What Makes Our Laws “Jewish”?

by

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Everyone has rules. Every society, culture, family and group. Having rules and laws hardly makes one distinct. From the ancient Laws of Hammurabi to English Common Law which, though not codified, has governed Britain since the twelfth century, laws have defined each and every society and culture on earth.

Yet, though every people who ever existed has had laws, it is Jews who have often been most associated with laws and rules. And not unfairly. After all, we are a people not simply contained by our laws but *unified* by our laws, or *mitzvot*. Among the contributions that the world credits to us is the Ten Commandments, the bedrock rules that form the very foundation of civilization.

Jewish laws.

But are they really *Jewish*? And if they are, how so? To look at the list of the Ten Commandments, you could immediately pick out rules so embraced and encoded in every civilized group that it would be impossible to describe them as uniquely *Jewish*. Most, if not all, civilized societies teach not to kill, steal, or commit adultery, preach honor for parents, and even institutionalize a day of rest. Good laws. Smart, practical laws. Laws that allow individuals to form functional, successful groups and communities. Hardly laws that could be called exclusively Jewish.

That is, when you consider the second through the ninth of these commandments. These commandments are focused on behavior. *Not* to have any other gods… *not* to take the name of God in vain… *not* to work on the Sabbath…  *to honor*… *not* to murder, commit adultery, steal or provide false witness. Each a statement of behavior; what *to* do, what *not* to do. But when you consider the first and last of the commandments, you note something different. It is *how* the first and last of the commandments differ from the other commandments that they define what it means for the Jew to have laws.

The first commandment is to believe in God, to know Him and to be cognizant of His everlasting presence. The last mitzvah forbids us from coveting, from being “envious of a neighbor’s house, wife, slave, maid, ox, donkey, or anything else that is a neighbor’s.”

These two *dibrot*, the first and last, are *mitzvot* relating not to action but to mind and thought and in doing so define how and why these laws are not merely societal laws but *Jewish* laws. They also give lie to the observation – too often an *accusation* – that Jews are a legalistic people, only concerned with rules. On the contrary! Judaism is not simply a body of legalisms, nor is Torah a compilation of beliefs and opinions. Judaism is a unified organism of philosophical-theological truths and legal obligations. It is precisely for this reason that Rambam opened his *Yad-Hachazakah* with the Halachic principle that “the basic principle of all basic principles and the pillar of all sciences is to realize that there is a First Being who brought every existing thing into being.”

The First Commandment is not a demand for blind faith but a call to know, study, reflect, and discover God. Not because my *zeide* or Rebbe told me to but because I have found and met Him. “This precept,” states the *Chinuch,* “is the great principle of the Torah, on which all depends.”

Without God, the revealer of Torah, there is no rhyme or reason for *mitzvot.*

The Ten Commandments, therefore, begins and is founded not on rules governing appropriate or inappropriate behavior but on *thought*. So too, it concludes with a focus on *thought*, with a prohibition on coveting, on envy. On the one hand, we are told to use our power of intellect to reach our level of belief in God. On the other, we are warned never to use our thinking capacities in order to attain or gain that which is not ours. Not only is it prohibited to make any attempt to obtain something which belongs to another through coercion or even through payment, it is even forbidden to desire in one’s heart the possessions of another. The body of Jewish law, then, is couched on both sides with the spirit and soul of Jewish belief and thought. A true Jew not only *acts* and behaves Jewishlybut he also *thinks* Jewishly as well.

Before he acts, a Jew reflects and thinks. After he acts, he reflects and thinks.

Yet, in these two laws a profound question presents itself. While it is clearly apparent that one can be motivated to think “positively” – *about –*something it is not so plain that it is possible to *not* think about something. After all, to think about God one needs simply look at the world, observe the sunrise and sunset, the stars, waters, trees, just think of the depth and scope of Torah. To do so guarantees some level of faith. If you do only that, you will, as Rambam exclaims, know God. To think positively makes sense. But how does one *not* think about something. How does one *not* desire?

Torah is practical. It is rational in instructing against theft, kidnapping, murder. These are actions which, even if desired, can be restrained. But can the desire itself be legislated? Ironically, or insightfully, it is *this* prohibition against coveting which most clearly characterizes the Jewish, Godly aspect of the Ten Commandments.

Any ruler, government or law can decree not to do something. But no mortal ruler or government can dictate policies regarding thoughts and reflections. But “thou shalt not covet,” only God can forbid, for He is cognizant of man’s most intimate thoughts. Furthermore, the very same individual who can direct his thoughts and beliefs towards God can also direct and channel his thoughts to think honestly, and more importantly, to think in permissible and practical terms. The *Ktav V’Hakabalah* explains that the Torah, which expects that we “love God with *all* our heart,”intends to have us use all of our thinking powers and capacities in the pursuit of God; good, decency, honesty. To love God with all our powers means to use our minds exclusively for that which God would approve and condone. Otherwise, we are using part of our intellect for that which is not Godly, and therefore unattainable. In other words, Judaism teaches that a person may not contemplate or desire that which he may not attain or that which is forbidden to attain. That which God forbade and restricted remains in the realm of the unthinkable. The Ibn Ezra quotes the famous Meshalim, “Would the rational, normal, poor farmer contem­plate or think of physically relating with the beautiful, stunning princess? It is impossible, therefore unthinkable. Would the ra­tional, normal, poor farmer contemplate or think of growing wings to fly in the heavens? It is impossible, therefore unthinkable. The poor farmer would not, nay, could not, think of the beautiful princess, just as he wouldn’t and couldn’t think in similar terms of his mother. Just as he was trained of the forbidden relationship with his mother, he can similarly be trained regarding the princess. Not to covet is a matter of training. The Torah’s intention is to train the Jew that what is forbidden and prohibited is unattainable and therefore unthinkable. The same individual who is trained not to murder, steal, or commit adultery can be trained not to covet. Whatever is not yours, the Torah says, you can’t have. Therefore, don’t desire it, or even think about it.

“Why? Because your mind is filled with God, with honesty, with decency, with integrity, and there is no more room to add to that mind, just as there is no more room to add to an overflowing cup. The mind and heart filled with God and His truths respond naturally and logically to the prohibition not to covet.”

47

Rabbi Soloveitchik *zt” l* observed that every morning we recite three *b'rachos* of identity, taking note of who we are. God placed our souls into our bodies, determining for us our religion, our gender, our social standing. God determined our identity. We praise Him as the One “*she’asa li kol tzarki*”, who made everything required for me to realize my potential. In our blessings, we see ourselves in God’s image. If we look to God, we see ourselves as reflections of the divine, free of the desire for more.

A Chasidic master once said that “not to covet”is more than merely a prohibition; it is also a promise, a result. He who is able and desiring to think in Godly terms, who reaches the level of knowing God, identifying with His values and standards, such a person will never covet. It is a matter of perspective – do you look at God or at yourself? To look primarily at oneself is to always want more, to covet. But to look at God and measure a life by His standards? Such a life will be satisfied and content.

There is the story of a boy who dwelled in the mountains. Looking across the valley, he found himself fascinated by a house on the opposite side of the valley. Each evening its windows were sheets of shining gold. Drawn to this seeming treasure, he made his way across the valley toward the house. But the path was difficult. Exhausted, he lay down and slept.

Early the next morning he hurried to the house. Instead of finding sheets of gold, he discovered that the windows were but ordinary glass. Disappointed and bitter, he turned toward home, but then stopped in surprise. Across the valley, he saw his own home, and it was agleam with windows of gold!