

Rabbi Jonathan Sacks

ESSAYS ON ETHICS

A Weekly Reading of the Jewish Bible

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Foreword

Ethicising Religion

Joseph I. Lieberman*

As someone who believes in public service and knows how much leaders affect people's lives for better or worse, I have been embarrassed and deeply troubled by the number of current leaders who are guilty of unethical or immoral behaviour – leaders in government, politics, business, sports, and even religion. In one sense, there is nothing new about this. Since the Garden of Eden, people have struggled with the choice between good and evil. But, in our time, too many leaders seem to lose their way and make bad choices, which are in turn quickly communicated by modern telecommunications and social media to people

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all over the world. The result is a wide and deep distrust of leadership in general and a resulting popular insecurity about the present and future.

Onto this muddy field of ethical failures now comes Rabbi Lord Jonathan Sacks with a pen that is mightier than all the immorality. In this wonderful volume of essays drawing ethical lessons from each weekly portion of the Hebrew Bible, Rabbi Sacks speaks in a strong, principled, and eloquent voice. His insights will enrich the reader's understanding of the Torah and guide the daily efforts each of us makes to choose good over evil.

In Genesis, Rabbi Sacks observes, religion is for the first time "ethicised." Abraham is the first monotheist, but he is also the first ethical monotheist. He is instructed by God to keep the way of the Lord by teaching his children to do what is right and just.

A central theme of this book and elsewhere in Rabbi Sacks's work is that ethical behaviour is the essence of Jewish life and Jewish destiny. Religious observances and rituals have been critical to protecting the mandates of the Bible and enabling the miracle of Jewish survival over the millennia. However, the Jewish people's ultimate reason for being is to bring to the world the values that were codified and transmitted by God to man at Sinai. Rabbi Sacks advances that mission brilliantly in this book.

There is a powerful message in the biblical journey the Children of Israel took from slavery in Egypt to receiving the Ten Commandments at Sinai. It is that freedom alone usually leads to immorality, violence, or chaos. People need rules. They need law. In Egypt, Moses appeals to Pharaoh not just to "let my people go" but to "let my people go to serve the Lord." The divinely guided Exodus from Egypt is only the beginning of the journey; it leads inevitably to the Ten Commandments and the requirement to serve God by upholding the values expressed in those commandments and in the Torah.

Because people are inherently imperfect, the Ten Commandments – like all good laws since – are aspirational. They set a standard for what we aspire to be but often are not.

Rabbi Sacks's insights in this book would have been appreciated by the wise men who founded America. They were learned in the Hebrew Bible. Perhaps that is why they understood that they had a responsibility

not only to secure their freedom, but to adopt rules to encourage better behaviour among their citizens. Because they were made sceptical of central authority by their experiences with the English monarch (I apologise for mentioning this in the foreword to a book written by an English lord), they wanted the reach of their new government to be limited. They therefore knew there was a need for non-governmental motivators of good conduct and they believed, as Rabbi Sacks does, that there is no better motivator than religion.

Look at the wise words of President George Washington in his Farewell Address:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.... The mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connections with private and public felicity.... Let it simply be asked who is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths.... And let us with caution indulge the supposition that morality can be maintained without religion.¹

Washington's insights are as true and necessary today (particularly for "mere politicians") as they were in 1796 when he delivered them.

One of the big lessons that emerges in this book from the biblical text and Rabbi Sacks's explication of it is that belief in the Creator leads naturally to an ethic of egalitarianism. All of us – kings and knaves, presidents and paupers – are equally blessed and deserve to be treated ethically because we are all children of the same God. But there is another way in which the Torah makes clear that we are not all equal, that more is required of some of us. The greater an individual's position, power, or authority, the higher the standards to which he or she is held. We are all called to live according to the law, but leaders especially must be moral and ethical exemplars because the impact of unethical conduct by a king or president is greater than the impact of bad behaviour by a knave or pauper.

1. Philadelphia's *American Daily Advertiser*, September 19, 1796.

In the Bible, there are many examples of this higher standard for leaders, including Aaron the high priest, King Saul, and King David. But the most poignant is surely Moses, who was so great a person and leader that God spoke to him “face to face” (Ex. 33:11) – but because of one instance of loss of self-control, one instance of loss of faith, Moses was not allowed to enter the Promised Land.

Everyone who reads this book will benefit from it. Those in positions of leadership should be compelled to read it; hopefully they will then choose to apply its ethical and moral advice to their work.

As Rabbi Sacks writes in his commentary on the Torah portion *Emor* (“Speak”) in the book of Leviticus:

Long ago we were called on to show the world that religion and morality go hand in hand. Never was that more needed than in an age riven by religiously motivated violence in some countries, rampant secularity in others. To be a Jew is to be dedicated to the proposition that loving God means loving His image, humankind. There is no greater challenge, nor, in the twenty-first century, is there a more urgent one.²

2. P. 199.

Introduction

Seven Features of Jewish Ethics

Towards the end of his *Civilization: The West and the Rest*, Harvard historian Niall Ferguson tells a remarkable story of how the Chinese Academy of Social Sciences was charged with the task of discovering how the West became the preeminent force in the modern world. Until the sixteenth century, China had been the world's most advanced civilisation but it was then overtaken and left behind. What was it about the West that gave it the ability to develop so rapidly?

One Chinese scholar told the story. At first, he said, we thought it was because the West had better guns than we had. They were militarily stronger. Then we searched deeper and concluded that it was their political system. They developed democracy while we did not. We went deeper still and came to the conclusion that it was their economic system. They developed the free market and we did not. But for the past twenty years we have known the real answer. It was their religion. That is what gave the West its critical advantage. It was what made possible the

development, first of capitalism, and then of democratic politics – and these fuelled the rest.¹

The religion in question was, of course, Christianity. But Christianity was not born in the sixteenth century when the West began its precipitous growth. To the contrary, it was already more than a millennium and a half old, and had been the dominant power in Europe since the conversion of Roman Emperor Constantine in the early fourth century. Something happened in the sixteenth century to turn European culture into the force that produced the rapid acceleration that made it the intellectual, economic, and political leader of the world.

What happened was the Reformation, which especially in its Calvinist form, brought Christians back to reading what they called the Old Testament and we know as Tanakh, the Hebrew Bible. It was this re-engagement with the Judaic tradition, brought about by the Christian Hebraists of the sixteenth and seventeenth centuries, that had a decisive impact on the politics and economics of the West. This was when the constellation of values that has come to be called the Judaeo-Christian heritage began to have a transformative impact on the West, launching it on its flight to greatness.

That civilisation is now in danger throughout most of Europe and in many parts of the United States. In 1869 in high Victorian England, Matthew Arnold argued that British culture was the result of the combined impact of two ancient civilisations, Athens and Jerusalem; he called them, respectively, Hellenism and Hebraism. Greece, he said, gave the world philosophy and science, while the Hebrew Bible gave it its moral code. As he put it, “The uppermost idea with Hellenism is to see things as they really are; the uppermost idea with Hebraism is conduct and obedience.”² This meant that “as long as the world lasts, all who want to make progress in righteousness will come to Israel for inspiration, as to the people who have had the sense for righteousness most glowing and strongest.” For Arnold, if you seek to understand morality, you must read the Hebrew Bible.

In his view, in his day the spirit of Hebraism was in the ascendant, and there was not enough Hellenism in British culture. Today the

1. Niall Ferguson, *Civilization: The West and the Rest* (London: Allen Lane, 2011), 287.

2. Matthew Arnold, *Culture and Anarchy* (London: 1869), ch. 4.

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situation has been reversed. In countless ways, in its focus on the body, in its emphasis on material goods and physical sports, in its prioritising of politics over personal morality as the way to change the world, in its approach to sexual ethics, abortion, and euthanasia, the West today has reverted to the values and practices of pre-Christian Greece and Rome. This is how Ferdinand Mount puts it:

Often without our being in the least aware of it, the ways in which we live our rich and varied lives correspond, almost eerily so, to the ways in which the Greeks and Romans lived theirs. Whether we are eating and drinking, bathing or exercising or making love, pondering, admiring or enquiring, our habits of thought and action, our diversions and concentrations recall theirs. It is as though the 1,500 years after the fall of Rome had been time out from traditional ways of being human.³

It may be that this is sustainable, but the likelihood is that it is not. Greece in the age of the Stoics and Epicureans and Rome in the first and second centuries were societies on the brink of decay. Their cultural achievements, especially those of Athens, were unsurpassed. But they lacked the ability to survive, recover from catastrophe, and renew themselves. They declined and fell. There is something about the way of life begun by Abraham, given shape and structure by the Revelation at Mount Sinai and moral voice by the prophets, that touched the imagination of a small and otherwise undistinguished people, lifting it time and again to spiritual greatness. At its heart was a moral vision of what it is to be human under the sovereignty of God, a vision that still has the capacity to inspire and to lift us individually and collectively.

I am not one of those who believe, like Dostoevsky, that “if God does not exist, all is permitted.” You do not need to be religious to be moral. Plato, Aristotle, and the Stoics all had profound moral insights. Hinduism and Buddhism have their own traditions and codes. There are the great Chinese heritages of Confucianism and Taoism. None of these

3. Ferdinand Mount, *Full Circle: How the Classical World Came Back to Us* (London: Simon and Schuster, 2010), 1.

was an Abrahamic monotheism. Every society needs a code of conduct that allows its members to live constructively and collaboratively. There is honour even among thieves, as Judah HaLevi noted. Some form of morality is a universal characteristic of human groups.

Evolutionary biology and neuroscience have helped us understand how and why this works. All social animals are capable of acting for the benefit of the group as a whole. We pass on our genes as individuals but we survive as the members of a group. Computer simulations have shown that cooperation requires a pattern of behaviour known as reciprocal altruism, meaning, roughly, if you behave well towards me, I will behave well towards you. From this come the two almost universal features of the moral life, the so-called golden rule, “Act towards others as you would wish them to act towards you,” and the principle of measure-for-measure justice, “As you do, so you will be done to.” These flow from the logic of cooperation itself.

What is more, we can locate this within the brain. Social animals have a feature that makes for moral behaviour: the so-called mirror neurons that make us wince when we see someone else in pain. These are the basis of empathy (feeling with) and sympathy (feeling for). So we are, by nature and independently of religious convictions, inclined to be moral animals. But not all moral systems are the same. I want in this introduction to focus on seven features of the ethic of the Torah that make it transformative and uniquely sustainable over time. Great civilisations come and go. Judaism came and stayed. These are among the reasons why.

1. The dignity of the individual

First is the unprecedented dignity of the individual, signalled in the statement of the Torah’s first chapter: “Let us make mankind in our image, in our likeness” (Gen. 1:26). Every human being, regardless of class, colour, culture, or creed, carries within him or her the image of God. This, according to the Mishnaic sage Ben Azzai, is the essential principle of the Torah.⁴

4. *Sifra, Kedoshim* 4:12.

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The idea that a human being could be in the image of God was not new to the ancient Near East. That is what Mesopotamian kings, Assyrian emperors, and Egyptian pharaohs were believed to be: the children of the gods, or the chief intermediaries with the gods. It was a standard description of royalty. What was revolutionary to the Bible was the proposition that this applies equally to all of us. The concept of human rights was not born until the seventeenth century, yet it is fair to say that its possibility was created in those words.

The rabbis spelled out some of the implications. A mishna in Sanhedrin (4:5) states that humans were created singly (the Torah speaks of the creation of the first man and woman) to teach that a single life is like a universe. When a person destroys a life, it is as if he destroyed a universe. When a person saves a life, it is as if he saved a universe. They were also created singly for the sake of peace so that no one could say to others, "My ancestor was greater than yours." Lastly, the mishna concludes, it was to show the greatness of the Holy One, Blessed Be He, for when humans make many coins from one mould, they all emerge alike, but God makes each person in the same image, His image, and they are all different. Therefore we are each obliged to say, "For my sake the world was created."

There is an important point worth noting here. Monotheism is not just a set of beliefs about God. It has deep implications for our understanding of humanity as well. *Discovering God, singular and alone, humans discovered the significance of the individual, singular and alone.* Hence remarks like that of Moses, "Shall one man sin and will You be angry with the whole congregation?" (Num. 16:22). Hence also the appearance for the first time in literature of sharply individuated characters like Moses, David, Elijah, and Jeremiah alongside women like Deborah, Ruth, Naomi, and Hannah. These are not the two-dimensional representational figures of myth but rather, complex individuals who think and act as individuals.

2. Human freedom

Second is the emphasis the Torah places on personal and collective freedom. This too flows from the logic of monotheism. The gods of

the ancient world were part of nature. They were more powerful than humans and they did not die, but they existed within the natural world. God of the Torah *transcends* nature because He created nature as a free act of will. Because God is free and endowed us with His image, we too are free.

This gift of freedom defines the human drama as set out in the early chapters of Genesis because it meant, fatefully, that humans could disobey God. Adam and Eve, the first humans, disobeyed the first command. Cain, the first human child, became the first murderer. By the time of Noah the world was full of violence. God “regretted that He had made human beings on the earth, and His heart was deeply troubled” (Gen. 6:6). Despite this, there is no suggestion anywhere in Tanakh that God ever considered taking back the gift of freedom. Implicit in the Torah is the radical idea that the free God seeks the free worship of free human beings.

Freedom is one of the fundamental principles of Jewish faith. Rambam codifies it as such.⁵ We are each, he said, capable of becoming as righteous as Moses or as wicked as Jeroboam. The point is made both near the beginning and end of the Torah. At the beginning it is contained in a short speech by God to Cain, who He knows is in the grip of anger and about to commit an act of violence: “Why are you angry? Why is your face downcast? If you do what is right, will you not be accepted? But if you do not do what is right, sin is crouching at your door; it desires to have you, but you must master it” (Gen. 4:6–7). In other words: it is human nature to be subject to deep-seated drives that may, at times, be necessary for survival but at others are dysfunctional and destructive. We have to be able to control our passions. As Freud said, civilisation is marked by the ability to defer the gratification of instinct. Much of Torah law is dedicated to inculcating this.

At the end of the Torah, Moses, having recapitulated the history of the Israelites, poses a supreme choice: “This day I call heaven and earth as witnesses against you that I have set before you life and death, blessings and curses. Now choose life, that you and your children may live”

5. *Mishneh Torah, Hilkhot Teshuva* 5:3.

(Deut. 30:19). Individually and collectively we are free to choose between good and evil and *our fate is determined by our choices*. We are moral agents, and therefore responsible and called to account for what we do.

This emphasis on freedom is one of the defining characteristics of Judaism. Most other civilisations have to some extent denied it. We are, thought the Greeks, subject to fate and forces beyond our control. That is the basis of Greek tragedy. We are, said Paul, in the grip of sin, still scarred by the disobedience of the first humans. Therefore we need someone else's sacrificial act to atone for us. The Jewish belief that we are untainted by original sin, and capable of choosing between good and evil without special divine help, is not shared by all forms of Christianity, where it is known as the Pelagian heresy.

Note that Judaism does not take freedom for granted. It is not easy at either the individual or collective level. As God said to Cain, sin is crouching at the door and desires to dominate us. In neuro-scientific terms, the prefrontal cortex allows us to understand the consequences of our actions, and thus choose the good, but the limbic system – faster and more powerful – means that we are often in the grip of strong emotion. Hence the importance of the life of self-discipline engendered by the commands. Hence also the centrality of the family as the matrix of moral education. God chose Abraham, the Torah tells us, “so that he will instruct his children and his household after him that they may keep the way of the Lord by doing what is right and just” (Gen. 18:19). It takes strong families, cohesive communities, and a shared moral code to yield individuals with the strength to be free.

The same is true at the collective level. The entire burden of the Torah from the beginning of Exodus to the end of Deuteronomy is about what it is to create a free society, as opposed to the slavery the Israelites experienced in Egypt. “There is nothing more arduous than the apprenticeship of liberty,” said Alexis de Tocqueville.⁶ God, who created the universe in freedom, wants humankind, to whom He gave the gift of choice, to create a social universe where all can live in liberty.

6. *Democracy in America* (New York: Vintage Books, 1954), 1:256.

3. *The sanctity of life*

Third is the principle set out in the Noahide covenant – the covenant God made with Noah after the Flood, and through him with all humanity: “Whoever sheds the blood of man, by man shall his blood be shed, for in the image of God has God made man” (Gen. 9:6). Life is sacred. We are each in God’s image, His only image since making images is otherwise absolutely forbidden. Therefore murder is more than a crime. It is an act of sacrilege, a dishonouring of God Himself.

In general, the Torah is a protest against the use of violence to attain human ends. The human drama can be summed up as follows: *God is free. God creates order. God gives man freedom. Man then creates chaos.* Hence the question to which the Torah, the Hebrew Bible, and Judaism as a whole, are directed: Can freedom and order coexist? The answer is the moral life as the Torah envisages it. *Morality is that shared system of self-imposed restraints that allow my freedom to coexist with yours.*

The alternative to morality is violence. Violence is the attempt to satisfy my desires at the cost of yours. I want X; you have X; you stand in the way of my having X; therefore if I am to have what I desire, I must force you to relinquish X. Violence is the imposition, by force, of my will on the world. Thus is born the rule of might. As the Athenians said to the Melians, “You know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must.”⁷ Or as Thrasymachus says in Plato’s *Republic*, justice is whatever serves the interests of the stronger party. This is what Nietzsche saw as the fundamental principle of human existence: the will to power.

Judaism is a sustained protest against this way of life. Even God Himself, creator of the universe, rules by right, not might. That is the meaning of the story of the Exodus and why it is central to the Torah. *The supreme power intervenes in history to liberate the supremely powerless.* The reason God sent plagues against Egypt, the most powerful empire of the ancient world, was to show Egypt that *those who rule by*

7. Thucydides, “The Melian Dialogue,” 5.84–116.

power are defeated by power. The reason God chose a tiny and otherwise inconsequential nation to be the bearers of His covenant was, at least in part, to show *the power of the powerless* when they have right, not might, on their side.

The alternative to power is law: law freely accepted and freely obeyed. Only by observing the rule of law – law that applies equally to the rich and poor, the powerful and powerless – do we escape the tragic cycle of freedom that begets conflict that leads to chaos, resulting in the use of force that generates tyranny, the freedom of the few and the enslavement of the many. *God reveals Himself in the form of law, because law is the constitution of liberty.* That is the moral shape of a society of freedom under the sovereignty of God.

4. *Guilt, not shame*

All societies need a shared moral code. They all therefore need a process of socialisation. But not all do this in the same way. The anthropologist Ruth Benedict made a fundamental distinction between *shame cultures* and *guilt cultures*. In shame cultures the highest value is honour. In guilt cultures it is righteousness, “doing what is right because it is right.” In shame cultures, morality functions through a sense of what others expect from you. Shame itself is the sense of the disgrace we would suffer if others found out what we have done. Guilt has nothing to do with opinions of others and everything to do with the voice of conscience. Shame cultures are other-directed. Guilt cultures are inner-directed.⁸

This has significant consequences. One who has been shamed has been marked, tainted, stigmatised. The only way of escaping shame is to leave and live elsewhere or, in extremis, to commit suicide. Guilt cultures are different because they draw a sharp distinction between the agent and the act, the sinner and the sin. The act may be wrong, but the agent remains untainted, intact. As we say in our morning prayers, “The soul You gave me is pure,” even if I have done things

8. *The Chrysanthemum and the Sword: Patterns of Japanese Culture* (Boston: Houghton Mifflin, 1946).

that are impure. Thus, in guilt cultures, there is always the possibility of remorse, repentance, atonement, and forgiveness. We can mend broken relationships. We can atone for sins. We can apologise and be forgiven. What we did does not hold us eternally captive. What we do in the future can atone for what we did in the past. A guilt culture is a morality of freedom. A shame culture is a morality of conformity and social control.

Much has been written about Genesis 2–3, the story of the first humans in the Garden of Eden and the first sin, eating from the fruit of the Tree of Knowledge. Few, however, have understood that it is actually a story about the difference between guilt and shame. Bernard Williams, in *Shame and Necessity*,⁹ points out that shame is essentially a visual phenomenon. When you feel shame, you are experiencing or imagining what it is like to be seen doing what you did by others. The first instinct on feeling shame is to wish to be invisible or elsewhere. Guilt, by contrast, is more a phenomenon of hearing than one of seeing. It represents the inner voice of conscience. Becoming invisible or transported to somewhere else may assuage shame, but it has no effect on guilt. The voice goes with you, wherever you are.

Read the story of Adam and Eve and the forbidden fruit carefully and you will see that it is about visual phenomena and shame. At first the couple were naked and “not ashamed” (Gen. 2:25). Eve then saw that the fruit was “pleasing to the eyes” (Gen. 3:6). The couple ate the fruit and “the eyes of both of them were opened” (Gen. 3:7). They sought to cover their nakedness. For the first time they saw themselves as they might be seen by others and they experienced shame. Then they heard “the voice of God” (Gen. 3:8) and tried to hide. All of these are unmistakable signs of a shame culture. The story of Adam and Eve is not about original sin or about knowledge as such. It is about the danger of following the eyes rather than listening to the word of God with the ears. The Hebrew verb *shema*, a key term of Jewish faith, means both to “listen” or “hear” and “to obey.” Judaism, the religion of the-God-who-cannot-be-seen, is a morality of guilt, not shame.

9. Berkeley: University of California Press, 1993.

5. Loyalty and love

The fifth principle becomes apparent as soon as we notice a strange feature of the book of Genesis. We normally think of Judaism as Abrahamic monotheism, and monotheism itself as a rejection of and protest against the polytheism of the ancient world. Yet Genesis contains not a single polemic against idolatry. Other than an obscure reference to Rachel stealing her father's *terafim*, "household gods" or "fetishes" (Gen. 31:19), there is not even one mention of it. Yet there is no doubt that the story of Genesis from chapter 12 to the end is about a single and singular family that lives differently from the nations and cultures that surround it. Of what does this difference consist?

There is a connecting theme. Whenever a member of the covenantal family leaves the matrix of the family, he or she encounters a world of sexual anomie. Three times Abraham and Isaac are forced to leave home because of famine and on each occasion feel themselves to be in danger of their lives. They will be killed so that their wives can be taken into the royal harem (Gen. 12, 20, 26). When two strangers, who turn out to be angels, visit Lot in Sodom, the people of the town surround Lot's house demanding that he bring them out for the purpose of homosexual rape. When Dina goes out to visit Shechem, she is abducted and raped by the local prince. When Joseph, in Egypt, is left alone with his master's wife, she attempts to seduce him and when he resists has him imprisoned on a false charge of rape.

Even the members of Abraham's family themselves become corrupted when they live among the people. Lot's daughters get their father drunk and have an incestuous relationship with him. Judah, who has left his brothers to live among the Canaanites, feels no qualms about having sex with a woman he takes to be a prostitute.

A truly remarkable idea is being formulated here: that there is a connection between idolatry and sexual lawlessness. And there is a corollary principle about the Abrahamic faith, that the relationship between God and humanity, and specifically between God and the people of the covenant, is one of love – love moralised, love as deed, love as commitment and mutual obligation. The biblical word *emuna*, usually translated as "faith," does not mean this at all. It is not a cognitive attribute, meaning something you believe to be true. It belongs to an entirely different

sphere of discourse. It is a moral attribute and means *faithfulness*, as in a marriage. Faith in the Hebrew Bible is the story of a love – the love of God for creation, for humanity, and for a particular family, the children of Abraham, a love full of passion but one that is not always, or even often, reciprocated. Sometimes, as in the Mosaic books, it is described like the relationship between a parent and a child. At other times, particularly in the prophetic literature, it is envisaged as the love between a husband and an often faithless wife. But it is never less than love.

Judaism was the first moral system to place interpersonal love at the centre of the moral life: love of God “with all your heart, with all your soul, and with all your might” (Deut. 6:5), love of “your neighbour as yourself” (Lev. 19:18), and love of the stranger because “you know what it feels like to be a stranger” (Ex. 23:9). This was later adopted by Christianity and remains a distinctive element of the Judaeo-Christian ethic. All moral systems have at their heart a principle of justice, or reciprocal altruism: do as you would be done by. But love is something different and more demanding.

Hence the fundamental importance of sexual ethics in Judaism, and of the sanctity of marriage and the family as the matrix of society and the place where children are inducted into the moral life. This is announced early in the biblical story. In the only place where the Torah states why Abraham was chosen, it says, “For I have chosen him so that he will instruct his children and his household after him that they may keep the way of the Lord by doing what is right and just” (Gen. 18:19). Hence also the significance of circumcision as the sign of the covenant, as if to say that holiness has a direct connection with the way we conduct our sexual relations. It seems that the Torah sees the Darwinian drive to pass on one’s genes to the next generation, and with it the phenomenon of the alpha male who dominates access to females, as one of the prime causes of violence within a society. Judaism is as much about the moralisation of sex as it is about the moralisation of power, and the two are connected.

6. The ethics of covenant

What makes marriage fundamental to the ethics of the Torah is its covenantal nature. It was Nietzsche in *The Genealogy of Morals* who argued

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that the primary act of the moral life is making a promise. A promise is an obligation I place myself under. It thus reconciles freedom and order – freedom, because I have chosen to obligate myself, and order because if I am trustworthy, I can be relied upon to keep my word. Covenant is essentially an exchange of promises. Two or more parties agree to be bound by certain undertakings, pledging themselves to one another in an open-ended relationship of mutual care.

Covenants were a familiar feature of the politics of the ancient Near East. They were usually peace agreements between potentially conflicting powers. The Torah takes this device and puts it to an entirely new use, to define the relationship between human beings and God and to establish the shape of the moral life. There are three covenants between God and humans in the Torah – the first with Noah and through him all humanity, the second with Abraham and his descendants, and the third with Moses and the Israelites at Mount Sinai. It was the third of these that gave Judaism its constitution of liberty under the sovereignty of God.

At Sinai the Israelites agreed to become a nation bound by a covenant with God which involved their adoption of a detailed moral and social code. They were to construct a society of justice and compassion, of freedom and human dignity, whose logic lay, in part, in their memories of exile and enslavement in Egypt. They were, in effect, charged with constructing a kind of anti-type to Egypt, one free of oppression and exploitation. At the same time they agreed to be bound by an ethic of holiness whose purpose was to remind them that the Divine Presence was in their midst. A society based on covenant is one in which individual and collective responsibility belongs to the people as a whole, and history is seen as an ongoing commentary on the moral state of the nation. Morality itself is seen not simply as a natural law inherent in creation, nor as the arbitrary will of a God who demands blind obedience, but as an agreement between God and a people in the light of their relationship over time.

Covenant generates an ethic of social responsibility. It is rooted in a sense of history and identity. It is predicated on the belief that a free society is a moral achievement and one for whose maintenance all the people share responsibility.

7. *The dual covenant*

Finally we come to the unique feature of Judaic ethics, one much misunderstood and criticised, namely the dual ethic generated by the covenant with Noah on the one hand, and with the Israelites at Sinai on the other. The first is universal, the second particular. The Noah covenant applies to all humans in virtue of their humanity, the covenant of Sinai specifically to the members of the covenanted community. This reflects the duality of the human situation.

On the one hand we recognise a special affinity towards kin – towards members of our family. This is, in fact, where the moral bond is first formed. As we grow, our sense of obligation widens to include friends, neighbours, community members, and fellow citizens. All human groups have this form, that we are duty-bound to help those within our group. Darwin recognised this, writing in *The Descent of Man*:

A tribe including many members, who from possessing in a high degree the spirit of patriotism, fidelity, obedience, courage and sympathy, were always ready to give aid to each other and to sacrifice themselves for the common good, would be victorious over most other tribes; and this would be natural selection.¹⁰

We favour kin over non-kin, friends over strangers, in-group over out-group. Without this, groups would not exist at all. And we need them, because we are social animals, not isolated individuals: “It is not good for man to be alone” (Gen. 2:18). Belonging to a group is essential to the sense of identity.

On the other hand, a moral system that failed to acknowledge duties to strangers would simply generate endlessly warring tribes. Indeed, it seems to be implicit in the Torah that the Israelites experienced exile and enslavement in order to engrave this truth in collective memory: “You must not oppress strangers. You know what it feels like to be a stranger, for you yourselves were once strangers in the land of Egypt” (Ex. 23:9).

10. Darwin, *The Descent of Man* (Princeton, NJ: Princeton University Press, 1981), 166.

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That is what Judaism's dual covenant represents. On the one hand we are human, and we share a set of basic obligations to one another by virtue of that fact. We are all in the image and likeness of God. We are all bound by the basic rules of justice and fairness. Every life is sacred. Violence and murder are assaults against the human condition. This is what Abraham meant when he explained to Avimelekh, king of Gerar, why he said that Sarah was his sister, not his wife: "I said to myself, 'There is surely no fear of God in this place, and they will kill me because of my wife'" (Gen. 20:11). Fear of God – identified as *Elokim* rather than *Hashem* – is assumed in Genesis to be a basic, shared set of principles as to what morality requires, even between strangers.

On the other hand, the covenant of Sinai is not addressed to humanity as a whole. It is addressed specifically to the Israelites in their role as "a kingdom of priests and a holy nation" (Ex. 19:6). This is more demanding than the Noah covenant, both because the Israelites are expected to be exemplars and role models of the holy life, and because there are strong ties of kinship between them. They share a past, a set of memories, and a fate. They are like an extended family. Much of the social legislation, for example in Leviticus 25, uses the language of kinship: "When *your brother* becomes poor...."

There have been ages in which the primary group has been the tribe. The result was war. There have also been attempts to abolish groups altogether in favour of the universal. The classic example was the European Enlightenment. However, group identity returned in the nineteenth century, in the form of the nation-state and the race. The result of European nation-states was two world wars. The worship of race brought about the Holocaust. We cannot escape identity, and hence the tension between in-group and out-group. The only solution known to me that addresses this issue clearly and in a principled way is that of the Torah with its two covenants, one representing our duties to humanity as a whole, the other our duties to our fellow members of the community of fate and faith. This unusual duality represents the two great features of the moral life: the universality of justice and the particularity of love.¹¹

11. On this, see Jonathan Sacks, *Not in God's Name* (New York: Schocken, 2015), and Avishai Margalit, *The Ethics of Memory* (Cambridge, MA: Harvard University Press, 2002).

The eclipse of biblical morality

Those are the seven features that make biblical ethics different from other ethical systems: human dignity, freedom, the sanctity of life, repentance and forgiveness, the centrality of marriage and the family, covenant as the basis of moral obligation, and a dual ethic of justice on the one hand and love on the other. Many – perhaps all – of these beliefs are currently at risk in the contemporary West.

First, human dignity. One result of Darwinian biology has been to erode the differences between humans and other animals. We share 98 per cent of our genes with the primates. A group of distinguished scientists declared, in a statement about human cloning in 1997: “Human-kind’s rich repertoire of thoughts, feelings, aspirations, and hopes seems to arise from electrochemical brain processes, not from an immaterial soul that operates in ways no instrument can discover.”¹² Nietzsche was the first to see that the higher our scientific achievements, the lower our self-evaluation as humans. In a prescient passage he wrote: “Gone, alas, is [man’s] faith in his dignity, uniqueness, irreplaceableness, in the rank ordering of beings – he has become animal, literally, unqualifiedly and unreservedly an animal.”¹³ Human dignity, it seems, cannot survive the loss of the concept of the image of God.

The idea of freedom of the will has eroded in favour of a series of scientific and social-scientific determinisms: what we do is caused by social conditions, economic forces, unconscious drives, our genes, or our encoded, hard-wired instincts. It is not clear that a scientific account can or ever could be given of human freedom, since science deals with causal relationships rather than purposeful behaviour. Freedom, on this account, is an illusion. If so, it is difficult to see how the ideal of a free society could be sustained in the long run, for why should we seek collective liberty if individual freedom is nothing but an illusion?

12. The International Academy of Humanism, “Declaration in Defense of Cloning and Integrity of Scientific Research,” *Free Inquiry* 17, no. 3 (Summer 1997): 11–12.

13. Nietzsche, *On the Genealogy of Morality*, ed. Keith Ansell-Pearson, trans. Carol Diethe (Cambridge, NY: Cambridge University Press, 2007), 115.

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I once had a conversation, on television, with an Oxford neuroscientist who was a determinist, convinced that nothing we did, including his taking part in the television programme, was the result of a free choice. I asked him why, if this was so, we should continue to have laws, courts, trials, and a concept of justice. If someone is found breaking the law, the logical thing to do would be to treat him with psychotropic drugs or neurosurgery. He replied, “Well, I can see how in totalitarian societies people might be tempted to do that.” He simply could not see that if free will does not exist, there would be no reason to *object* to totalitarianism. I prefer the witty remark of Yiddish novelist Isaac Bashevis Singer who said, “We *must* be free. We have no choice.”

Third, with the legalisation of abortion for reasons other than saving the mother’s life, and the campaign – already successful in a number of countries – for voluntary euthanasia and assisted dying, the West has largely lost the concept of the sanctity of life. Instead it has adopted the principle of autonomy. In this view, my life belongs to me and I can dispose of it as I wish. This is a return to the ethics of pre-Christian Greece and Rome, cultures that had no qualms about abortion, even infanticide, and euthanasia.

Fourth, with the spread of social media, the ethic of shame has returned, vividly described in Jon Ronson’s book *So You’ve Been Publicly Shamed*.¹⁴ Trial by media is a regression to old stigmatisation rituals. In a shame morality, what matters is appearances. The ultimate command is “Thou shalt not be found out.” In a shame society it is difficult to create space for confession, repentance, forgiveness, and rehabilitation. Shame cultures tend to be deeply conformist, and can lead to rule of the mob or, as at present, the electronic crowd.

Fifth, the sanctity of marriage has disappeared from large swathes of the West. In Britain and America, almost half of all children are born outside of marriage, fewer people are marrying, those who do are marrying later, and half of all marriages end in divorce. The price has been paid by children. In the space of two generations there has been a massive rise in drug and alcohol abuse, eating disorders, stress-related syndromes,

14. London: Picador, 2015. See also Jennifer Jaquet, *Is Shame Necessary? New Uses for an Old Tool* (London: Allen Lane, 2015).

depression, and attempted suicide. There has also been a rise in child poverty, caused by the prevalence of single-parent families. It may be that in the long run the single most significant consequence will be the fall of birthrates – already below replacement levels in every European country. Europe is ageing, shrinking, and slowly dying, its population sustained only by unprecedented levels of immigration.

Sixth, the covenantal basis of society has grown weak in much of the West. In *The Home We Build Together*,¹⁵ I argued that the idea of society-as-home has been displaced by society-as-a-hotel. Citizens pay taxes much as guests pay hotel charges, in return for which we have our room in which we can do as we choose so long as we do not disturb others. The idea that we are bound by bonds of identity, belonging, shared morality, and collective loyalty to our fellow citizens was weakened by the individualism of the 1960s and further damaged by the ill-thought-out multiculturalism of the 1980s.

Lastly, the idea of a dual covenant was rarely considered by the West, with the exception of an ethic of war: there are certain things that are morally impermissible even in a state of military conflict, because our opponents are also human and therefore possess certain inalienable rights. That concept died in the Holocaust, was resurrected in the 1948 United Nations Universal Declaration of Human Rights, and has been destroyed again in our time by groups like Al Qaeda and ISIS, who make no distinction between combatants and non-combatants and follow none of the classic rules of war.

In short, the moral tradition that shaped the West for many centuries – that, according to the Chinese Academy of Social Sciences, gave it its unique capacity to lead the world in science, technology, market economics, and democratic politics – is in real and present danger of eclipse. What will replace it will not be a free, open, tolerant, rights-respecting society, but barbarism. Plato's scenario in *The Republic* will be played out: democracy will give way to anarchy which will yield to tyranny.

A free society is a moral achievement. That is the central insight of the Torah. It depends on the existence of a shared moral code, a code we are taught by our parents, a code we internalise in the course of

15. London: Continuum, 2007.

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growing up, a code for whose maintenance we are collectively responsible. Today, throughout much of the West, morality has been largely outsourced to governments and regulatory bodies. The state deals with the consequences of the breakdown of marriage and the almost total absence of a sexual ethic. Regulatory bodies become responsible for the implementation of professional ethics. People slide imperceptibly from “I have a right to do X” to “I am right to do X,” meaning that whatever is not forbidden by legislation is morally permissible and therefore morally reasonable. The end result is that there is little work for morality-as-the-voice-of-conscience to do. Such a system has never succeeded for long in the past, and there is no reason to suppose that it will do so in the future.

What was born in the Torah was a remarkable moral vision. Parts of this vision may be opaque to us today and other elements have been reinterpreted by the Oral Law; however, in its basic principles it taught us to value the individual, cherish as sacred the bonds between husband and wife, parent and child, and honour the covenant binding together society as a whole. If the West loses this, people will not cease to be moral, but they will move to a moral system similar to the one that prevailed in third-century pre-Christian Greece, the age of the Epicureans and Stoics, or first-century Rome, about which Livy said, “We can endure neither our vices nor their cure.” These were societies in decline.

It is therefore important that we reflect on, and open ourselves to, the Torah’s ethical vision, which I have tried to do in these studies of the weekly *parasha*. Clearly they are not a systematic presentation of the subject, more a set of insights and impressions. But they remain “a Tree of Life,” teaching us, at best, to love, to give, and to forgive, to seek justice and practise compassion, and to seek to do the right and the good in the sight of God and our fellow humans.

At the end of his *History of the Jews*, Paul Johnson wrote the following:

To [the Jews] we owe the idea of equality before the law, both divine and human; of the sanctity of life and the dignity of the human person; of the individual conscience and so of personal redemption; of the collective conscience and so of social responsibility; of peace as an abstract ideal and love as the foundation of

justice, and many other items which constitute the basic moral furniture of the human mind.¹⁶

The moral system initiated by the Torah, honed and refined by the Oral Tradition and more than three thousand years of reflection and elucidation, remains our greatest heritage of wisdom and insight into the human condition under the sovereignty of God – and His challenge remains: to become His partner in the work of creation and healing the wounds of a fractured world.

It is not always easy to write books in the midst of the pressures of public life, which means that I have always been dependent on my office team. I have been especially blessed by my present team of Joanna Benarroch, Dan Sacker, and Debby Ifield, for whom I thank the Almighty daily. They are a joy to work with, and without their calm efficiency and devotion beyond the call of duty I doubt whether I could have written this book or any of the others these past few years.

In one of the most beautiful of Psalms, King David wrote: “Who can discern their own errors? Forgive my unperceived faults.” It is always easy to get things wrong, and I have to thank two people in particular for pointing out mistakes in this as in other works: David Frei, registrar of the London Beth Din, and Professor Leslie Wagner. I am hugely in their debt. David has a range of knowledge that is simply breathtaking, and Leslie can spot faulty logic at a hundred yards. No one could ask for better or gentler friends.

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16. Paul Johnson, *A History of the Jews* (New York: HarperCollins, 1987), 585.

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compassion, freedom and dignity, living all that I have tried to articulate in this book. Elaine and I cherish their friendship.

I save my deepest thanks for my wife Elaine, and our children, Joshua, Dina, and Gila and their respective families. They have taught me more than I have taught them. I have watched and admired how they have lived lives of moral principle. They have inspired me by their integrity and courage, their “firmness in the right as God gives us to see the right.” The world they face in this troubled century will call for the highest moral ideals. May Hashem give them and us the strength to live for what matters, to do the right thing even if it is the difficult thing, and to become, through our deeds and lives, a blessing to the world.

Jonathan Sacks
London
Tammuz 5776

Genesis

בראשית

Bereshit

The Genesis of Justice

T

here are words that change the world, none more so than two sentences that appear in the first chapter of the Torah:

Then God said, “Let us make mankind in our image, in our likeness, so that they may rule over the fish in the sea and the birds in the sky, over the livestock and all the wild animals, and over all the creatures that move along the ground.”

*So God created mankind in His own image,
in the image of God He created them;
male and female He created them.* (Gen. 1:26–27)

The idea set forth here is perhaps the most transformative in the entire history of moral and political thought. It is the basis of the civilisation of the West with its unique emphasis on the individual and on equality. It lies behind Thomas Jefferson’s words in the American Declaration of Independence, “We hold these truths to be self-evident, that all men are created equal [and] are endowed by their Creator with

certain inalienable rights.” These truths are anything *but* self-evident. They would have been regarded as absurd by Plato, who held that society should be based on the myth that humans are divided into people of gold, silver, and bronze and it is this that determines their status in society. Aristotle believed that some are born to rule and others to be ruled.

Revolutionary utterances do not work their magic overnight. As Rambam (Rabbi Moses ben Maimon, or Maimonides; 1135–1204) explained in *The Guide for the Perplexed*, it takes people a long time to change. The Torah functions in the medium of time. It did not abolish slavery, but it set in motion a series of developments – most notably Shabbat, when all hierarchies of power were suspended and slaves had a day a week of freedom – that were bound to lead to its abolition in the course of time. People are slow to understand the implications of ideas. Thomas Jefferson, champion of equality, was a slave owner. Slavery was not abolished in the United States until the 1860s and not without a civil war. And as Abraham Lincoln pointed out, slavery’s defenders as well as its critics cited the Bible when discussing their cause. But eventually people change, and they do so because of the power of ideas, planted long ago in the Western mind.

What exactly is being said in the first chapter of the Torah? The first thing to note is that it is not a standalone utterance, an account without a context. It is in fact a polemic, a protest, against a certain way of understanding the universe. In all ancient myth the world was explained in terms of battles of the gods in their struggle for dominance. The Torah dismisses this way of thinking totally and utterly. God speaks and the universe comes into being. This, according to the great nineteenth-century sociologist Max Weber, was the end of myth and the birth of Western rationalism.

More significantly, it created a new way of thinking about the universe. Central to both the ancient world of myth and the modern world of science is the idea of power, force, energy. That is what is significantly absent from Genesis 1. God says, “Let there be,” and there is. There is nothing here about power, resistance, conquest, or the play of forces. Instead, the key word of the narrative, appearing seven times, is utterly unexpected. It is the word *tov*, good.

Tov is a moral word. The Torah in Genesis 1 is telling us something radical. The reality to which Torah is a guide (the word “Torah” itself means guide, instruction, or law) is *moral* and *ethical*. The question Genesis seeks to answer is not “How did the universe come into being?” but “How then shall we live?” This is the Torah’s most significant paradigm shift. The universe that God made and that we inhabit is not about power or dominance but about *tov* and *ra*, good and evil.¹ For the first time, religion was ethicised. God cares about justice, compassion, faithfulness, loving-kindness, the dignity of the individual, and the sanctity of life.

This same principle, that Genesis 1 is a polemic, part of an argument with a background, is essential to understanding the idea that God created humanity in His image, in His likeness. This language would not have been unfamiliar to the first readers of the Torah. It was a language they knew well. It was commonplace in the first civilisations, Mesopotamia and ancient Egypt. Certain people were said to be in the image of God. They were the kings of the Mesopotamian city-states and the pharaohs of Egypt. Nothing could have been more radical than to say that not just kings and rulers are God’s image. We all are. Today the idea is still daring; how much more so must it have been in an age of absolute rulers with absolute power.

Understood thus, Genesis 1:26–27 is not so much a metaphysical statement about the nature of the human person as it is a *political protest against the very basis of hierarchical, class- or caste-based societies*, whether in ancient or modern times. That is what makes it the most incendiary idea in the Torah. In some fundamental sense we are all equal in dignity and ultimate worth, for we are all in God’s image regardless of colour, culture, or creed.

A similar idea appears later in the Torah, in relation to the Jewish people, when God invites them to become a kingdom of priests and a holy nation. All nations in the ancient world had priests, but none was “a kingdom of priests” (Ex. 19:6). All religions have holy individuals – but

1. What I take to be the meaning of the story of Adam and Eve and the Tree of Knowledge must wait for another time. In the meantime, see Rambam, *The Guide for the Perplexed*, 1:2.

none claim that every one of their members is holy. This too took time to materialise. During the entire biblical era there were hierarchies. There were priests and high priests, a holy elite. But after the destruction of the Second Temple, every prayer became a sacrifice, every leader of prayer a priest, and every synagogue a fragment of the Temple. A profound egalitarianism is at work just below the surface of the Torah, and the rabbis knew it and lived it.

A second idea is contained in the phrase, “so that they may rule over the fish in the sea and the birds in the sky.” Note that there is no suggestion that anyone has the right to have dominion over any other human being. In *Paradise Lost*, Milton, like the Midrash, states that this was the sin of Nimrod, the first great ruler of Assyria and by implication the builder of the Tower of Babel (see Gen. 10:8–11). Milton writes that when Adam was told that Nimrod would “arrogate dominion undeserved,” he was horrified:

O execrable son so to aspire
Above his Brethren, to himself assuming
Authority usurped, from God not given:
He gave us only over beast, fish, fowl
Dominion absolute; that right we hold
By his donation; but man over men
He made not lord; such title to himself
Reserving, human left from human free.²

To question the right of humans to rule over other humans without their consent was at that time utterly unthinkable. All advanced societies were like this. How could they be otherwise? Was this not the very structure of the universe? Did the sun not rule the day? Did the moon not rule the night? Was there not a hierarchy of the gods in heaven itself? Already implicit here is the deep ambivalence the Torah would ultimately show towards the very institution of kingship, the rule of “man over men.”

2. *Paradise Lost*, 12.64–71.

The third implication lies in the sheer paradox of God saying, “Let us make mankind in our image, in our likeness.” We sometimes forget, when reading these words, that in Judaism *God has no image or likeness*. To make an image of God is to transgress the second of the Ten Commandments and to be guilty of idolatry. Moses emphasised that at the Revelation at Sinai, “You saw no likeness, you only heard the sound of words” (Deut. 4:12).

God has no image because He is not physical. He transcends the physical universe because He created it. Therefore He is free, unconstrained by the laws of matter. That is what God means when He tells Moses that His name is “I will be what I will be” (Ex. 3:14), and later when, after the sin of the Golden Calf, He tells him, “I will have mercy on whom I will have mercy” (Ex. 33:19). God is free, and by making us in His image, He gave us also the power to be free.

This, as the Torah makes clear, was God’s most fateful gift. Given freedom, humans misuse it – as we noted earlier, Adam and Eve disobey God’s command; Cain murders Abel. By the end of the *parasha* we find ourselves in the world before the Flood, filled with violence to the point where God regretted that He had ever created humanity. This is the central drama of Tanakh and of Judaism as a whole. Will we use our freedom to respect order or misuse it to create chaos? Will we honour or dishonour the image of God that lives within the human heart and mind?

These are not only ancient questions. They are as alive today as ever they were in the past. The question raised by serious thinkers – ever since Nietzsche argued in favour of abandoning both God and the Judaeo-Christian ethic – is whether justice, human rights, and the unconditional dignity of the human person are capable of surviving on secular grounds alone. Nietzsche himself thought not.

In 2008, Yale philosopher Nicholas Wolterstorff published a magisterial work arguing that our Western concept of justice rests on the belief that “all of us have great and equal worth: the worth of being made in the image of God and of being loved redemptively by God.”³ There is, he insists, no secular rationale on which a similar framework of justice can be built. That is surely what John F. Kennedy meant in

3. *Justice: Rights and Wrongs* (Princeton, NJ: Princeton University Press, 2008), 393.

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his Inaugural Address when he spoke of the “revolutionary beliefs for which our forebears fought,” that “the rights of man come not from the generosity of the state, but from the hand of God.”⁴

Momentous ideas made the West what it is, ideas like human rights, the abolition of slavery, the equal worth of all, and justice based on the principle that right is sovereign over might. All of these ultimately derived from the statement in the first chapter of the Torah that we are made in God’s image and likeness. No other text has had a greater influence on moral thought, nor has any other civilisation ever held a higher vision of what we are called on to be.

4. Washington, DC, January 20, 1961.