

There Shall Be One Law

by Theodore Plantinga

This past term I taught a course on Jewish philosophy. One of the themes I explored with the students was the Jewish response to the Holocaust. Among the required readings was Emil Fackenheim's book *To Mend the World: Foundations of Post-Holocaust Jewish Thought*. But the Holocaust was not my only topic -- far from it. In planning and developing the course, I was determined to present some findings on *Jewish law* -- the rationale for it, the range of its application, and so forth. I wanted to raise the question whether the Jewish understanding of God's law is basically the same as the Christian one. The background to this question is the tension between universalism and particularism in Jewish thought.

Academic friends and well-wishers have asked me whether I have any results or conclusions to pass on as a result of teaching this course. Was I planning to write something about Jewish thought now that the course was behind me? At first my answer was no. My reasoning (in my own mind) was as follows: in the summer we do research, which implies that we *find* things -- or find things out. Since I hadn't gotten far with the question of Jewish law, there was nothing to report. I believe I could write something at this juncture about the Holocaust, but I choose not to do so for the moment.

I don't mean to suggest that there is nothing to be said about Jewish law, or that I have nothing to say. I lectured on the topic, just as planned. And during the first part of the summer that followed the term in which the course was taught, I came to the conclusion that I should make some public comment (hence this brief article) about my thinking on this subject at this point. It appears that the course will not be taught again for a couple of years; thus my attention will be largely occupied with other questions in the meantime.

But if I am to speak even a small word at this juncture, I cannot escape the feeling that some justification is in order. Perhaps a parallel with legal research and the investigation of crimes would be helpful here. Non-findings in the face of criminal allegations count as good news for the person under suspicion, and they do get reported in the justice system. Perhaps my non-findings in connection with Jewish law are also worth reporting at this juncture in

something of the same spirit. This, in any event, is what I propose to do in this brief article, in which I will include some reflections about the relation of the issue of Jewish law and its applicability to the notion of the Holocaust as casting a giant shadow across Jewish thinking today.

The issue of Jewish law as it arose in my thinking when I was planning the course has a good deal to do with the question of conversion or proselytizing. Believing Jews are generally thought to be opposed to efforts at conversion: they neither seek to convert non-Jews to Judaism nor wish to have others seek their conversion away from Judaism. But this current perception is not entirely accurate in terms of the Jewish tradition; it is rooted partly in Jewish responses to anti-Semitism. Hence a pair of qualifications are needed.

First, conversion in the minimal sense of seeking to bring others around to your religious convictions is indeed advocated and practiced by a great many Jews. In the days of Philo Judaeus (which was also the time of Christ), there were a great many non-Jewish adherents of what we now call Judaism, along with a good many others who admired Jewish thought and customs and followed them in part. Today, however, the primary focus of the conversion efforts undertaken by believing Jews is other Jews. The lost sheep, so to speak, need to be rounded up.

Secondly, the familial route into Judaism (usually through a potential Jewish marriage partner) is open today, although in the past such unions were generally not regarded as a good basis for conversion. Naturally, such conversions meet with more favor in Reform circles than in Orthodox circles. But they are a factor to be borne in mind.

Even when these qualifications are considered, a Christian cannot help but be somewhat puzzled. If Judaism is a "religion" based on divine revelation, if it offers blessing and shalom in this life for those who follow the law of God, why not share the law, even if there is some reluctance to seek converts in the fullest sense of the term? Why not embrace the notion of a Judaeo-Christian ethical heritage and promote that heritage in one's social and political life? Why not make "common cause" with non-Jews and thereby promote the growth of a social climate in which Judaism can prosper peacefully?

Part of the answer, presumably, is that a significant portion of what makes up Jewish law is bound up with Jewish worship and ritual and therefore cannot be embraced and practiced by those who are not within the covenant. The uncircumcised need not keep a kosher household. And so the puzzle about Jewish law can be dealt with in preliminary fashion by affirming that there are

basically *two* laws or sets of laws -- one for Jews and another for non-Jews. Such an answer is offered by some Jewish thinkers. The non-Jews ought to follow the "Seven Commandments of the Children of Noah." Gerson Appel explains: "By means of these universal laws, designed to guide humanity in the fundamentals of human conduct and spiritual attitudes, all mankind is able to attain higher moral and spiritual levels." [Note 1] These laws, as summarized by Appel, are: "(1) To establish courts of justice; (2) not to blaspheme the name of God; (3) not to worship idols; (4) not to commit incest or adultery; (5) not to murder; (6) not to rob; (7) not to eat the flesh cut from a living animal." [Note 2]

Non-Jews need not somehow become Jews or accept the authority of a divine revelation to recognize the wisdom and value of these commandments, which are nevertheless divine commandments -- God's law. Appel explains: "Although the Noahian laws are rational in nature and can be arrived at independently through reason, the talmudic Sages nevertheless deem them to be divinely ordained" [Note 3]

In my reading on Jewish law I did not come upon any enthusiastic explication and defense of this notion of the Noahic commandments. I suspect that one reason why many Jewish thinkers are uneasy on this score is that they have to be able to take account of an interesting verse in Scripture: "There shall be one law for the native and for the stranger who sojourns among you." [Exodus 12:49 RSV] The verses preceding this one, which deal with the Passover, make it clear that "the stranger" does not refer here to just any human being whatsoever. The point is rather that *some* outsiders become sojourners, and these people are not to be excluded from the benefits of the law. Clearly we have a basis for conversion here. One cannot help but think of the current situation of the state of Israel, which so badly needs peaceful relations with neighbors and sojourners. Is there not some sort of monotheistic understanding of divine laws to which believing Jews could appeal as they discuss their differences with Arab neighbors who are adherents of Islam or Christianity?

Jewish law covers a lot of ground. I find it helpful, in considering the question I have posed, to think in terms of groups or types of laws. Three groups or types that come to mind call for comment here. (I recognize that there is more to Jewish law than that which falls under these three rubrics.) The areas are: diet (keeping a kosher household), marriage (making sure the next generation is genuinely Jewish), and the celebration of the Sabbath.

What I found in my reading is that there was not much effort to provide a rationale for kosher regulations as a potential source of blessing to all of

humankind. When we turn to marriage, the picture improves somewhat. On the one hand, Jewish teaching regarding marriage is applicable to people in general. But there is a side to the teaching that leans strongly in the particularist direction. Just as kosher regulations serve to set certain people apart, Jewish laws and customs concerning a proper wedding have this function. When it comes to the sabbath, however, the universalist side come out more strongly. In the proper observance of the sabbath we see something of God's favor upon humankind in general. Thus I formed the impression that those Jews who wish to think in terms of sharing the benefits of Jewish law (which they would ultimately understand as *God's* law) would point mainly to the sabbath, and to a lesser extent to Jewish teachings regarding marriage, sexual relations, family life, and the kitchen.

There is a question here waiting to be asked: why not pursue this aspect of Jewish law and tradition as a way to entice non-Jews into a more meaningful way of life, and also into a richer relationship with those Jews who claim formal adherence to Judaism? Could it be that this is what many believing Jews would actually like to do but feel that the time is not quite right? Could it be that the Holocaust, as the unspeakably shocking culmination of centuries of anti-Semitism and pogroms, intermingled with endless petty cruelty and rudeness toward Jews in many parts of the world, casts a giant shadow over any effort to enlarge the Jewish tent in such a way as to invite Gentiles to seek shelter under it? And could it be that threats to Jews emanating from Arab and/or Muslim circles help keep that menacing shadow of the Holocaust on people's minds?

Consider a small thought experiment. Suppose that after the dust from the second world war had settled, the whole world finally realized and owned up to the enormity of the Holocaust as a blight upon all mankind -- not just upon some Germans and Nazis who were said to have performed the vile deeds we sum up under this label. Suppose that a worldwide attitude of "never again" had set in -- never again will we allow Jews to be treated this way, and never again will we sit still if any other group is selected for such degradation and brutality. Suppose also that the record of the last fifty years had been exemplary -- no more attacks on Jews, no more of those contemptible lies that make up the substance of so much anti-Semitism. Suppose, further, that the Jews in Israel had lived all these years alongside Arabs on the same friendly terms on which Canadians and Americans interact and cooperate.

If all of this had come to pass, I suspect that before the fiftieth anniversary of the end of World War II rolled around, Jewish thinkers (not all of them, admittedly) would be looking for strategies to share their spiritual heritage with

non-Jewish neighbors. I believe some Jewish religious leaders would be proselytizing and talking enthusiastically about the benefits of following Jewish law. I also suspect they also would not feel so threatened when Christians invite Jews to share in worship. Fraternizing with Christians would not, then, have any connotations of helping Hitler along.

My suspicion, then, is that because Jews continue to be threatened and attacked in some parts of the world, their posture of defensiveness, which they certainly needed throughout this century, cannot safely be dropped as yet. Therefore, on a psychological level, at least, it makes little sense to proselytize. And because most Jews do not proselytize, certain deeper dimensions of the rationale for living by Jewish law, which would tend to come up for scrutiny if they had various foreigners worshipping and fellowshiping with them, don't get discussed. I hope all of this will change some day, but I am not sure I will live to see it.

I didn't expect to see the Berlin Wall come down in my lifetime, but I was pleasantly surprised. I do not expect genuine peace in the Middle East anytime soon, but I would love to be surprised once again. And if it did come about, Islamic thinkers could also join in the monotheistic discussion of what we mean by the law of God, and how that law benefits people all over the world. "There shall be one law for the native and for the stranger who sojourns among you." Wouldn't it be a fine thing to ponder this verse together?

NOTES

[NOTE 1]

Gersion Appel, *A Philosophy of Mizvot: The Religious-Ethical Concepts of Judaism* (New York: KTAV Publishing House, 1975), p.37.

[NOTE 2]

Appel, p. 124.

[NOTE 3]

Appel, p. 125.