

The Ten *Commandments* and Human *Rights*



Walter J. Harrelson

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AND HUMAN RIGHTS

Revised Edition

Walter J. Harrelson

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The Ten Commandments and Human Rights

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The Ten Commandments and Human Rights

PREFACE

The Bible knows little or nothing about human rights in our sense of the term. It does know and say a great deal about the obligations of individuals and of the human community to the Lord and Giver of life and to fellow human beings. But one's obligations to others are in fact the realities that the others have a right to expect. I am under obligation to be faithful to my wife, faithful in all the ways that the term has meaning. This obligation means that my wife has a right to expect such faithfulness. God also has a right to expect such faithfulness!

In that sense, the Bible has much to say about human rights. It is possible to see in the basic understandings of human rights, reflected in, for example, the United Nations' Universal Declaration of Human Rights (see the Appendix below) a large measure of the biblical understanding of human obligation under God.

The legal materials of the Old Testament, and the Decalogue in particular, contain the foundation of much of this understanding of human rights, in the biblical sense of the term. In the present study the effort is made to show just how significant the Ten Commandments are for a biblical understanding of the rights of human beings in relation to others, and how significant they are for the New Testament community and for contemporary human life today.

My hope is that this study will encourage groups and individuals to look again at the biblical heritage for concrete guidance in their efforts to live responsibly and faithfully during times of great difficulty and challenge to the human community. I especially hope that this small work will contribute to a deepened understanding, on the part of Christians, of the Jewish religious heritage, which is so intimately interwoven with the Christian heritage. The truth of this interweaving was impressed upon me all the more deeply as I spent almost two years as a staff member of the Ecumenical Institute in Jerusalem, where the original manuscript was completed. I believe that when Christians know, or come to know, the inner power and depth of God's demands—demands like those summarized in the Decalogue—they will the better understand and feel the inner power and love of God for sinners while they are sinners. A right understanding of Torah, of Law in the sense of obligation under God, is essential for an

understanding of the love and grace of God. May this study contribute to the furthering of that understanding.

ABBREVIATIONS

ANET	<i>Ancient Near Eastern Texts Relating to the Old Testament</i> , ed. James B. Pritchard, 2d ed. (Princeton: Princeton University Press, 1955)
ATANT	Abhandlungen zur Theologie des Alten und Neuen Testaments
BA	<i>Biblical Archaeologist</i>
BWANT	Beiträge zur Wissenschaft vom Alten und Neuen Testament
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
IDB	<i>Interpreter's Dictionary of the Bible</i>
JBL	<i>Journal of Biblical Literature</i>
SBT	Studies in Biblical Theology
TB	Theologische Bücherei
VT	<i>Vetus Testamentum</i>
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>

PART ONE:

**HISTORICAL AND STRUCTURAL
PROBLEMS**

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CHAPTER 1

THE TEN COMMANDMENTS TODAY

Young men and women learned the Ten Commandments by heart as a part of catechism study in many Christian communities during the past centuries. The practice, while not yet abandoned, is probably quite rare these days in Western Christian lands. There are gains in this practice, but there are also great losses.

We all know that Christianity has suffered greatly from a moralistic application of the legal materials in the Bible, including the Ten Commandments, to personal and social life. So it is one of the great gains of the past three or four decades of Christian life in the West that much of this moralism and legalism has been exposed and largely overcome. The Ten Commandments contributed to the moralism and the legalism, and thus the loss of knowledge of them could be termed a gain.

At the same time, many persons in the Western world must surely believe that the loss of the Ten Commandments from our common life threatens to sweep away something vital. This is not primarily because the Decalogue helped to maintain the old ways and customs of our forebears, and not because many of us may long to return to an earlier epoch when people really believed the Bible and followed its tenets. No, the loss of knowledge of the Ten Commandments means a loss in understanding what human liberty is, what freedom of the spirit means, and how freedom is to be maintained in the world.

My contention in this book is that our societies have indeed suffered a great and almost numbing loss because these prohibitions no longer have a vital place in the life of individuals and in the community. The loss, nonetheless, is not beyond recovery.

We cannot simply assert that the Ten Commandments must be taken seriously and expect that it will come to pass. We should also not be alarmist, joining with those who, understandably but mistakenly, wish to require the introduction of the Ten Commandments into the curriculums of public schools. Rather, we need quite soberly to seek to understand what these prohibitions, and others like them, have meant for earlier generations, including the generations of the biblical peoples. When we see what they once meant, and how important that meaning was, we can take steps to reclaim for our own generation this priceless part of the biblical heritage, doing so in ways that do not infringe upon the commitments and understandings of others.

We must proceed critically, examining this part of the biblical literature and heritage by seeking to understand what it once meant, while weighing that meaning to determine whether it can and does have a comparable meaning for us in our own social and personal existence today.

THE “OLD TESTAMENT” AS A BOOK OF LAW

First it is necessary to remove some of the difficulties that prevent us from hearing this message from the Hebrew Scriptures. Christians refer to the Hebrew Scriptures as the “Old Testament,” but this entirely well-meant designation has done much harm. Once, as the early Christians were affirming the difference that the Christian revelation made, they contrasted the new reality with the “old things” that had passed away (see, e.g., 2 Cor 5:14–21). The age of blessedness promised to the offspring of Israel had dawned; God had brought redemption to the people of the Covenant and to the world. No longer did Israel need to wait and hope, for that for which they waited and hoped had come to the world. It had come in the one whom God had raised from death, this Jesus of Nazareth who had been put to death by the Roman authorities with the support of some leaders of the Jewish community of Jerusalem.

But nowhere in the New Testament do we have direct warrant for calling the Scriptures of the Jewish people the “Old Testament” or the “Old Covenant,” in contrast to the New. If the term is to be retained at all, it must be retained as a term for one part of the *Christian* Bible, and we must always be quick to point out that Christians use the term to refer to the *Jewish* Scriptures.

Along with the use of the term *Old* we have inherited another venerable but mischief-working distinction: the Old Testament has been identified as a book of the "law," in contrast to the New Testament, the Christian book of grace and free forgiveness. All informed Christians know that the Hebrew Scriptures are full of affirmations of the grace of God for sinners and that there is a vast body of literature in the Hebrew Scriptures that has nothing whatever to do with law in any meaning of the term. Yet the distinction continues to be drawn. Connected with it is the picture of the God of the Hebrew Scriptures as a God of stern demands for justice and wrath against all who fail to do right, in contrast to the picture of the God of the New Testament as a God of love and forgiveness.

As a result of this popular misrepresentation of the religion of the ancient Israelites, Christians have slowly lost appreciation for the value such materials as the Ten Commandments have in holding a society together. It is supposed that with the coming of the Christ the commandments have been reduced to two, and both of them positive: love God and love your neighbor. What need have we further—so the argument goes—for these older, largely negative commandments? Law can be such a coercive reality in social life; those in authority can simply sanctify the prohibitions they wish to see observed, demanding allegiance from those who must obey their directives. Jesus' great breakthrough, it has been maintained, is precisely the liberating of the human spirit from such a negative religious outlook and from a religion of fear and law.

There is truth in such observations. Every religion can be turned into an unwholesome legalism and at some stages in its actual history is likely to have experienced such a fate. There have been the periods of Christian legalism that were perversions of the gospel of Christian liberty. It is also right to say that the Hebrew Scriptures do have much to do with law, with Torah, and that one of the valid distinctions between Judaism and Christianity is that Judaism understands itself as a religious movement tied to the absolute demands of God's Torah, God's authoritative teaching or guidance. Christianity, on the other hand, can rightly be seen as a religion in which an essential ingredient is the freedom of the human spirit, with which God's raising of Jesus from death is inseparably connected. The Christian community of those who are witnesses of the Resurrection is a community marked by a new perception of the possibilities of human life and human community. Human beings need no longer live under compulsions and constraints that long have bound and sometimes enslaved them. They

need no longer live only in hope of a time of freedom and joy and blessedness in God's presence. They need not do so, because what God has promised, God now has brought to reality. Human beings need only to claim the glory and the new prospects for human life, individually and corporately, as they await the consummation of the day of fulfillment that is very near at hand. Is there any place for the Ten Commandments in such a community of the Resurrection? We intend to confront that question head-on, for it is one of the most weighty ones we will face.

THE "IRRELEVANCY" OF THE COMMANDMENTS TO CONTEMPORARY LIFE

An even more serious obstacle to our coming to understand and appreciate the Ten Commandments in fresh ways today is the widespread belief that these commandments are of no further real use to contemporary men and women. In fact, this is a conclusion that is simply taken for granted. For example, in our secular world, what possible meaning could a commandment that prohibits the worship of other gods have? Our generation seems to have managed its affairs successfully without belief in any god at all. To hold up for persons the first commandment, with its call to hold fast to the worship of the God of ancient Israel (whose personal name may have been pronounced "Yahweh") and to let this God have no rivals at all in our lives—what could that possibly mean concretely? Or to prohibit making images of God, something our generation has certainly not the slightest temptation to do, would seem a clear absurdity. The sanctifying of the Sabbath Day may be all right for the state of Israel, but in most Western lands we have already established the five-day work week, which gives at least two free days for leisure and for such engagements as men and women may see fit to pursue. It could well be considered quaint to commend Sabbath observance for inhabitants of the modern, industrialized world, where the large question is how to deal with massive changes in the need for human physical labors. A real question, one might well argue, is what to do with our leisure, not how to get people to stop working on some sacral day.

The prohibition against acts of adultery would seem to many not only pointless—since sexual practices have undergone revolutionary changes in the past few decades and are certainly not likely to be modified by some call to avoid adultery—but in fact wrong. Have we not finally begun to identify human sexuality as a natural good of life

and to free it from the prejudiced weight of a negative religiosity? A commandment against adultery surely may be all right as a reminder of the importance of family life today, but as the central commandment of a sexual ethic would it not be ludicrous to argue for its reinstatement?

Regarding the protection of property that seems to be central to the commandments about stealing and coveting, sensitive Christians today may feel that we do not need any further religious demands in that direction, but rather a deeper commitment to sharing the goods of the earth more widely and more fairly. A privileged and wealthy society might well use such commandments to seek to protect its holdings, but what has such an effort to do with Christian faith?

As Gerhard Ebeling pointed out in a marvelous series of sermons on the Ten Commandments,¹ we may be left with one commandment that has validity: the commandment against killing. That commandment surely will never lose its value or its relevancy to contemporary life. But the vast majority of the commandments in the Decalogue, it would appear, either have no real bearing on our present life or seem capable of damaging that life if they were introduced and their observance required.

NEGATIVE LEGALISTIC RELIGION

We all can have some sympathy for the belief that the moralism and legalism of the church in the past have been the cause of much harm. There is no doubt at all that religious communities throughout the centuries have in many cases served to keep certain groups within a society in subjection to other groups. Religion has been used as a sanction for unjust norms, as an instrument for enslavement rather than freedom. And a religion that is on the whole open and positive about life can easily fall victim to petty legalisms. One need only examine various efforts in Christian history to establish an authoritarian religious society on earth to see the damage that can be done to human beings. When the society is regulated in detail by positive legal requirements or by negatively framed prohibitions, the society often has thereby made a travesty of the human freedom that is intended to issue from God's gift of Torah. Nothing in the pages that follow is intended to serve the cause of a narrow legalism or authoritarian religious pretensions.

The problem lies, as we shall see, not in the negative form of such commandments and not in their availability as summary statements of what the God of the covenant requires of the people of God, but in the way in which the community comes to understand such summaries and such negative formulas. Calvin's Geneva was not in the least made unwholesome by the requirement that all citizens hold fast the tenets of the Decalogue.² John Winthrop's New England was not ruined by the negatively framed summaries of the divine law. The damage lay, rather, in a spirit of fear and repression, in a commitment to make all human beings conform to the positive demands believed to issue from the divine law.

THE NEED FOR CREDIBLE AND DURABLE NORMS

If we look deeply into our own lives and test carefully the anxieties and concerns of our fellow citizens, we may be willing to explore what value the absolute norms and prohibitions that appear in the Ten Commandments may have. Men and women today do have a profound longing for a set of norms than can be relied upon. What kinds of conduct are simply not possible to the Christian man or woman? What is "the good life" for the Christian family today? How can we teach our children anything that we can claim to be absolutely right and binding for all of life? Is there really any such thing as a set of basic, concrete guidelines for the Christian community today?

In contemporary, secularized Western society there is a wistful longing for such norms, upon which individual and family could depend in all circumstances. One reason for the rapid growth today of evangelical religion of a fundamentalist nature, or for the growth of some charismatic religion with rigid personal and communal norms, is that such communities are thought to supply just such norms. Not all the norms supplied in these communities are perceived to be rigid or authoritarian. In fact, in some of the evangelical and orthodox Christian movements there appears to be a deep appreciation of the positive import of such prohibitions and a determination to avoid rigidity and authoritarianism as the community recommits itself to fixed, "biblical" norms.

We should know, however, that if we are to find a way to supply nourishment to meet this hunger, we have to do so with the utmost care. The gains of contextualist and existentialist ethics are too numerous and too solid to be endangered by facile returns to absolutist

norms. The enslavement of the human spirit in the name of religion is too well known in history. We dare not risk a recurrence of such enslavement out of fear that our society is about to collapse into normlessness. And the misuse of norms for the protection of the privileged is a perennial danger.

Nonetheless, the situation of human beings in the Western world, and of families and of societies as well, is so desperately grave that some risks have to be taken. We have clearly gone too far into sentimental lawlessness in the name of love and mercy. We have let slip away from us the biblical picture of a God who cares fiercely about justice on earth and will not forever permit injustice to continue.³ The religious community has to maintain both its social ethic and its personal ethic, its fidelity to the tenets of prophetic religion with its social norms, and its fidelity to the demands of God upon the individual. Some way has to be found to describe in credible ways the absolutely binding claim of the God of biblical faith upon the religious community and the individual. The freedom that is God's gift of love to people and community is a freedom that is reciprocally related to the absolute claim of God upon community and individual.

It is worth our while, therefore, to attempt to test the value of this ancient set of short, pithy prohibitions found in the Ten Commandments. We need norms that are credible and durable. Perhaps we will find that these ancient norms that have been of great value to past generations do in fact continue to have great value.

DISTINCTIVE FEATURES OF THESE NORMS

Norms of the sort we long for are usually provided within a human community quite naturally. Children grow up in a society in which they absorb a way of life, a way of conduct, and a way of relating to fellow members of the community, to the practices of the community, and to the natural order. Just as children are "taught" what they like by way of food, what occupations they prefer, and what relations they appreciate most between members of their own sex and members of the opposite sex, so also they are "taught" the norms that pertain to adultery, killing, stealing, bearing false witness, and the like. There is nothing at all mysterious about the process of acculturation, by means of which persons enter into adulthood, over time, within a fixed community's own norms, many if not all of which may in some societies not even be written down.

This process of providing clues to our children goes on in modern Western societies as well. We teach our children manners and morals, on one very important level, without setting out to do so at all. Most of the shaping of members of the community for the normative life they are to live is done without any direct effort to teach norms or to lay down the demands of God upon them. Indeed, no society has time to teach everything explicitly, and norms are too important to be left to the schools alone. They must be taken in along with the mother's milk; they must be as unmistakable a part of the life of a young boy or girl as the reliability of the parents in time of need.

Obviously, situations do develop in which a society must be more explicit about certain norms. There situations often occur when there is a confrontation with a rival community or society, or a move from one location to another, with social and cultural changes taking place. Or, as in the modern world, the emergence of fluidity or rapid social change in the society will require a more explicit set of norms.

As many social analysts have pointed out, contemporary Western society is so fluid, so much on the move, and subject to such rapid social change that there seems to be no way for the society to "freeze" the situation long enough for the members of the community to pass along their lore to a new generation. The conflict among the rival communities and cultures is so severe that even if there were time, the present generation would have great difficulty claiming the attention of the new generation long enough to pass on the norms.

Moreover, there has certainly developed in course of this rapid social change an attitude toward change that is different from any that ever was known in the world. Change is greeted with much less ambivalence in the contemporary Western world than is common within societies. We might say that all young men and women today assume that almost all change is likely to be for the good of the society. If a norm or custom has been in effect for a long time, and if it is prized by the older generation, that is enough to make it suspect.

Such an attitude has its wholesome side, but it is, on the whole, devastating, given the situation within which most Western families must compete for the attention of the young. Given all the pressures, how can parents pass along the norms for life in which they believe and which they are convinced their children should observe? So little time is available, and when the parents, even though loved and respected, are not seen as real authorities for life in our world for the coming decades, how can the children accept their norms from them in the way that earlier generation were able to do? Probably most