
Her question brought to mind a curious practice in my family of origin involving photo albums. When there is a divorce in the family, the relative who is no longer “one of us” gets his or her head cut out in the family album. Many photographs look like those sets for olden-day photographs at country fairs that leave holes for faces. As a result, the albums tell, at best, a partial tale of family—it is altogether annoying to construct a story of family life with the excisions. Thus I explained to the woman: While I might not want to keep confronting difficult texts over and over again (preferring a more nurturing diet), I want the texts there, at least so I can construct a truthful story.

The Cost Of Keeping The Past

I would be negligent, if I didn't say that “banging your head on the wall” in this way might have deleterious consequences. I tell this story: I had an appointment with a doctor who did not know me well and had no idea I wrote on Jewish feminism. The doctor, following a current holistic trend, decided that it was as important to pay attention to the patient's story as it was to measure and observe a patient's symptoms. Well and good; to his question about my profession, I offered that I wrote and taught about Judaism. The doctor had an insight! He did not know much about Judaism, but was raised a Roman Catholic and had read at length on Islam, and from this, he could only conclude that Judaism was a patriarchal religion. Did I know that? Using my eyebrows only, I suggested that it had indeed crossed my mind. I found myself yearning for my old doctor, the one who gave out antibiotics even before the strep test came back. Then this doctor offered his diagnosis: “Well, it's worth considering how your patriarchal religion manifests itself in the body.” My first reaction was, “What a jerk.” My second reaction was to reconsider: “How could he not be, at least in some measure, right?” †

Ethical problems with sacred texts

Walter S. Wurzburger

Some time ago a distinguished Jewish thinker remarked that, if called to the Torah for the passages mandating the extermination of Amalekites, he would decline the honor,

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because he would not pronounce a blessing over this particular Torah reading.

This admission exemplifies the enormous difficulties encountered in numerous sacred texts which clash with our own ethical intuitions. A good many biblical verses discriminate against non-Jews. Highly disturbing also are biblical or talmudic texts which fail to confer equal rights upon women, as evidenced in Levirate marriages, the legitimization of polygamy or, for that matter, granting men the right to divorce their wives without obtaining their consent (a practice which was abrogated only during the Middle Ages). The restrictions which the Torah imposes upon a *mamzer* also run counter to contemporary moral beliefs. Some civil libertarians cannot reconcile themselves to the prohibition of homosexuality as found in Leviticus. Especially painful is the realization that sacred texts of the Torah and of rabbinic literature were invoked as “religious” justification for the murder of a prime minister of Israel.

False Resolution

Some traditionalists refuse to consider the legitimacy of any critique of sacred texts. How can our finite human judgment be pitted against the infinite wisdom of an omniscient God? Divine commandments must be obeyed unconditionally. According to the Talmud, unless specifically authorized, a biblical commandment may not be suspended, even if necessary for the protection of human dignity because “There is no wisdom or understanding...against God” (*Proverbs* 21:30). Obviously, our ethical intuitions must be set aside when they contradict the word of God, the supreme moral authority.

But as Jews who are mandated to imitate the divine moral attributes we cannot simply dispose of our intellectual and ethical difficulties by rejecting our own reason and conscience. After all, the Talmud mandates the utilization of our intelligence for the interpretation of the Law. Moreover, at times the Talmud even argues that when a commandment or principle can be established on the basis of its self-evidence, there is no need for an explicitly biblical source.

The bulk of classical Jewish thinkers belonged to the rationalistic tradition. They were convinced that religious truth could not possibly be in conflict with reason. We find no sympathy whatsoever for Tertullian's claim that the best argument for the credibility of a religious faith is its very absurdity. On the contrary, Maimonides maintains that had the Torah commanded “thou shalt kill,” instead of “thou shalt not kill,” it would not have been obeyed. Most Jewish thinkers would agree that what makes an action right or good is not that it was commanded by God

but rather that God—the supreme expert on rightness and goodness—commands what is right or good.

It is therefore difficult for Jews to fall back upon Kierkegaard's solution to the conflict between ethics and faith. Following in the tradition of Tertullian and Luther, it made sense for the Danish existentialist to extoll Abraham as the "knight of faith," because, when commanded to kill his son, he was prepared to suspend all his ethical beliefs in order to follow the dictates of religious faith.

This type of resolution of the conflict between the requirements of faith and of morality is a bitter pill to swallow for Jews, who find it inconceivable that God, the source of all ethical goodness, would issue immoral orders. From a Jewish point of view we would have to declare that what appears to our finite minds as unethical, must, from a divine perspective, be in conformity with the highest moral standards.

Such a thesis is readily defensible on the basis of a utilitarian ethics. As R. M. Hare contended in his *Moral Thinking*, our ethical norms and principles are designed to maximize the welfare of society. Since we are incapable of accurately predicting all the consequences of our actions, on the basis of our empirical knowledge we develop general rules that are most likely to yield the most beneficial results. But in the event that God ordains a particular action which contravenes our moral rules it is a different story. His wisdom enables Him to know the outcome of every action and, if He commands it, He must know that it will yield the best possible results.

And Yet

Those of us who find utilitarian ethics inadequate and who opt for deontological approaches have a somewhat more difficult task. But it is plausible, nevertheless, to maintain that our highest duty is to obey the instructions of the supreme moral authority, i.e., God. Hence, when there is a conflict between duties such as between abiding by a divine command and obeying a moral duty, we must let our highest duty override all other duties.

To be sure, this approach to moral difficulties posed by sacred texts should be taken only as a last resort, when we are convinced beyond all doubt (as Abraham was at the *Akedah*) that God demands an action that runs counter to our moral beliefs. But we should first make every effort to interpret the troublesome text in accordance with the hermeneutical principle that the Torah reflects "the ways of pleasantness" and "the ways of peace."

To begin with, not all texts are intended to be taken literally. At other times, some texts can be understood

only if read within the context of a specific historic situation. For example, it is accepted that many laws concerning other religions apply only to ancient pagan cults but not to contemporary religions.

It is also imperative that we refrain from projecting our contemporary ethical intuitions into the distant past. Bernard Williams pointed out that our ethical intuitions were not live options for ancient societies. We must cultivate sufficient humility to recognize that what we now perceive to be dictates of morality may also at some future time be found wanting.

It is arrogant to assume that our ethical beliefs of today ought to serve as the standard for all time. For example, we have no way of knowing how future generations will judge our egalitarianism. It is quite possible that they might discover relevant factors which would make it rational to differentiate between privileges to be granted to different genders. To be sure, at the present state of social science, we have no justification to condone unequal treatment, unless it is in cases explicitly mandated by what we hold to be a sacred tradition revealed by God.

Since the commandment to erase the memory of Amalek is an integral part of that sacred tradition, we must honor it, even if it is out of tune with our current notions of morality. †

Entering the text

David M. Elcott

I was brought up in a home that took Jewishness seriously. Torah was cherished even if the veracity of its stories was challenged and its ritual laws disregarded. As a child of a refugee from Germany and an American soldier, Torah meant something larger: a commitment to certain truths about social justice and human rights. No one spoke of clashes between deeply held principles of justice and righteousness which we lived out in the American political sphere and Torah laws and narratives we read at the synagogue. As with other idols of the fifties and early sixties, Torah was piously held aloft before a congregation that knew little of its contents and we stood reverentially as it passed.

I became *Bar Mitzvah* at the end of the summer. The *parasha* was *Ki Tetze*, a weekly portion filled with more

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