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The Permanent Things

The topic Bill Campbell has requested -- in the context afforded by our program-- suggests reflection on the continuing influence of the three great cultures of antiquity to which we are heir. We begin with the first of our three founding cultures, that one whose authority owed least to imperial power, has had the longest history (ca. 4000 years) and whose vestigial influence is most controversial. This controversy owes not a little to the special claim of Israel in regard to authority itself, namely the authority of special Revelation.

Briefly, the claim made upon our attention by the most ancient texts of Israel is not attested on the grounds of superior philosophical argument, rhetorical persuasion or military/administrative/architectural power. Rather, they present a legacy of moral law, law given *ab extra*, a comprehensive series of moral claims advanced not on the basis of intellectual deliberation or political process, but given rather as a direct self-disclosure of the Divine Will. In Torah, a singular Deity makes what Paul Johnson has called "absolutely clear moral distinctions" (*A History of the Jews*, 8) governing the pursuit of right action. The specific content of this revelation, typically presented as delivered in oracular fashion to Moses and later, other prophets, characterizes the person of the God who speaks as well as gives his prescriptions for his people. That is, in the Hebrew Bible God is revealed as a person

in relation to human persons. Unlike us, he is HOLY—the singular perfection of wholeness. Torah grounds everything in this central aspect of divine identity—God's relation to the created world, and his specific instructions for life in this world take the legal form of a covenant—the *b'rith*—with mutual obligations much like the terms of a user's manual, optimal directions so that human flourishing – which Jews call *shalom* – may be achieved. The Decalogue, ten categorical imperatives in the second person plural, constitutes a précis of all of written Torah, the revealed word of God. Here it is the *character* of a holy God, before and surpassing his precepts, which warrants his *authority* over *all* of life. Holy implies 'wholly.'

Nothing could be more alien to the postmodern mind than such a claim. The entire history of modernity, as Hannah Arendt has famously argued, has been characterized by challenges to authority of all kinds. The authority of biblical Revelation was first in the firing line, perhaps the primary casualty of the French Revolution, not least because of its explicitly totalizing claims upon human behavior. Revelation, in both Jewish and Christian versions, was likewise a primary target of both Marxism and Nazism, because it was deemed entirely incompatible with another authority then bidding for supremacy, namely the absolute authority of the government. After WWII and the end of the Cold War, other place-markers for authority came under challenge, and not just in the religious sphere.

As I was finishing my PhD at Princeton in 1968, the narrative of moment was "what happened at Berkeley"; some of the placards carried by the chanting crowds surrounding Jerry Rubin and Abby Hoffman spelled out a major theme of the 'Free Speech' movement: "Question Authority." It has often seemed to me since that the

placards might better have read: "Abolish Consequences," for that is what many in my generation really meant. Much of liberal activism since then bears witness to their actual demand: one need think only of the sexual revolution, the wider health-care crisis, and the credit crunch to confirm the absurdity of our bizarre yet persistent demand for a consequence-free social order. The rhetoric of Berkeley 1968, in which the dominant noun was 'rights' and the favorite verb then still unprintable, has become more sophisticated and self-assured. Unfortunately, consequences have not been abolished, but like the heads of the Hydra they have reappeared in new, uglier, and more toxic fashion.

One wonders if a representative narrative for American social history now, in 2013, might not be "what happened to Detroit." There have been many attempts at retrospective analysis; most have the sterile facticity of a post-mortem. Yet from the perspective of what the Judeo-Christian tradition regards as the light of Revelation, the epidemiology of America's unraveling may not adequately be explained simply in economic, social, or legal terms: more than a few thoughtful observers have looked at the ruins of Mo-town and quietly wondered if, in a holistic analysis, "the wages of sin" isn't about as good a phrase as any to label a retrospective diagnosis.

Not many, I think, expect biblical revelation to return to the public square in America. Nevertheless, I think this may be a propitious time to re-consider the Jewish origins of our own more recent American foundation, if for no other reason than perspective. Recognition that American exceptionalism has its foundations in Old Testament conceptions of moral law and social obligation are fading from public memory, but the historical facts are still there. An important anniversary in 2015—

of the end of the Civil War-- presents an occasion for revisiting them. Eran Shalev in his new book *The Old Testament as Political Text from the Revolution to the Civil War* (Yale, 2013), offers one catalogue of reminders of the enormous role that the Old Testament had as a moral authority in the founding years. No one who has read Cotton Mather, Timothy Dwight, or Samuel Willard needs the reminder. I am well aware that the biblical narrative and its American echoes are largely familiar territory to you all, and unlike Shalev, I am just going to presume upon it. What I want rather to consider, with that chapter of our shared memory in mind, is a feature of the Jewish contribution to ethics which, though crucial to that phase of American history, has now largely been discarded in discussions of moral order. Unfortunately, successor ideas (in Kantian and post-Kantian ethics) have had less evident success. Thinking through our ethical evolution seems prudent and for that review to be accountable, we need to be able to re-imagine how Revelation worked.

At one level, it is pretty simple. The basic difference between Revelation and Reason in the matter of ethics has been summarized nicely by Soren Kierkegaard. "It is just not the same thing to say to somebody, 'you should live responsibly,'" he quipped, "as to say to them 'you should live responsibly because there is a Last Judgment coming'." Kierkegaard, one of the most acute modern readers of the Judeo-Christian scriptures --and accordingly a fierce critic of the state church and enlightenment reason alike-- here reminds us that one of the first truths of revealed moral order is, in fact, the inescapable reality of consequences. The insight was deeply enough ingrained in past generations to have been accounted a matter of common sense, or folk-wisdom. Garrison Keillor, in one of his radio monologues,

remarks that allusions to this principle were a stock-in-trade of his mother's philosophy of child-rearing. Reminders of how the Lord smote his adversaries, "hip and thigh," produced in the young Keillor, he claims, a thoughtful self-restraint: "It occurred to me," Keillor says, "that when the Lord smote you, you stayed smitten." Kierkegaard and Keillor, each in their way, articulate an indispensable axiom of revealed rather than merely socially constructed moral vision. Moral order on the biblical model is not an abstraction; it is an ontological 'given,' bearing, in effect, the stamp of the manufacturer.

It is often claimed that negative formulations of biblical ethical order have led most of those who have rejected it to do so. It has also led many who do not admit to having rejected biblical revelation to soft-pedal or eschew the topic of revealed morality, even in sermons. The idea that there might be an actual divine law, at one time grounding with first principles the formation of our common law an idea assumed and even cherished from Constantine to Charlemagne and, in the laws of the English-speaking peoples from Henri de Bracton's Laws of England to Coke, F.W. Maitland, and Blackstone's *Commentaries*, however venerable and (once) authoritative a presupposition, has by now largely been abandoned. Whatever its once venerable dignity, the idea of divine justice is now not only an anachronism, it has become offensive to our contemporaries in a way which exceeds any offense occasioned by the moral legacy of Greece and Rome. Reminders of Israel's Revelation, such as tables of the Ten Commandments, bibles, crosses and the like, thus have now to be taken from public view, precisely because they might suggest to somebody somewhere that there is a higher, universal source of authority by which our own authority might be judged. The outrage directed against witnesses to Revelation makes some sense, of course, for one who rejects the idea that there is a God to whom all are accountable, and believes it is pernicious to social wellbeing when backward people entertain such an idea.

Debates between the authoritarian secularists and those who believe in a transcendent moral order to which Scripture, "Revelation," is a guide, have largely begun to die away. This has come about largely through seismic shifts in the present balance of political power. Slogans with calculated double-entendres, such as, "We can. Yes we can. And we will." Or, less subtly, "We're here. We're queer. Get used to it," are markers of the triumph of power politics-- of contingent power over moral authority. In biblical language (my reference here is to Ezekiel), the walls of Jerusalem have been breached from within, and anyone can see that a pagan acculturation process has for some time been underway. I have a wonderful "Non-Sequitur" cartoon on the door of my office which shows Moses standing at the foot of the mountain, tablets in hand, evidently just having read them to the crowd, now adding a caveat: "unless, of course, you happen to live in a state in which all of this stuff is already legal." One effect of the steamroller rhetoric of our politicians-- and judicial activism based on the same premises-- is that social conservatives in the public square are in self-acknowledged disarray. As the debate over how to refocus public voice in the latest issue of *First Things* illustrates well enough, it is becoming increasingly hard for those who give credence to revelation to get renewed traction. In such a pluralistic time, what possible value can there be for us to revert to the Jewish (or Judeo-Christian) moral foundation?

It may help to begin by asking ourselves what, on the Jewish view, was the purpose of revealed law was in the first place. Here, I am happy to refer to a recent book by Steven Kepnes on *The Future of Jewish Theology* (2013). Kepnes assumes that the culture wars, having become unproductive and incoherent, are marginal for a useful articulation of religious values in the Public Square. He argues that even the modern Jewish legacy of ethical monotheism, encumbered as it has become with Kantian baggage, has failed to prevent ethical incoherence because it has overlooked the distinctive reason for Jewish law. Kepnes goes back to the text, and makes what seems to me to be an entirely warrantable conclusion: "The purpose of Jewish law," he says, "is precisely to map out a path through which the people [of] Israel can follow the commandment of God to be holy." (4) It is the erosion of the imperative to holiness, he argues, that has diminished with drastic consequences our appreciation of the most basic fact about God – not just that he is a Personal Being, but that he is Holy. God's prescription for human flourishing, if understood in Torah terms, can be stated succinctly: gadoshim tihiyu "You shall be holy" – for I the Lord your God am holy" (Lev. 19:2). The balance of this chapter of Leviticus on which Kepnes's book is a rich meditation, shows how everything else in the moral order is, to this basic commandment, a dependent clause. Social health is made dependent on a more or less conscious acknowledgment that we were made imago dei, in the image of God; embodiment of that understanding in the practices of life is what holiness is about. This principle is reiterated, of course, in Christian calls to reformation of personal and social life through imitatio Christi. It turns out to be the case that everything about the Judeo-Christian high definition of the meaning and dignity of persons has

its source in this most basic aspect of Israel's Revelation; because human beings are in the image of God, they possess inherent dignity and the right to respect—the seminal form of later notions of rights—though Jewish moral law speaks not of "rights" but rather, more pointedly, of "obligations."

What a focus on holiness/wholeness does is to bring the value of the human person—and persons in relation—into view. The limits of Kantian and post-Kantian de-ontological ethics have been a recent subject of analysis in many quarters. In one example, Daniel Philpott's book, *Just and Unjust Peace: An Ethic of Reconciliation* (2013) points out that one of these limitations is the lack of a consensus on truth (23), truth not only in regard to events but truth as a matter of "right relation." "It is not enough," Philpott says, for an ethic to identify, adopt, or assert rights; it must also justify them. What grounds human rights?" (26) His answer is dikaiosyne, righteousness, which he finds in the letters of St. Paul as a clear equivalent for qedushah, holiness, in Torah, and he regards it properly, I think, as in effect "right relationship" with God – a Jewish principle evident also in Paul's use of the term in its sense of "justification" (Philpott, 136-7). To state this another way: typically we are grateful for any experience of right relationship, and strive by thoughtful words and deeds to deepen it; deprived of this sacred ontology, rights are by contrast often demanded and received as an entitlement, requiring neither gratitude or real relationship.

On this biblical view, a durable account of "rights" requires something more durable than is provided by Thomas Paine or Jean-Jacques Rousseau. Succinctly, pace Rawls et al, a transcendent authority is necessary, an eternally dependable

Giver of moral law, because no merely human authority can provide the security of right relationship except in transient terms. The answer that Israel's Revelation gives to questions about how to achieve a flourishing life, is not merely, "God said it," but rather, if I may paraphrase, 'God has disclosed something profound about his own nature in the Torah, namely that he is Holy, and wills our participation in his health. His call to us to imitate him is detailed as it is because holiness of life – as distinct from knowledge of a right or definition of meaningful agency – must be a matter of sustained and continual practice.' On this Torah view, says Kepnes, "that the ethical commandments are included along with the ritual commandments in a code of holiness means that there is a holy dimension to ethics and an ethical dimension to holiness" (104). Moreover, and for the Judeo-Christian tradition this cannot be stressed too strongly, the commandment to be holy obligates not just individuals, but whole communities. It has an inescapably political dimension, and this is precisely the point in contention for successors of Paine and Rousseau, who wish to substitute another authority, another source of obligation, namely the state.

Here, needless to say, we are on the brink of the abyss for philosophers and politicians alike. Boogeyman nightmares of Puritan roundheads and other ghosts of 'theocracy' readily rise in the defense of ethical pluralism, even of anarchy. In a culture in which the kindergarten ethic begins with the commandment, "Thou shalt not criticize thy neighbor" -- "indeed, thou shalt *affirm* thy neighbor even/especially when he or she is doing something that might seem 'wrong' to you" - and the current grownup version has become, "thou shalt not criticize thy political masters even when they contradict this principle and condemn your view of moral

obligation," it is not hard to see why the moral legacy of Israel can seem to some agendas opprobrious. It is not surprising that even religious philosophers have tried to find a common ground elsewhere than in a Torah obligation to communal holiness and its corollary, the obligation to hand down the moral law within the home and religious community.

Natural law theory seems to many to have made the best of the modern elevation of tolerance as the sine qua non virtue, not least because, as Rousseau noted long ago, natural law theory forgoes any necessary attachment to Revelation, thus can claim to be tolerant in a way that an ethic based upon divine obligation cannot (Letter to Beaumont, 223). Amusingly, in his significantly titled Letters from the Mountain, Rousseau entertained the idea that there might be some hope for Protestantism as the basis for a completely tolerant civil religion, because each person seemed to be entitled to interpret Scripture for himself. As Douglas Kries has noted, for Rousseau, Protestant individualism is simply "another way to state the principle of theological toleration" (Kries, 279). Logically, Rousseau observes, the result of individual interpretation is that Protestant clergy have no authority at all a point in which, according to Karl Barth, Rousseau has effectively anticipated the entire modern history of Protestantism. For Catholics, meanwhile, natural law theory appeals as less controversial than Revelation in a pluralistic setting, but at the loss of the biblical ontology found in Leviticus and elsewhere.

It is not clear to me that any theory of ethics can remain coherent without a foundational ontology. Other alternatives, each in their own fashion trying to ground ethics in something higher than crass subjectivity and self-interest, have

included of course Kant's notion of willed rational assent to intuited or normative ethical obligations. Kant's deontological stance led him to regard divine command theory—essential the Jewish as well as Christian biblical view-- as not really ethics at all. Consequentialism, of which utilitarianism is a version, has in like fashion been an influence on the fissiparous field called 'virtue ethics', which "attempts to derive all the moral concepts from the concept of a virtue, just as Kant tried to derive all morality from the notion of an unconditional imperative or a universal law of practical reason. Consequentialists try to derive all morality from some idea of maximized welfare that can be distributed in a population" —a version of Bentham's 'greatest good for the greatest number'. My colleague Bob Roberts, a philosopher in residence in the Center for Theological Enquiry at Princeton this year, from whose account I have just quoted, describes ethical theory on these models as "a hopeless conceptual mess," adding, rather soberly, that "such theories tend to be morally detrimental to those who take them seriously." Consequences, in short, remain an issue at many levels.

Construing the goal of ethical standards as nothing more than an adequation of normative behavior as governing criteria, a kind of hyper-Baconianism, has become *de facto* the reflex of our current legal and political culture. If that's what most people appear to want, that's what all will get. Ironically, we have created thus a new absolute authority, effective not least because daily proclaimed by its own prophets, the media and entertainment industry. This oracular voice from the sky includes of course the "news," which we consult each morning in order to learn

what we are supposed to think. And do. And then encourage others to do. Nor is that enough; we are prompted almost daily to join in an obligatory chorus, celebrating those as courageous, even "heroic" who invent a new, perhaps previously unthinkable "norm." In short, we are daily being pressured by pseudomoral imperatives to imitate beings and behaviors which may well be lower than ourselves, seduced by behavior re-enforcement into a kind of infernal *imitatio*. But can we overlook the enormous costs which have already accrued to this substitute for Revelation?

Whether we consider the disappearance of moral authority as Hannah Arendt construed it, or believe the issue of authority to be fluid or merely temporarily problematized, we cannot evade the evidence that consequences attend not only upon ideas, but follow in real time from the moral choices cultures as well as individuals make, not just from the way they choose to ground their first principles. Interestingly, that seems to be the thesis of the countercultural television series *Breaking Bad*, in which, as a *Los Angeles Times* review noted, people who do bad things seem to get what they deserve. In this dissentient cultural witness, "reality cannot be constructed by man. Rather, metaphysical truth exists—good and evil, moral and immoral, action and consequence." As the reviewers note (Michelle Kuo and Albert Wu), "This is the stuff of the Old Testament." Vince Gilligan, the show's creator, concurs: "If there's a larger lesson to *Breaking Bad*," he says, "it's that actions have consequence," adding, "I feel some sort of need for biblical atonement, or justice, or something."

"Breaking bad" implies the possibility of the good, even of "breaking good." The series implies something else, it seems, namely exhaustion with the 'conceptual morass' of an ethic whose highest principle is 'thou shalt not criticize thy neighbor.' In this context, perhaps, the concept of holiness as the primary content of Israel's Revelation and the notion that the most whole and healthy way of life available to us is by way of imitation of something far higher than ourselves merits at least a thoughtful retrospect. Perhaps we might include the texts of ancient Israel in our humanities curriculum, with thoughtful attention to the relation between holiness and authority as there articulated, not least in relation to the inevitability of consequences. If, as George Weigel says in the same issue of First Things I mentioned, we are in a widespread civil war over the very meaning of the human person (and I think he has a case), then perhaps any hope for a restorative resolution of our crisis of cultural authority can, as he says, only come "from a reformed culture in which Jerusalem is once again linked to Athens and Rome in the foundation of the West" (First Things, August-September, 2013, 37). Reason without Revelation hasn't been working all that well for us. Perhaps those of us who continue to value reason ought to move beyond serial post-mortem analyses of our cultural demise to a fresh consideration of the legacies which have formed and sustained us in healthier times.

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