to God an inescapable depreciation of human effort in affecting the status of the 'relationship.' "The numen, overpoweringly experienced, becomes the all in all. The creature with his being and doing, his willing and running, his schemes and resolves, becomes nothing."[34] The 'rites' of a religion grounded in this numen-consciousness are designed to afford the profane creature a 'covering' in the presence of the numen and an opportunity to gain possession of it. In short, these rites are a response to 'dread' on the one hand, and 'fascination' on the other. We have already observed how different is the role of the mitzvot according to the rabbis. Israel's observance of them is an expression of loyalty to a relationship which is both contractual and paternalistic in nature; the mitzvot also enable Israel to fulfill the constructive function of advancing God's purposes on earth. Such a concept of mitzvot does not have the 'numinous' quality attached to the 'rites' described by Otto. Israel is not cast as a profane, helpless creature confronting a 'wholly-other' God. (Indeed, were this the case, it would be difficult to speak in terms of an ongoing relationship.) Instead, the rabbinic view of the mitzvah system suggests that there is a sharing of responsibility and devotion by God and Israel.

This element of sharing responsibility is exemplified even in the very operational structure of the mitzvah system. While it is God who commanded the observance of the Sabbath, it is man's task to declare the Sabbath as a 'holy day' by proclaiming the appropriate benediction (P /' $\supset$ $\sim$ ℓ/3 $\wp$).[35] In some cases the rabbis ascribe a

decisive role to man in the declaration of a day as 'holy.'

> In a case where the year had to be inter-
> calated, and they (Bet-din) sat and grapp-
> led with the matter and did not succeed in
> declaring the year intercalated until the
> new year had already arrived, shall we con-
> clude that it is intercalated? We learn
> from the verse "which you shall declare as
> my appointed times." - You must declare my
> appointed times, and if not they are not my
> appointed times.[36]

The very existence of an oral tradition, grounded in the right to
interpret Biblical commandments bears decisive testimony to the element
of shared responsibility in the relationship. A classic case of the
interpretive process in action is the rabbinic transformation of "an
eye for an eye" (Ex. 21.24, Lev. 24.20) into "monetary compensation."[37]
Such logical tools as the analogy of expressions (ל֫וה גזרה)
and a fortiori reasoning (וחומר קל) are employed to effect a
mitigation of the original law's severity. This self-acknowledged right
to clarify the meaning of divine legislation by means of logical tools of
analysis hardly suggests a relationship in which Israel, a powerless and
profane people, is confronting a 'wholly-other' God. What we are attempt-
ing to suggest is that the whole institution of rabbinic interpretation
must have significantly affected (and is an expression of) the rabbinic
view of Israel's relationship to God.

This element of sharing responsibility in the relationship is also
exemplified in the rabbinic view of worship. Witness the following comment
on the verse "In every place where I cause my name to be mentioned, I will
come unto thee and bless thee." (Ex. 20.21):

> Rabbi Eleazar b. Jacob says: If you come to my
> house I will come to your house, but if you do
> not come to my house I will not come to your
> house...Wherever ten persons assemble in a syna-
> gogue the Shekinah is with them, as it is said:

> "God standeth in the congregation of God
> (Ps. 82.1).[38]

Most expressive of the structure of Israel's relationship with God
is the rabbinic structure of prayer, with its combination of praise and
petition. Prayer is part of the system of commandments, and both praise
and petition are part of its structure: "Whence is it that those who
stand in the synagogue and hear 'Praise ye the Lord to whom all praise
is due' should answer 'Praised be the Lord to whom all praise is due
forever and ever?' We learn this from the verse 'for I will proclaim
the name of the Lord; ascribe ye greatness unto our God' (Deut. 32.3)..."[39]
The priority of praise relative to petition is derived by the rabbis from
a Mosaic parallel: "...When Moses began (in prayer) he did not begin with
the needs of Israel until he had expressed the praiseworthiness of God..."[40]
The same order of priority is ascribed to David.[41] This precedent is used
by the rabbis as an explanation for the structure of the Amidah:

> ...and in the case of the eighteen benedictions
> which the earliest sages ordained that Israel
> recite, they did not begin with the needs of
> Israel first (petition) until after they had
> expressed the praiseworthiness of God...[42]

The basic reason behind this priority of praise over petition is
explained in connection with the sequence of malchuyot, zichronot, and
shofarot: "First accept Him as your king and then ask for mercy from
Him..."[43] In effect, the structure of praise and petition indicates the
need to acknowledge one's relatedness to God before petitioning Him. But
petition, no less than praise, is an acknowledgement of God's relatedness
to Israel: God may be expected to show concern for the needs of His
children — and partners —in the covenant.* At the very least, the presence

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* The concept of פיאה (mercy) is not a paradoxical bestowal of 'grace'
on a 'profane creature' by a 'wholly other' God, but rather a legitimate
expectation when viewed in the context of God's relatedness to Israel.
(See previous chapter.)also footnote r.   )

petition in the formal structure of the prayer-mitzvah means that Israel has a right to expect God's concern and solicitude. Petitioning God is also an acknowledgement of His dominion over the world, for it is based on the premise that He is the source of human blessings and the satisfier of human needs. Clearly, this structure of worship differs from a creaturely man's response to the 'dread' of and 'fascination' by a 'numinous' Deity. The basic element is neither 'propitiation' nor 'possession of' nor 'identification with' the Deity (in a mystical sense). Worship, in its structural combination of praise and petition is rather an expression of a covenantal relationship embodying the elements of mutual obligation and mutual concern.

Another aspect of the mitzvah system which highlights the nature of Israel's relationship with God is the institution of atonement. Again let us turn to Otto for our point of departure: The 'numinous' experience of God gives rise to the need for atonement, because it produces feelings of 'absolute profaneness,' transcending the feeling of moral sinfulness. Although the 'rites' of religion provide a 'covering' which enable the profane creature to stand before God, the need for atonement is ultimately "a longing to transcend this sundering unworthiness, given with the self's existence as 'creature' and profane natural being."[44]

The 'numen,' by "imparting itself to the worshipper, becomes itself the means of atonement."[45] This bestowal of 'numinousness' upon the creature is the experience of 'grace.'[46]

Rabbinic Judaism's attitude toward the institution of atonement belies this concept of man's profaneness. The need for atonement arises not from a generalized consciousness of unworthiness, but from an ack-

nowledged failure to obey the commandments signifying Israel's loyalty to its relationship with God. The on-going relationship is Israel's 'covering,' but Israel's failure to live up to its obligations endangers the relationship and necessitates some gesture of atonement. The consciousness of 'unworthiness' is concretized and particularized by being linked to the system of mitzvot. We see this clearly reflected in the rabbinic ritual for the Day of Atonement. When the high priest 'confesses' for himself and the children of Israel, he does not admit to a general feeling of unworthiness, but rather alludes to Israel's violations of the mitzvot:

> I beseech Thee O Lord, I have dealt iniquitously,
> I have transgressed, I have sinned before Thee--
> I and my household--I beseech Thee O Lord, for-
> give the iniquities, transgressions, and sins where-
> in I have dealt iniquitously, transgressed, and
> sinned before Thee...[47]

He then recites a similar confession for Israel.[48] "Iniquities" refers to presumptuous acts, "transgressions," to rebellious acts, and "sins" - to acts committed unintentionally.[49] According to this view, the need for atonement arises from failure to observe the mitzvot; sin is an act of disloyalty rather than a consciousness of profaneness: There is clearly manifest throughout the ritual of the Day of Atonement a concern for 'uncleannesses' rather than 'uncleanness' - thereby linking the process of atonement to specific violations of the mitzvah system. A substantial basis for this lies within the Bible itself. Leviticus 16.16 is a case in point: "...he (the priest) shall make atonement for the holy place, because of the uncleannesses of the children of Israel and because of their transgressions, even all their sins..." Commenting on the verse, the Sifra maintains that the sacrifice atones for those violations of the sanctity of the sanctuary (עקרב) which fall into

the category of "rebellious acts."[50]   This same particularization of

the need for atonement is exemplified in the rabbinic discussion of the

two goats:

> "...for presumptuous uncleannesses of the
> sanctuary and its dedicated things the goat
> which is slaughtered on Yom Kippur atones,
> and for the remaining violations of the
> Torah, the light and the stringent, the pre-
> sumptuous and the unintentional, the witting
> and the unwitting, the positive and negative
> commandments...the goat which is sent forth
> atones for them.[51]

Of equal significance as a reflection of the nature of the rela-

tionship between God and Israel is the fact that the crucial element

governing the atoning quality of Yom Kippur is repentance. The sacri-

fices are efficacious only when accompanied by an attitude of repen-

tance. For, only thus can they signify a re-affirmation of loyalty to

the relationship which has been violated; and it is this re-affirmation

(repentance) which is central:

> I might assume that the Day of Atonement atones
> only with sacrifices and scape-goats, and where
> do I learn that it atones even without sacri-
> fices and goat-offerings? I learn that the day
> itself atones from the statement "It is the Day
> of Atonement." One might assume that it atones
> for both the repentant and non-repentant. But
> we learn from a kal v'chomer that if sin-offer-
> ings and guilt offerings do not atone when un-
> accompanied by repentance, certainly the Day of
> Atonement does not atone except for those who
> repent.[52]

The rabbinic dictum concerning those sins which an individual has

committed against a fellow human being is another reflection of the

nature of Israel's relationship with God:

> Rabbi Eleazar ben Azariah expounded the meaning
> of the verse "from all your sins against God
> will you be purified." (Lev. 16.30) Matters
> between you and God are forgiven (on the Day of
> Atonement) but matters between you and your

neighbor are not forgiven you until you have
appeased your neighbor.[53]

This dictum particularizes the concept of sin in the category of mitzvot
governing the relationships between men. The breach in the relationship
to God arises, in this case, from specific sins against fellowmen. Atone-
ment involves a direct return to the 'seat of the crime' and an attempt
to appease the one who has been directly offended.

In short, the need for atonement arises not from a generalized con-
sciousness of creaturely profaneness, but from a consciousness of having
failed to observe the specific terms of one's relationship with God. The
atonement process is a means of re-affirming one's 'good faith' in the
relationship, rather than an attempt to 'transcend' a natural sense of
'profaneness.'

In summation : (1) the rabbinic view of the mitzvah system reflects
the two-fold nature of God's relationship with Israel. Observance of the
mitzvot is an expression of both filial and contractual loyalty: it is an
expression of love and contractual obligations. Functionally, the obser-
vance of the mitzvot is a means of glorifying God's name among the
nations and thereby expanding the realm of His loyal adherents. (2)
Israel, by virtue of its relationship with God, does not confront Him
as a 'profane creature' confronts a 'wholly other,' 'numinous' reality.
The nature of Israel's confrontation is evidenced by the very opera-
tional structure of the mitzvah system (by the process of rabbinic inter-
pretation, the structure of formal prayer, and by the institution of
atonement). Israel confronts God as a beloved son and an accredited
partner. In short, the mitzvah system reflects an on-going relation-
ship between God and Israel in which there is mutual responsibility and
mutual concern.

CHAPTER 5

THE 'NON-WHOLLY OTHER'

Otto characterizes the 'numinous' reality of God as the 'wholly other.' This attribute suggests an immensity of contrast between the 'numen' and 'creaturely' man, and points, as well, to the essential mysteriousness of the 'numen.' It suggests "that which is quite beyond the sphere of the usual, the intelligible, and the familiar...and is contrasted with it, filling the mind with blank wonder and astonishment."[1] The 'wholly other' reaches its apex of development, according to Otto, in the phenomen of mysticism:

> Not content with contrasting it with all that
> 'is' of nature or this world, mysticism concludes by contrasting it with Being itself and
> all that 'is' and finally actually calls it
> 'that which is nothing.' By this 'nothing' is
> meant not only that of which nothing can be
> predicated, but that which is absolutely and
> intrinsically other and the opposite of everything that is and can be thought.[2]

The 'wholly other' arouses a "mystical awe and sets free as its accompaniment...the feeling of personal nothingness and submergence before the awe-inspiring object directly experienced."[3] It is 'arbitrary' and 'incalculable,'[4] and is characterized by an overpowering urgency which can take the form of an all consuming wrath – or an all-embracing love.[5] It has an aspect of 'absolute unapproachability'[6] and yet is also an object of "search and desire and yearning."[7]

Otto maintains that in its Christian line of development, the 'mysterious' or 'wholly other' was schematized (rationalized) by the concept of God's 'absoluteness:'

The 'moment' mysteriosum is schematized by the

> absoluteness of all rational attributes applied
> to the Deity...God's rational attributes can be
> distinguished from like attributes applied to
> the created spirit by being not relative...but
> absolute...The content of the attributes is the
> same; it is an element of form which marks them
> apart as attributes of God. But such an element
> of form is also the mysterious as such: it is...
> the formal aspect of the 'wholly other.'[8]

According to Otto, Christianity's concept of an absolute God embraces

both the rational and 'numinous' qualities in a "healthy and lovely

harmony."[9]

In the rabbinic texts with which we have been dealing, the nature

of God's 'otherness' flows from, and is an expression of His relationship

with Israel. The extent of His 'otherness' is circumscribed by the very

nature of the relationship. Consequently, God is experienced by the

rabbis as the 'non-wholly other.' The meaning of this term should be-

come explicit in the course of the following discussion.

One aspect of God's 'non-wholly otherness' which flows directly

from His paternal and functional relationship with Israel is His

sensitivity. God is directly affected by, and responds to, Israel's

action and Israel's fate. This sensitivity is reflected in such

midrashim as the following: "Everyone who hates Israel, it is as

though he hates God...He who rises up against Israel, it is as though

he rose up against God."[10] Conversely, "...if one helps Israel it

is as if he helped Him by whose word the world came into being."[11]

Reinterpreting Is. 63.9, the rabbis exclaimed that "In all their

affliction He was afflicted."[12] The corollary: "When joy comes to

Israel, it is as if joy were before Him also, as it is said: 'Because

I rejoice in Thy salvation.' (I Sam. 2.1)"[13] Similarly, when Israel is

enslaved, God is, as it were (כביכול) enslaved with them.[14]*

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* The term "as it were" (כביכול) may be a scribal curb on the
anthropopathic quality of these utterances. (See Kadushin's
Rabbinic Mind, p. 311, note 25.)

Divine sensitivity as expressed above reflects the two-fold nature of Israel's relationship with God. The exaltation of God's name is linked to Israel's fulfillment of His will.[15] They are God's witnesses.[16] It follows from this, that what happens to Israel may reflect upon God's name among the nations. But, there is more involved in God's sensitivity than such functional considerations. Commenting on this verse "and he (Israel) forsook God who made him" (Deut. 32.15), the Sifre makes a play on the word פ׳׳נ and renders it פ? לׂנׂל Jׂk — "a God who suffered travail over you."[17] Passages such as these suggest an element of familial involvement in God's sensitivity to Israel's fate. God is also portrayed as actively yearning (פׂ //ׂk-ׂk) for Israel's obedience to His commandments: "Way it comes to pass (/ׂ-ׂ׳/ ׳ׂk) that their hearts shall be inclined to revere Me and to keep My commandments...that it may be well with them and with their children forever."[18]

In short, the concept of divine sensitivity signifies divine involvement in a two-fold relationship with Israel: God is helped when Israel is helped, hated when Israel is hated, suffers when Israel suffers, sanctified when Israel obeys Him, and always yearning for Israel's obedience to His will.*

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* The concept of God's sensitivity to Israel's action finds more generalized expression in the rabbinic proposition that God is 'affected' by the actions of men in relation to their fellowmen. He who honors his parents, it is as though he honors God (Sifra 86b);he who welcomes his fellowmen, it is as if he welcomes God (Mekilta-Amalek, Vol. II, p. 178). Similarly, "...whosoever renders a true judgement is accounted as if he had been a co-worker of the Holy One blessed be He in the work of creation." (Ibid. p.179) Accordingly, judges must be conscious of the fact that they are judging a case for God (Sifre 69a). He who perverts justice is profaning God's name (Sifre 86b). These midrashim are further expressions of the principle of divine sensitivity. They are grounded in a concept of God's 'non-wholly otherness:' God is directly affected by man's actions toward his fellowmen. We would suggest that the concept of God's sensitivity to man's 'human relations' as manifested in the above midrashim parallels and is a generalized expression of the relationship between Israel and God.

The rabbinic treatment of God's proximity vs. remoteness may also
be understood in terms of this quality of divine sensitivity.* It should
be noted, at the outset, that the complete humanization of God is opposed
by the rabbis; thus we find midrashim such as the following which clear-
ly reflect His 'otherness:'

> "And the Lord came down upon mount Sinai" (Ex.
> 19.20) — I might understand this literally, but
> you must reason:"If the sun, one of the many
> servants of servants, remains in its place and
> yet is effective beyond its place, how much
> more the glory of Him by whose word the world
> came into being."[19]

This same caution against complete humanization of God is expressed in
the following:

> ...one might think that the Glory actually des-
> cended from heaven and was transferred to Mt.
> Sinai, but Scripture says "That I have talked
> with you from heaven." (Ex. 20.19)...Scripture
> merely teaches that God said to Moses, Behold
> I am going to call you through the top of the
> mountain. [20]

Within this framework of God's 'otherness,' however, there is the
element of a divine relationship with Israel which accounts for God's
sensitivity to its actions and fate; accordingly, the degree of God's
nearness becomes a way of expressing the status of the relationship.
This is clearly evidenced by the Sifre's comment on Deut. 34.26:

> When Israel is upright and does the will of
> God, then He "rideth upon the heaven as thy
> help" but when Israel does not do His will,
> then "He (rideth) in His exaltedness upon the
> skies."[21]

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* To speak in terms of a conflict between 'immanence' and 'transcen-
dance' is to pose a philosophical problem for the rabbis which they
did not experience. (See Kaddushin's Rabbinic Mind, pp. 320ff.)

In other words, God's remoteness or nearness is a function of Israel's
obedience to His will. This principle finds more generalized expression
in many rabbinic sources where, according to Schechter, "...the nearness
of God is determined by the conduct of man, and by his realization of
this nearness, that is, by his knowledge of God."[22] It is in keeping with
this principle that we should find suggestions of God's proximity to the
righteous, and the following midrash is a case in point:

> "And I shall walk in your midst." (Lev. 26.12)
> They formulated a parable – to what is this
> similar? To a king who went out for a walk with
> his tenant in an orchard, and this tenant was
> afraid of the king. The king said to this
> tenant: "Why should you be frightened by me?
> I am like you." And the Holy One blessed be
> He said to the righteous: 'Why should you be
> terrified of me?' Thus in the future God will
> walk with the righteous in the Gan Eden...
> and the righteous will see Him and tremble
> before Him...(and God will say) 'I am like
> you.'[23]

In spite of the rabbinic caution against completely humanizing God, they
did not (as we see above) object to "endowing Him with all the qualities
and attributes which tend towards making God accessible to man."[24] What
the rabbis objected to was the deification of man.[25] Although careful
to preserve His distinctiveness, they emphasized His relatedness to man;
expressed in terms of proximity and remoteness, this relatedness was de-
pendant upon man's conduct. The rabbis cite Moses as a case in point:

> "And Moses drew near unto thick darkness."
> (Ex. 20.21) What brought him this distinction?
> His meekness. For it is said "Now the man
> Moses was very meek." (Ibid. 12.3) Scripture
> tells that whosoever is meek will cause the
> Shekinah to dwell with man on earth, as it is
> said: "For thus saith the High and Lofty One
> that inhabiteth eternity, whose name is Holy:
> I dwell in the high and holy place with him
> also that is of a contrite and humble spirit."
> (Is. 57.15) ...But whosoever is proud of heart

causes the land to be defiled and the <u>Shekinah</u>
to withdraw...[26]

God's remoteness from, or nearness to Israel is conditioned by
the two-fold nature of His relationship with them: God's 'otherness'
is circumscribed both by His <u>paternalistic love</u> and by the <u>functional</u>,
or instrumental aspects of the covenant. The love factor is expressed
in the following:

> "For I the Lord dwell in the midst of the
> children of Israel." (Num. 35.34) Israel is
> beloved for even though they are unclean,the
> <u>Shekinah</u> is in their midst...[27]

The <u>rational</u> limitations on God's 'otherness' also stem from the rela-
tionship: God's reputation in the world is linked to Israel's fate once
He has been identified as their God. In short, the element of
-"for His name's sake" - severely curbs the remoteness of God. Thus, God
is depicted as having killed the first-born of the captives in Egypt,
lest the Egyptians say "...our deity is strong, for the visitation did
not prevail over us."[28] God took the Israelites out of Egypt on that
"self-same day" because the Egyptians were saying that Israel could not
possibly leave the land: "We shall take spears and swords and kill them."[29]
Whereupon God said: "I shall take them out at midday and let anyone who
wants to protest come and protest!" [30] In short, God's remoteness is limited by
His sensitivity to the 'opinions' of the nations, and these opinions are
affected by the fate of the people linked to God's name.

The limitations imposed by God's two-fold relatedness to Israel
upon His 'otherness' is quite manifest in the following <u>midrash</u>:

> "The Lord is a man of War." (Ex. 15.3-4) Is it
> possible to say so? Has it not been said "Do
> not I fill heaven and earth? saith the Lord."
> (Jer. 23.24)...And it also says: "And behold,
> the glory of the God of Israel came, "etc....

(Ezek. 43.2) What then does Scripture mean by saying: "The Lord is a man of war?" Merely this: Because of My love for you and because of your holiness I sanctify My name by you. And in this sense it also says: "Though I am God and not man, yet I, the Holy One, am in the midst of thee." (Hos. 11.9) I sanctify My name by you.[31]

Thus, both the rational (functional) and non-rational (love) aspects of God's relationship with Israel curb His otherness: once having chosen to sanctify His name through them (out of considerations of love and merit), His reputation is linked to Israel's fate.

* * *

The 'numinous awe' which, according to Otto, is part of the experience of a 'wholly-other' God is by no means completely absent from rabbinic sources. It is perhaps most reflected in the rabbinic restrictions on the use of the tetragrammaton (אזכרה של פה). Typical of this restrictive tendancy is the following comment from the Sifra: "...if one who is about to dedicate something to God (להקדש) is enjoined by the Torah not to mention the name of heaven except in relation to the sacrifice (קרבן), how much more so should others not mention the name of heaven in vain." (לשוא) [32] Similarly, the tetragrammaton may be pronounced in the Temple, because that is where God reveals Himself, but not outside its limits.[33]

Such regulations may well reflect one element of 'numinous awe' attached to God and the experience of His 'otherness.' But, over and against such reticence with respect to the pronunciation of God's name, we find a strong element of bold familiarity characterizing the rabbinic view of Israel's encounter with God. The rabbinic portrayal of Moses

encountering God is a prototype of such boldness. Witness, for example,

the following:

> "And when it (the ark) rested, he (Moses) said:
> Return, O Lord, unto the ten thousands of the
> children of Israel." (Num. 10.36) Scripture
> tells us that when Israel would go forward in
> thousands and encamp in tens of thousands, Moses
> would say "I will not let the Shekinah rest
> (   ) until Thou wilt make of Israel tens of
> thousands and thousands more..."[34]

With similar boldness, Moses asks questions of God and demands an answer:

> And Moses cried unto the Lord, saying... (Num.
> 12.13) What is the purpose of the seemingly
> superfluous word "saying." Merely, to teach
> that he said to Him: "Answer me whether or not
> you intend to heal (this people) - until God
> answered him... Rabbi Eleazer ben Azariah says:
> "In four places Moses asked the Holy One blessed
> be He (a question) and He answered him..."[35]

In both of the above cases, Moses makes demands of a God in a tone of

bald familiarity. Significantly, the demands are related to promises .

made by God to the children of Israel (that He would bless them and

cause them to multiply as the sand of the sea, etc...). Conspicuously

absent in these midrashim is a tone of creaturely submission before a

'wholly other' Deity whose actions are incalculable and from whom no

legitimate requests can be made. We find instead a tone of bold

familiarity which stems from a relationship in which God is in some sense

obligated. Moses is Israel's spokesman before the God of the relation-

ship. No less significant is the rabbinic view of Moses attempting to

persuade God to allow him entry into the land of Canaan:

> He (Moses) said before Him: "Lord of the world:
> Was there at all any decree made against my
> entering the land? 'Therefore ye shall not bring
> this assembly,' etc. (Num. 20.12), only means that
> in my position as a king I may not enter. Let me
> then enter as a private man." God said to him:
> "A king cannot enter as a private man." Still
> Moses continued to pray and make all these peti-

> tions..." (After several more petitions which are
> refused in a matter of fact way by God, Moses
> finally asks:) "Ruler of the world, if so, then
> let me at least get a view of it." And regarding
> this He said to him; "Get thee up into the top of
> Pisgah." (Ex. 3.27)[36]

According to this midrash, the permission granted Moses to see the land

is the outcome of an extended, augumentative dialogue with God. Signi-

ficantly enough, God does not seem to resent such boldness on the part

of Moses, and yet, His final concession does not violate His original

decree. The tone of the dialogue suggests the existence of a relation-

ship between Moses and God, the nature of which enables him to engage

in such argumentation.

This same note of bold familiarity is echoed in the rabbinically

constructed dialogues between Israel and God. In fact, Israel displays

a form of boldness at the very outset of its relationship with God.

The rabbis ask why it is that the Ten Commandments were not said at

the beginning of the Torah, and they give the following answer:

> ...a king who entered a province said to the
> people: May I be your king? But the people
> said to him: "Have you done anything good
> for us that you should rule over us?" What
> did he do then? He built the city wall for
> them, he brought in the water supply for them,
> and he fought their battles. Then when he
> said to them: "May I be your king?" They said
> to him: "Yes, yes." Likewise God. He brought
> the Israelites out of Egypt, divided the sea
> for them, sent down the manna for them...He
> fought for them the battle with Amalek. Then
> He said to them: 'I am to be your king.' And
> they said to Him: "Yes, yes..." [37]

This midrash continues with the assertion that God wished to make His

covenant with them also concerning secret acts:

> As it is said, "the secret things belong to the
> Lord our God and the things that are revealed,"
> etc...(Deut. 29.26) But they said to Him: "Con-
> cerning overt acts we are ready to make a covenant

with Thee, but we will not make a covenant with
Thee in regard to secret acts lest one of us
commit a sin secretly and the entire community
be held responsible for it."[38]

This bargaining is hardly a confrontation between a profane-creature
and 'wholly other' God. Nor is this boldness limited to the acceptance of
the covenant. Israel is depicted as saying to God: "Master of the universe:
I do not know who dealt wrongly with whom and who failed to keep his pro-
mise - whether Israel dealt wrongly with God or whether God dealt wrongly
with them..."[39] At another point, Israel teases God to abandon the rela-
tionship, in an extended dialogue which confronts God with the verse from
Jeremiah 3 - "Shall a man send forth his wife that she might leave him and
be married to another?"[40] In reply to the first statement, God reassures
Israel that it is they who have wronged Him; in reply to the second, He
implies that He cannot divorce Israel, His beloved.[41] In both midrashim
there is a discernable note of bold familiarity, whether stemming from
God's obligation to fulfill His part of the covenant - or, as in the
second case, from an assurance of God's love for Israel.

The corollary of Israel's boldness is God's willingness to engage
in plaintive dialectics with Israel. Witness, for example, the follow-
ing rabbinic comment to Ex. 16.28:

"And the Lord said unto Moses: 'How long refuse
ye.'" (Ex. 16.28) - R. Joshua says: The Holy One,
blessed be He, said to Moses: "Say to the child-
ren of the Israelites: I have brought you out of
Egypt, I have divided the Red Sea for you, I have
sent down the manna for you, I caused the well to
come up for you, I have driven up the quail for
you, I have fought for you the fight with Amalek -
how long will you refuse to observe My command-
ments and My laws? Perhaps you will say that I
have imposed upon you too many laws. But this
Sabbath which I have imposed upon you in Marah to
keep it, you have not observed either..."[42]

Again, we note in this midrash a reflection of God's 'non-wholly other-ness:' The two-fold relationship between God and Israel enables Israel to be 'boldly familiar,' and God, to engage in a dialectical dialogue.

*　　*　　*

Many of the 'numinous' attributes associated with a 'wholly-other' God are reinterpreted by the rabbis. It will be recalled that Otto as-cribes to the 'numinous' Deity an 'urgency' which expresses itself in incalculable acts of will. This urgency "clothes itself in symbolical expressions - vitality, passion, emotional temper, will, force, move-ment, excitement, activity, impetus. These features are typical and recur again and again from the daemonic level up to the idea of the 'living' God."[43]

Such a sense of incalculable urgency is quite subdued in rabbinic sources. God's power, for example, is manifested in the constancy of natural forces. Commenting on the verse "Hearken O Heavens, and I shall speak" (Deut. 32.1), the rabbis relate the following comment supposedly made by God to Moses:

> Say to Israel: Look at the heavens, which I have created to serve you (and see) if they have changed their course, (see) if you have planted and it did not grow...[44]

The implication of this argument, as it unfolds, is that God can be relied upon to keep His promises; He is a reliable dispenser of reward and punishment. There is, then, a definite sense of the calculability of God's power and its responsiveness to the obedience or disobedience of Israel. Commenting on the verse "according as He hath promised," (Ex. 12.25) the Mekilta enumerates a whole list of promises which God had made and fulfilled in His relations with Israel.[45] The greatness

of God's power lies not in its incalculable urgency, but rather in the
constancy of His will. In this regard, the following midrash is singu-
larly instructive:

> "And the Lord said unto Him 'Go get thee down...'
> (Ex. 19.24) Where can you prove that the Holy One
> blessed be He said to Moses: "Behold, I will be
> saying something to you and you shall answer Me,
> and I will then agree with you, so that the
> Israelites should say: Great is Moses, for even
> God agreed with him?" From this passage "and
> may also believe thee forever," Rabbi says: "We
> need not make Moses great if it is to be done
> only by making God change His mind and go back
> on His word..."[45]

This element of constancy is reflected in the promptness with
which God effects His avowed intentions. The Mekilta comments on the
verse "and it came to pass at the end of four hundred and thirty years.."
(Ex. 12.41) as follows: "As soon as the designated time came, God did
not delay them an instant."[47] The suddenness of their departure was a
result, not of capricious urgency, but of prompt execution of a pre-
arranged plan. And, the rabbis interpret the term
(on that self-same day) to mean that God's prompt execution of His plan
was a means of demonstrating His power to the sceptical Egyptians.[48]

The rabbinic re-definition of such terms as 'exalted,' 'greatness,'
'holiness,' etc., in relation to God is also instructive. Thus, the
Mekilta renders the phrase "for He is highly exalted" as "He is exalted
above all those who exalt themselves."[49] Similarly, the Sifre renders
the term "Thy greatness" as "the attribute of Thy goodness as it is
said 'Let the power of the Lord be great...' (Numbers 14.17)"[50] In
this same midrash God's 'strength' is interpreted as "the strength
with which Thou dost subdue by means of mercy the attribute of justice."[51]
Similarly, the term "glorious in power" is rendered "...mighty in power

for Thou dost give an extension of time to the generation of the flood that they might repent..."[52] Also instructive, in this regard, is the Mekilta's rendering of the phrase 'glorious in holiness' as referring to God's power to utter more than one commandment in one utterance.[53]

A most revealing example of re-defining the 'numinous' qualities of 'wholly-otherness' is to be found in the rabbinic description of the events on Mt. Sinai. There is, in the Scriptural account, a strong 'numinous' element attached to the theophany at Mt. Sinai, but the Sifre handles its 'fear and trembling' aspects in the following fashion:

> When the Holy One blessed be He revealed Himself in order to give the Torah to Israel, He caused the entire world to shake on its very foundations, as it is said "The voice of the Lord is upon the waters. The God of glory thundereth." (Ps. 29.3) When the nations of the world heard these sounds, they all gathered around Balaam and said to him: "It seems to us that God is destroying His world." Whereupon he answered them: "Has it not been said 'And the waters shall no more become a flood?' (Gen. 9.15)" They said to him: "Then what is this voice we hear?" He answered them:"'God will give strength unto His people' (Ps. 29.) and this strength is none other than the Torah..." They said to him: "If so, may the Lord bless His people with peace." [54]

In a passage very similar to this, the Mekilta renders the verse "Thou hast guided them in Thy strength" as follows: "'Thy strength' here is but a designation for the Torah, as in the passage 'the Lord will give strength unto His people.' (Ps. 29.11)"[55] Clearly, we see here evidence of a 'non-numinous' interpretation of potentially 'numinous' elements. God's power, or strength, is equivalent to His protective arm extended to a people obeying His will - as embodied in the Torah.* We should

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* The 'strength' imparted to Israel is not a 'covering' (or 'shield) against God - but against the hostility of life experience.

note that this interpretation takes place in the context of God's

relationship with Israel.

Some rabbinic re-interpretations of the concept of 'fear' are

as radical as they are enlightening.   The following midrashic comments

are cases in point:

> "And ye shall fear your God. I am the Lord." .
> (Lev. 19.32) With reference to everything
> which is entrusted to the heart (   ),
> Scripture says "and ye shall fear your God."[56]

> "And Moses said to the people: 'Fear not for
> God has come in order to test you and in order
> that fear of Him may be upon you so that you
> do not sin.'" (Ex. 20.20) "His fear," that is,
> bashfulness. It is a good sign in a man if he
> is bashful."[57*]

> "And thou shalt provide out of all the people,
> able men, such as fear God..." (Ex. 18.21) -
> "such as fear God" - who seek to arbitrate
> litigations. [58]

In some cases, the rabbis merely re-inforced the 'non-numinous'

elements already present in the Biblical context. What is significant,

however, is that the rabbinic approach to such 'numinous' or potential-

ly 'numinous' concepts (such as fear, power, etc.) reflects the exis-

tence of an on-going relationship between God and Israel which tends to

curb His 'otherness' and the qualities associated with it.

<center>*   *   *</center>

In summation: This chapter has been devoted to an analysis of

God's 'otherness' as reflected in rabbinic sources. The idea of the

holy in its pristine form contains the element of 'wholly-otherness.'

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* $P \supset {}^{,} \sqcup \theta$ $\int \gamma$ - is interpreted "on your faces" which enables
the rabbis to conclude that fear means bashfulness.

The 'wholly-other' Deity is so qualitatively different from man that
He arouses man's 'dread' and 'fascination;' the Deity is characterized
by an 'urgency' of will which is non-rational and incalculable. A
consciousness of the 'wholly other' arouses in man a sense of 'crea-
turliness' or even 'nothingness.' Otto traces the development of
'wholly-otherness' and its transformation from 'mysteriosum' to 'abso-
luteness,' and he maintains that Christianity has evolved a perfect
harmony between the 'numinous' and rational aspects of God.

Having used Otto as our point of departure, we attempted to
suggest that the 'non-wholly otherness' of God in rabbinic thought
stems from the presupposition of an on-going relationship between God
and Israel.[A] God is directly affected by Israel's deeds and Israel's
fate, because (1) when they do His will, He is exalted, when they
prosper, they reflect glory upon Him among the nations, etc..., and
(2) because He loves them and empathizes with their fate. In this
concept of 'divine sensitivity,' we note the two aspects of God's
relationship with Israel.

(B) The extent of God's 'otherness,' measured in terms of His
remoteness and proximity, is conditioned by their obedience to His
will and tempered by His paternalistic concern for them.

(C) Because Israel's encounter with God presupposes the exis-
tence of the relationship, there is a strong element of bold familiar-
ity in their attitude toward God. They demand that He prove Himself to
them, raise the possibility of His faithlessness, and even dare Him to
abandon them...etc.

(D) The covenantal relationship also affects the rabbinic inter-
pretation of certain 'numinous' qualities related to the 'otherness'

of God. His 'power' is expressed in the perfect meting out of justice ('measure for measure') in His capacity to fulfill His promises, and in the exactness and punctiliousness with which He can execute His will (and not in the urgency and incalculability of His consuming wrath or consuming love); the 'fear' which He evokes is defined in terms of the giving of the Torah to Israel and the scrupulous observance of its commandments (rather than in the mere consciousness of His 'numinous' presence), etc.

CHAPTER 6

THE PYRAMID OF HOLINESS

The 'non-wholly otherness' of God in rabbinic thought is attested
to most decisively by the nature of the distinctions postulated between
man and God. In contradistinction with Otto's conception of 'relative'
vs. 'absolute' attributes,[1] the rabbis seem content with a more naive
distinction between the human and the divine. Although these distinctions
retain the proposition that "God is God and not man," they are such as to
make possible the conception of an on-going relationship between God and
Israel.* Below is a sampling of some of these distinctions.

> (a) "And He came from the myriads holy." (Deut.
> 33.2) For the attributes of God are not like
> those of man. When a man makes a feast for his
> son, he is happy in his nuptial, and shows him
> all his treasures, and all which belongs to him,
> but He who spoke and the world came into being
> does not do so but only "from the holy myriads
> and not all the holy myriads."[2]
>
> (b) "The ways of God are not like the ways of
> man; a man buys servants that they may feed and
> sustain him, but He who spoke and the world came
> into being acquires servants that He may feed and
> sustain them."[3]
>
> (c) Moses said to Israel: "I am a man; there is a
> limit to my capacity to bless...but He will bless
> you according to His word..."[4]
>
> (d) A judge's verdict can be appealed to a higher
> authority; God's is immutable.[5]
>
> (e) Man can exact punishment only in this world;
> God can exact punishment both in this world and
> in the world to come.[6]

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* We would suggest that the 'non-wholly otherness' of these distinctions
partly flows from, and is an expression of, Israel's relationship with
God.

(f) "It is in the nature of a human being that he is more revered by those farther away from him than by those nearer to him. It is not so by whose hand the world came into being. he is revered by those near to Him even more than those who are far from Him, as it is said, "Through them that are nigh unto me I will be sanctified." (Lev. 10.13)[7]

(g) "The rule among human beings is: When a laborer works for a householder...the householder gives him a coin and lets him go. It is not so, however, with Him by whose word the world came into being. But if a man desires children, He can give them to him...if one desires wisdom, He can give it to him...if a man desires possessions, He can give them to him..."[8]

(h) "If one goes to a sculptor and says to him: 'Make me an image of my father,' the latter says to him: 'let your father come and pose for me, or bring me a likeness of him, and I will make you an image of him.' It is not so, however, with Him by whose word the world came into being, but out of a drop of fluid He gives to a man a son who is the image of his father.[9]

(i) "'And the Lord spoke suddenly unto Moses, and unto Aaron, and unto Miriam. Come out, ye three unto the tent of meeting.' (Numbers 12.4) This teaches that the three of them were called with one utterance, that which a (human) mouth cannot speak..."[10]

These contrasts between God and man certainly suggest the 'otherness' of God. In some cases the differences take the form of the relative vs. the absolute: God's power to bless is unlimited; God's judgements are not reversible by a higher authority, etc.... In other cases, the differences are qualitative: God is revered more by those who are nigh unto Him, He acquires servants in order to serve them, etc... In all these cases, however, the differences are not inconceivable nor incomprehensible.[11] There is less of the 'mysterious' than is implied in Otto's distinction between 'relative'

and 'absolute' attributes.[11] There is much of the 'human' in the 'otherness' of God. Thus, these distinctions do not preclude the possibility of such a God maintaining an on-going relationship with Israel.

It is in this sense that these distinctions express the 'non-wholly otherness' of God. The 'gap' between God and man does make it inconceivable that man become God, but not inconceivable that God should involve Himself in a covenant imposing obligations and evoking protective love. Within the context of this holy covenant, there is no opportunity – nor necessity – for a transcendance of Israel's 'man-ness' by means of a mystical union with God. Instead, the imperative of holiness calls for an expression of loyalty. As we have noted, the most fundamental form of loyalty is observance of God's commandments – a responsiveness to His will. Inherent in mitzvah-observance, however, is an element of a higher form of loyalty – the loyalty of imitation (imitatio-dei). The mitzvot are an expression of God's character: their observance is a means of imitating God's 'separateness:' "As I am holy, so shall ye be holy; as I am separate, so shall ye be separate, and I shall separate you from amongst the peoples to be mine."[12]

A variant formulation of the imperative of holiness enjoins Israel to imitate directly certain aspects of God's character. "O be like Him. Just as He is gracious and merciful, so be thou gracious and merciful."[13] Israel is part of the king's retinue and should attempt to imitate Him.[14] A similar expression of this sentiment is the following:

> "To walk in all His ways." (Deut. 8.6) These are
> the ways of the Holy One blessed be He, as it is
> said, "The Lord, the Lord God, merciful and gra-
> cious,long suffering, and abundant in goodness
> and truth..." (Ex. 34.) And it says "Everyone
> who is called by the name of God will escape."(Joel 3.)

> And how is it possible for a man to be called
> by the name of the Holy One blessed be He?...
> God is merciful and gracious...Just as the Holy
> One blessed be He is called righteous, as it is
> said, "The Lord is righteous in all His ways and
> merciful in all His deeds," (Ps. 145) so you,
> too, should be merciful...[15]

God is portrayed as setting an example. His refusal to show favoritism even to Moses should be an example to the judges not to show favoritism and pervert justice.[16]   A similar instance of God's 'exemplariness' is drawn from Numbers 12.9 ("And the anger of the Lord was kindled against them, and He departed."). The Sifre comments on this verse as follows:

> After He made known to them their offense, after-
> wards, He decreed a state of uncleanness upon them,
> and so we can argue a fortiori that a man should
> not be wroth with his friend until he has made known
> to him his offense. [17]

The rabbis interpret the phrase   /c J /ﬨﬡﬞ (hear now) (Num. 12.6) as an example of God's supplicatory manner. Therefore, they argue, it certainly behooves a man, who is but flesh and blood, to speak graciously to his fellowmen.[18]   In both of the above midrashim the element of a fortiori reasoning suggests the otherness of God and the possibility of imitating His ways. That God is the absolute exemplar is also suggested by the following:

> "Behold I am a God that brings near, saith the
> Lord, and not a God that repels..."(Jer.23.23)
> From this you can learn that one should always
> be ready to bring near with the right hand even
> while repelling with the left...[19]

"Being holy" for an Israelite involves loyalty to His people's covenant with God, as expressed through observance of God's commandments and an emulation of His ways; but the highest form of loyalty is express-ed by the concept kiddush-hashem. This concept, which literally means sanctification of God's name, certainly embraces the mitzvot, but, like

the concept of imitatio-dei, it expresses more than mere observance of
the commandments. It expresses, as well, a readiness to demonstrate
one's loyalty to the relationship by facing death should this right be
challenged. This is the supreme test of an Israelite's acceptance of
the covenant at Sinai:

> ...On condition did I take you out of the land .
> of Egypt, on condition that you would give up
> your life (_P ɔ ∿ ɔ Ƴ   /ʏ∪∿∿_)(if necessary)
> in order to sanctify my name...[20]

One might say that the pyramid of holiness has at its base the
imperative to obey the mitzvot; above this, is the imperative to imi-
tate God's ways — both by observing the mitzvot and directly emulating
certain aspects of God's character; at the apex of the pyramid of
holiness is the concept of kiddush-hashem which embraces the element
of mitzvah-observance and the principle of imitatio-dei, but involves,
as well, a willingness to face death rather than be disloyal to the
relationship.

The rabbinic discussion of the meaning of the willingness to
undergo martyrdom reflects again the two-fold character of Israel's
covenant with God. The element of Israel's love for God, the Father,
is manifest in the following homily by R. Nathan:

> "Of them that love me and keep my commandments"
> (Ex. 20.6) refers to those who dwell in the land
> of Israel and risk their lives for the sake of
> the commandments. "Why are you being led out to
> be decapitated?" "Because I circumcised my son
> to be an Israelite...These wounds caused me to
> be beloved of my Father in heaven."[21]

There is also a functional aspect to the rabbinic discussion of
martyrdom. The question arises: Should an Israelite allow himself to
be killed rather than transgress a commandment? Rabbi Ishmael resolves
the problem as follows:

> Whence can you say that if they said to a person,
> in private, "commit idolatry so that you will not
> be killed" he should transgress and not be killed?
> For it teaches "and ye shall live by them" (Lev.18.5)
> and not die by them. But shall he heed their words
> if uttered in public? We know "and you shall not
> profane my holy name that I may be sanctified." If
> you sanctify my name, I shall sanctify my name
> through you - as Hananiah, Mishael, and Azariah did,
> for all the nations were at that time stretched out
> before the cross and they stood as straight as palm
> trees.[22] *

This statement suggests the functional aspect of martyrdom. Why in public
should one submit to martyrdom rather than transgress, whereas the reverse
is enjoined in private? The principle seems to derive from Israel's
function as witnesses to the living God. This testimony is most crucial
in a public place; hence, the injunction against violating the command-
ments in public, even at the expense of one's life.[23]

The willingness to submit to martyrdom also enhances the status of
the commandments among the children of Israel, and thus reinforces their
inclination to observe them; this additional functional element is re-
flected in the following comment by Rabbi Simeon ben Gamaliel: "Every
mitzvah on whose account Israel submitted to martyrdom in times of
destruction, they observe openly and every mitzvah for which they were
not willing to submit to martyrdom in times of destruction, is still
weakly observed by them..."[24]

From the above comments, it is clear that martyrdom was considered
a test of loyalty to Israel's relationship with God - the supreme test.
But the concept of sanctifying God's name implies martyrdom only as an

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* The midrashim do not, of course, resolve this problem halachically.
  Significant principles are expounded in Sanhedrin 74a and, later, in
  the Shulchan Aruch, Yoreh Deah, 157, 1; these halachic principles
  follow the general spirit of R. Ishmael's formulation, although great-
  er leniency is provided for the transgressor in public because it is
  assumed that he acted under duress.

ultimate recourse. God's name is exalted (sanctified) when Israel obeys His commandments, and it is only in times of destruction that sanctification of His name may involve martyrdom. The emphasis, however, is on the sanctification of a living God, by a living people. The following comment on the phrase "and with all thy soul" is particularly instructive in this regard:

> "And with all thy soul..." (Deut.6,5)..even if He takes away thy life...Rabbi Simeon ben Manassah says: And is it possible for a man to be killed every day? But it means that God accounts it unto the righteous as though they were killed (submitted to martyrdom) every day.[25]

Thus, Israel's mandate to be holy involves loyalty to its relationship with God: loyalty expressed through observance of His commandments; through the imitation of His ways, and through a willingness in times of crisis to submit to martyrdom in order to reflect honor upon His name. This loyalty is two-fold even as the holy-relationship is two-fold: it is loyalty to a fatherly God who loves Israel, has chosen Israel as "His treasure," and Who has lavished His bounties upon His beloved; but it is also loyalty to the function for which Israel has been chosen -- the sanctification of God's name in the world.

CHAPTER 7

SUMMARY AND CONCLUSION

This essay has been devoted to an analysis of the 'idea of the holy' as reflected in the relationship between a holy people and a Holy God. A consideration of the rabbinic view of Israel's 'election'. revealed two countervailing trends: A 'rational' trend, in terms of which the cove- nant is a mutual agreement based on the consent of both parties to a set of mutually beneficial conditions; and a 'non-rational' trend, which conceives of Israel's 'election' as an act dictated by familial love. (Israel's 'election' was comparable to a father's 'election' of his own son.) The basis for the maintenance of the covenantal relationship also reveals these two trends. Rationally conceived, it is a conditional agreement, based on contractual loyalty, serving as an instrumentality to advance the best interests of both parties, and terminable when either party fails to fulfill its obligations. In its 'non-rational' aspect, however, the maintenance of the relationship is determined by the unconditionality of familial-love.

It has been our contention that the rabbinic doctrine of Israel's 'election' and the basis for its on-going relationship with God is to be contrasted with Otto's concept of 'election' and 'predestination.' The 'numinous' element of these latter concepts stresses the totally arbitrary (and inconceivable) nature of the divine act and the irrele- vance of human initiative in affecting the divine will. In the rabbinic conception of 'election' and the maintenance of the relationship, the 'non-rational' element is 'non-numinous.' The choice of God is under- standable and predictable within the context of a familial-relationship

of love. Its 'non-rational' aspect consists in the non-contractual, unconditional, and non-instrumental character of paternalistic love. In short, it is that aspect which renders the relationship an 'end in itself' rather than a means to fulfill a calculated set of specific goals.* Moreover, the rabbinic view of the relationship contains much less of a 'paradoxical' element than the Christian concepts of 'election' and 'grace.' This absence of paradox flows from its two aspects: (1) the contractual-instrumental aspect presupposes Israel's capacity to meet certain standards of conduct and perform a service for God; (2) in terms of its 'familial' aspect, one would hardly regard as paradoxical the persistent love of a father for his children even in the face of their disloyalty to him or their inability to live up to his expectations.

In our consideration of God's judgemental role vis-a-vis Israel, we noted the same interplay between the two aspects of the holy relationship. It was manifest in the tension between middat-hadin and middat-harachamim. The over-all effect of this tension was the tempering of God's justice without abandoning it as an operational standard. It was further noted that the conceptual distance between 'holy wrath' and 'grace' is much greater than in the case of middat hadin and middat-harachamim. In short, here, too, there is less of a 'paradox:' (a) that God should temper His justice follows from the paternal-filial aspects of the relationship; (b) that God need not suspend the middat-hadin follows from the potentiality attributed to Israel within the relationship.

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* It is not 'non-rational' in the sense of the uncontrollability and unpredictability of God's all consuming wrath – or love.

The two aspects of the God-Israel bond were also noted in our discussion of the mitzvah system. God's issuance of commandments is an expression of both love and contractual demand; Israel's performance of the mitzvot is a testimony of loyalty - the loyalty of love and the loyalty of contractual obligation. In its functional aspect, such loyalty is a means of glorifying God's name among the nations.

This view of the mitzvah system was contrasted with the 'numinous' aspect which Otto attaches to Biblical 'rites.' The mitzvot are not a means whereby a 'profane creature' attains a 'covering' and is enabled to stand before an overpowering, 'wholly-other' Deity. Israel is a beloved son and an accredited partner - capable of obeying God's will and of serving His purposes. This conception of Israel is, we have noted, reflected in the very operational structure of the mitzvah system: in the institution of rabbinic interpretation, the formal structure of prayer, and the rabbinic view of atonement. Israel's encounter with God is governed by mutual responsibility and mutual concern.

God's 'non-wholly otherness' stems from both the functional and paternalistic aspects of the relationship and is expressed in the following ways: (1) Divine sensitivity to the fate and actions of Israel; (2) God's accessibility and His intervention in the life of the people; (3) Israel's 'boldness of familiarity' in the presence of God; (4) The disarming reinterpretation of such potentially 'numinous' qualities as 'fear,' 'power,' etc.

The above characteristics of God's bond with Israel are quite antithetical to the qualities associated with the 'wholly other:' feeling of personal nothingness, absolute unapproachability, the

unpredictable urgency of an all consuming love – or wrath, etc.

Finally, we considered the 'pyramid of holiness' – i.e., the various levels of Israel's relatedness to God. At its highest level, 'being holy' does not involve a transcendance of human 'profaneness' through identification with God. Instead, the highest expression of holiness is supreme loyalty to the relationship – a loyalty expressed in a willingness to undergo martyrdom rather than violate its conditions. Such a willingness itself reflects the two-fold nature of the covenant: martyrdom is the supreme expression of the loyalty of love – and the loyalty of obligation.

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A judgement of the 'ethical' or 'non-ethical' nature of the holy relationship between God and Israel depends upon one's own theory of value (namely, one's particular answer to the question: what is 'good?'). Within the confines of this essay we have contented ourselves with a delineation of the values inbedded in the rabbinic idea of holiness. We find, therein, two sets of ethics, or values: the ethics of contractualism and the ethics of paternalistic love. We found an interplay of these two systems of value in the concept of Israel's 'election:' (1) Israel and God entered into a mutually beneficial agreement, according to which God was expected to protect and bestow bounties upon Israel in return for Israel's testimony to God's greatness among the nations of the world and (2) God chose Israel as a father chooses his own son: Israel's 'election' was an act of paternal, unconditional love. The covenant between a universal God and a particular people is thus an expression of two countervailing sets of values: contractual obligation and familial love.

These same sets of values permeate the rabbinic discussion of the maintenance of the

relationship. The ethics of instrumental contractualism is expressed in the following: (1) God will protect Israel and bestow His bounties upon them only <u>if</u> they fulfill their obligations; (2) If God persists in befriending Israel in spite of their disloyalty, it is for the sake of His reputation among the nations. Counterposing this ethic is the ethic of <u>unconditional love</u>: Israel is His <u>people</u>, His <u>children;</u> even though they be disloyal and rebellious, He cannot 'hate' or abandon them.

The judgemental role of God <u>vis-a-vis</u> Israel reveals this same interplay of values: God punishes Israel and rewards them in accordance with their 'merit' (justice), but this ethic is tempered by the standard of paternalistic love.

In our consideration of the <u>mitzvah</u> system, this same interplay of values is again in evidence: Israel's observance of them is motivated by the loyalty of filial love and the loyalty of contractual obligation. Reciprocally, God's issuance of commandments is an expression of paternal love and contractual demand.*

The same dual set of values is imbedded in the concept of <u>kiddush-hashem</u>: the willingness to undergo martyrdom is both an expression of supreme love and supreme loyalty to the cause of glorifying God's name

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* The actual content of the <u>mitzvot</u> is itself a legitimate object of evaluation. Modern western parlance would designate as 'ethical' those commandments which regulate relations between man and his fellow-i.e., honoring one's mother and father, setting aside a portion of the produce for the poor, etc. Within this conceptual framework, the injunction to wear phylacteries, abstain from certain foods, etc., would be designated as 'ritual.' Within the rabbinic framework of the Tannaitic <u>midrashim</u>, however, no such distinction is recognized. <u>The highest good is obedience to God's will.</u> The 'righteous' man ($\mathcal{P}$'$\mathcal{3}\mathcal{3}$) is one who observes 'the commandments.' All of the commandments are 'worthy' of being observed because to do so is a testimony of two-fold loyalty to God — the loyalty of love and the loyalty of obligation. These dual loyalties are the <u>values</u> fulfilled in observance of the <u>mitzvah</u> system. (See Guttman's discussion of the basis of the <u>mitzvot</u>, Op. cit., pp.69-bottom 72.)

among men.

In short, our approach to the ethics of holiness follows from our conception of the two-fold relationship between God and Israel. Loyalty to the covenant is the supreme 'good.' The values objectified in the holy relationship are (1) paternal-filial love and (2) contractual obligation. To understand these values we must characterize the human relationships in which they are imbedded. What constitutes an ideal paternal-filial bond? (a) Total loyalty; (b) Unconditional love. What constitutes a relationship between partners to a contract? (a) Loyalty to the specific terms of a contract which is mutually advantageous; (b) The obligation of each partner is a function of the fidelity of the other. The rabbinic view of holiness as a category of value reflects the values governing these two types of relationships.

This rabbinic value system differs essentially from the 'numinous' as a category of value. To clarify the distinction, we must again turn to Otto. In his chapter, "The Holy As a Category of Value," he points out that the experience of the 'numinous' fills man with a feeling of 'absolute profaneness' which transcends the feeling of guilt arising from a failure to obey God's will. This feeling of profaneness...is accompanied by the most uncompromising.

> judgement of self-depreciation, a judgement passed
> not upon his character, because of individual 'pro-
> fane' actions of his, but upon his own very existence
> as creature before that which is supreme above all
> creatures.[1]

Corresponding to the 'dis-value' attached to the 'self' is the supreme value attached to the 'numinous:'

> And at the same moment he passes upon the numen a
> judgement of appreciation of a unique kind by the
> category diametrically contrary to the 'profane,'
> the category 'holy,' which is proper to the numen
> alone, but to it in an absolute degree;

he says: 'Tu solus sanctus.' This 'sanctus' is
not merely 'perfect' or 'beautiful' or 'sublime'
or 'good,' though, being like these concepts also
a value, objective and ultimate, it has a definite
perceptible analogy with them. It is the positive
numinous value or worth, and to it corresponds on
the side of the creature a numinous disvalue or
'unworth.'[2]

The rabbinic concept of 'holiness' as a category of value is
'non-numinous' for the following reasons: (a) Any disvalue attributed
to Israel results from a failure to act in such a way as to express
loyalty to its relationship with God; (b) the 'holiness' of God is a
category not distinct from God's 'goodness,' 'perfection,' etc. (In
other words, if it is true that the rabbis make no distinction between
'ethical' and 'ritual' acts from the standpoint of Israel's obligations,
it is also true that God's 'holiness' is not a category of value distinct
from his 'goodness,' 'perfection,' etc.)

The basis for this distinction between the 'numinous' and the
rabbinic view of 'holiness' as categories of value stems from the con-
cept of a covenantal relationship which, essential in Judaism, is
actually inconceivable within the framework of the 'numinous' con-
sciousness. In terms of this latter framework, the 'absolute pro-
faneness' of the creature and the 'numinous value' of the Deity pre-
clude the concept of an on-going relationship involving mutual obligation
and mutual concern. In short, according to the rabbinic concept of
holiness, the covenant between God and Israel is the supreme value.

Throughout this study we have referred to the 'tension' or
'interplay' between two 'countervailing' relationships (loyalties and
sets of values). Although the rabbinic material cited reflects both
'strands,' some midrashim express the loyalty of love, others, the
loyalty of contractual obligation. In some instances, a single Biblical

verse evoked comments of two rabbis, which reflected, respectively,
the two types of loyalties. The following is a case in point:

> "Ye are sons unto the Lord your God." (Deut.14.1)
> Rabbi Judah says: "If you act as sons then you are
> like sons, but if not then you are not sons...Rabbi
> Meir says: "In either case, you are sons unto the
> Lord your God, and thus it says 'and the number of
> the children of Israel shall be like the sand of
> the sea...' "[3]

Rabbi Judah's comment describes a relationship which is essentially
contractual; Rabbi Meir's comment describes a bond of unconditional love.

There were other instances, however, in which a single midrashic
comment reflected both types of relationships. We cite the following as
an example:

> Why is the exodus from Egypt mentioned in connection
> with every mitzvah? To what is this comparable? –
> To a king whose beloved's son was in captivity. He
> did not redeem him (the captive) for a son but for a
> servant, so that, should he make a decree and it be
> not accepted by him (the redeemed captive), he would
> say "You are my servant."[4]

According to this parable, the king (God) redeemed the son of his beloved
(Abraham) that he (Israel) might serve him. Clearly, both the ethics of
contractualism and the ethics of love are involved in this redemption.

We also encountered certain integrative concepts which embody both
elements. The concepts 'repentance' and 'suffering' as employed by the
rabbis, reflect a covenant which is both contractual and paternalistic.[5]

On the other hand, we observed separate midrashim which reflect
one or the other of the two prototypes, and which, if juxtaposed, might
even appear contradictory. The following are cases in point:

> (a) ...(The words attributed to Balaam) As long as
> (the children of) Israel obey His will He fights
> for them...and when (the children of) Israel do
> not obey His will, He fights, as it were, against
> them...[6]

(b) "And ye murmured in your tents, and said:
Because the Lord hated us.." (Deut. 1.27)
Is it possible for the Holy One blessed be
He to hate Israel? Has it not already been
said: "I have loved you, saith the Lord?"
(Mal. 1.2), but rather they hate God...[7]

These two midrashim reflect, individually, the two types of relationships:
the bond of contractualism and the bond of love (in terms of which a son
may hate his father, but a father cannot hate his son).

In these various forms, the midrashim cited in our study reflect
two types of loyalties, which, from our modern western standpoint, may
be very much in conflict. Yet, judging from our sources, the rabbis
viewed the covenant as an organic relationship embodying both types of
loyalties, and they do not seem impelled either to pose the conflict
systematically, or to decisively resolve it in favor of one or the other.
The two are never clearly isolated one from the other in such a way as
to render them incompatible. In those instances where the rabbis do
point to an apparent conflict, they easily re-affirm the compatibility
of both aspects of the relationship. A case in point is the following
midrash:

"The Lord lift up His countenance to thee and
grant thee peace.* (Num. 7.26) One Scriptural
verse says "The Lord lift up His countenance to
thee" and another Scriptural passage says "Who
regardeth not persons.." (Deut. 10.17) How can
these two passages both stand? When Israel does
the will of God, "The Lord lift up His countenance
to thee" and when they do not do His will - "Who
regardeth not persons." An alternate interpretation:
before the decree is sealed "The Lord lift up His
countenance to thee " and once the decree has been
sealed "Who regardeth not persons."[8]

It is evident from the above midrash (especially the alternate inter-
pretation) that the rabbis resolved the apparent contradiction by simply
embracing both elements, yet their resolution is hardly cogent from a

* "...lift up His countenance" is taken to mean a display of favoritism.

logical standpoint. We might easily ask: Are not the roles of 'judge'
and 'displayer of favoritism' essentially incompatible? Must not one
role be sacrificed to the other?

In cases where individual midrashim reflect either the paternal-
filial or the contractual aspect of the covenant, one can attribute
these differences, at least partly, to the individual outlook of different
rabbis. In instances such as the midrash just considered, however, where
both types of loyalty are treated as integral parts of the covenant we
must seek an alternate explanation. One possibility is the principle of
'indeterminacy of belief,' which, according to Kaddushin, is a general
characteristic of the rabbinic mind;^{C*} or one might consider this
rabbinic 'flexibility' as an indication of the unsystematic, non-logical
method of the midrashic literature. Without discounting these explana-
tions, let us consider yet another possibility. Since the rabbinic view
of the relationship between a holy God and a holy people (Israel) is a
projection of two types of human loyalties, we might well consider the
relation of these loyalties, one to the other, in the society in which
the rabbis lived and thought. In our own modern western society the

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* This principle of 'indeterminacy' is, according to Max Kaddushin, a
characteristic of 'organic thinking' - a mode of thought in which there
are no precise definitions of concepts, since the concepts employed are
never completely abstracted from experience. Thus, the concepts be-
come determinate only when concretized in specific situations. Such a
'flexibility' of concepts allows for individualized response to the
experiences of life. The experience of Israel's relationship to God
is inbedded in the concept   , which, being an experi-
mental concept, is determinate only when concretized at a particular
moment in a particular situation; in becoming determinate, the empha-
sis may alternately be placed on the contractualism of God's kingship
or the paternalistic love of God's dominion. (See Kaddushin, p.121f,
343ff.) Kaddushin might conceivably reject this application of the
principle of 'indeterminacy' since (1) the concepts   רחמ-מידת, מידת
and   מידת ה'   are not the major value concepts (or dogmas) according to
him, and (2) he approaches the concept of kedushah differently. (See
Introductory Chapter of our study, p. 3f)

loyalty of love and the loyalty of contractual obligation are ideally separate. Theoretically, at least, our society posits a distinction between the total loyalty of familial love and the 'limited liability' or contractual loyalty of the economic world. Modern western society tends to distinguish between the functional-instrumental loyalty of the business world and the unconditional, expressive loyalty of love relationships in the home; but ancient society was more accustomed to basic human relationships embodying both. In that society, the functional relationships of the 'market place' and the love bonds of the 'home' more often involved the same two persons: the family was normally the 'economic unit.'* We are suggesting that the rabbinic view of the covenant between God and Israel is patterned after normal human relationships, organically embodying the loyalty of love and the loyalty of contractual obligation. Accordingly, what may from our point of view appear to be an irreconcilable conflict between two countervailing loyalties appears to the rabbis as a natural relationship, organically embodying love and functional obligation. The relation of a beneficent king to his subjects (so often used to characterize God's relationship with Israel) embodies both loyalties: the subjects are expected to serve the interests of the king, but he, in turn was expected to take a paternalistic interest in them. A purely contractual loyalty involving 'limited liability' was a much more unusual form of relationship in the rabbinic world than it is in our own. In fact, the very bond between father and son had a much more functional, or conditional aspect than it has in modern western society. Just as the bond between a

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* In our society such a relationship exists when a son works in the family business of which his father is the head. But such a relationship, though by no means unusual, is not culturally-normative. Theoretically, our society separates these loyalties by assigning functionalism to the business world, and love to the home.

king and his subjects embraced elements of both <u>contractual obligation</u>
and <u>love</u>, so too, the bond between a devoted father and a loyal son
was founded upon the loyalty of love and the loyalty of obligation.
Again, this is partly attributable to the lack of separation between
the 'economic unit' and the 'family unit.'

In short, the clear-cut, conceptual <u>isolation</u> of the two loyalties,
which has characterized our study of the holy covenant was much more in-
conceivable to the ancient mind than it is to modern western man. This,
we suggest, may help explain why the rabbis can more easily regard as
'normal' a holy relationship which, to us, may appear to embody two
conflicting loyalties.*

*   *   *

The primary focus of this essay has been on the relationship between
<u>God and Israel.</u> Our characterization of it does, however, contain implica-
tions for several related themes which deserve extensive study in their
own right. We briefly note two of them. (1) The <u>individual's</u> personal
experience of God (according to the rabbis) follows directly from his
membership in a covenanted people: he experiences a relationship governed
by <u>mutual obligation</u> (contractualism) and <u>mutual concern</u> (love); in the

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* Admittedly, this suggestion is highly speculative. An extensive
analysis of the midrashim depicting human relationships would <u>have</u>
to precede any respectable presentation of such a suggestion in the
form of a theory. Unfortunately, such a study is much beyond the
scope of this undertaking. We should mention, however, that the
suggestion w as inspired by a reading of Talcott Parsons, <u>The Social</u>
<u>System</u>, Free Press, Glencoe, Illinois, 1951. In this work, Dr.
Parsons uses the terms "instrumental – adaptive" and "expressive" to
denote those types of relationships which we have characterized,
respectively, as <u>contractual</u> (or functional) and <u>unconditional</u> (or
paternal-filial). Our discussion of the normative separation of the
two in our society is based on his work. Our use of the terms 'ration-
al' and 'non-rational' in describing the covenant is also patterned
after Parsons' use of these terms.

different situations of life one aspect may prevail over the other, but
the total God-experience of the individual points to a relationship which
embodies both paternal-filial love and obligation in an organismic unity.
(At times, the individual's performance of the mitzvot may be prompted
more by the loyalty of obligation than by the loyalty of love, etc...)
(2) The second theme which we may introduce and comment upon briefly is
the effect of the two-fold covenant upon the question of universalism
vs. particularism in rabbinic thought. It would seem to follow from our
analysis that the universalistic note in rabbinic thought is an
expression of the contractual, functional, rational aspects of the
covenant: the covenant as an instrument for the universal acceptance of
God's sovereignty; the particularistic element, on the other hand,
seems to flow from the 'paternal-filial,' 'non-rational' aspects of the
covenant. In short, the tension between 'universalism' and 'particu-
larism' reflects the tension between the two systems of value embodied
in the relationship.

The implications of our conceptual approach both for the problem of
individual religious experience in rabbinic thought and the problem of
universalism vs. particularism deserve considerable investigation, and
the above comments are merely suggestions of possibilities for further
research. Also to be desired is a study designed to test the appli-
cability of this conceptual scheme to the later midrashim. Most desir-
able of all, however, would be a study designed to evaluate the extent
to which the rabbinic idea of the holy, as we have characterized it,
directly parallels the relationship between God and Israel depicted in
the Bible. It is hoped that the foregoing essay may justify more in-
tensive studies in the fields indicated, and that we may gain from them

a more adequate understanding of the 'idea of the holy' in Jewish

theology.

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19   Sifra, 99b

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38   Sifra, 112a

39   Ibid.

40   Sifre, 144b

41   Mekilta, Beshallah, Vol. I, p. 219

42   Sifra, 112a

43   See Sifre, 35b (bottom) –36a   cf. Mekilta, Pisha, Vol. I, p. 141.

44   Sifre, 70b

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31   *Sifre*, 71a

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51   Ibid.

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11   Ibid., 91a

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13   Sifra, 103a

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17   Mekilta, Bahodesh, Vol. II, p. 247

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27   Sifre, 62b

28   Mekilta, Pisha, Vol. I, p. 98

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30   Ibid.

31   Mekilta, Shirata, Vol. II, p. 34 cf. Ibid., Beshallah, Vol. I, p. 185f

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49   Mekilta, Shirata, Vol. II, p. 13

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