

1st amendment constitution

roots 2000 years history

critique common sense

Comparison Jewish law

BOOK 91 Moshe Siselsender

Amendment I[1791]

Congress shall make no law respecting the

establishment of religion , or prohibiting the free

exercise thereof , or abridging the freedom of speech ,

or of the press , or the right of the people peacefully to assemble , and to petition the Government for a redress of grievances.

The population of the USA in 1776 at the time of the American Revolution against England consisted of people with diverse religions. These individuals came to the United States to escape persecution .

Although they had diverse religious loyalties *however*

they all TREASURED FREEDOM.

To the Founding fathers the world in the last 1700 years experienced continuous bloodshed. billions of people were massacred to save their souls by Christians against Christians and Christians versus Muslims Hindus Budhists.

The beautiful passages of the

New Testament and Koran were interpreted to represent the goals and agendas of the powerful.

What was pure and God given to the votaries of all these religions was converted as a sanction and code of oppression and death.

Instead of religion being a way of life religion became a way of death. With the promise of life in the hereafter gullible millions were *duped.*

For 1000 years the dark ages was imposed .

Blind obedience was rewarded.

Any attempt to question the dominant theology and political order was punished by burning at the stake or other cruel death. Clothes were shoved into the mouths of the victims to drown their screams of pain.

The same treatment was reserved for large groups of population who dissented or possessed a different religious identification.

The adage

it is my way or the highway

—no compromise —

was strictly enforced.

The country or group who was more

powerful decided by the *SWORD.*

4

God in reality

got a face lift

When ever a group
other than the one previously in
power assumed power.

Instead of man/woman

following in the steps of God ;

God was portrayed

following in the steps of man/woman



From the beginning of recorded history
there did no exist one day
with the exception of 150 years under the
reign of pagan Roman emperors , that there
was no war
and no blood shedding-
all in the name
of religion.

This was sold to the ignorant masses
that the killings were mandatory
to save
the souls of the victims
massacred.

Beginning in the 1500s with the
advent of the Renaissance
the little light
generated pushed aside
much of the darkness.

The citizens in the USA
represented a population who drank
from the waters of liberalism and
free thought.

Many were deists who questioned
the authenticity
of all established religions.

There exists no gospel truth.

Every thing in the world is open
to questioning and review.

These citizens treasured freedom .

They correctly separated the Church
from the State.

It is the mission of the State to concern

Itself

ONLY

with the physical welfare of

It's citizens .

The physical welfare

of its citizens

trumps

all religions laws.

Those who need spiritual salvation
are free to attend the Church
Mosque Temple or Synagogue .

There must be a wall of
separation
between church and State .

This in my opinion was the smartest
mission of the Constitutional

Amendments

However I do not
believe that if the State offered tax credits
for tuition paid
to private and parochial schools that
there exists any danger of damage
to the establishment
clause of separation of Church and State.

The State is offering relief to parents
for the double taxation.

These parents
support the
secular school system
with real estate taxes.

Jewish law CONCURS
with the Establishment Clause.

The preservation
and saving of human life
trumps all laws
regardless of

gender

race

color

religion

national origin

In book 90 I gave all citations.

**Book 92 Comparison Establishment
Clause Separation Church and State
AND Freedom of Communication and
Press - 1st Amendment USA**

Vis-à-vis European

Moshe Siselsender

Napoleon Bonaparte following the French Revolution ripped the stigma and crashed the glass ceiling separating the ordinary citizens and the nobility. He also extended citizenship and all rights to everyone including to Jews. Napoleonic conquered half of Europe and almost succeeded in overthrowing the Russian bear. He like Hitler a century later was stopped not by Russian military but by Russian winter.

However, where ever Napoleonic's armies went he installed the Napoleonic code that gave freedom citizenship and equal rights to every one including Jews.

When Napoleon was eventually defeated the Europeans maintained more or less the reforms installed by Napoleon.

However , Jews in order to receive equal recognition and professional equality as non Jews were forced to convert. Those remaining Jews suffered liabilities and partial recognition of the rights and privileges of citizens.

However , when Jews in a large number converted, the snake of anti-Semitism did not disappear. Jewish genius was too much to over come in the market place of ideas. In order to

over come the new competition Jewish contributions to society were discriminated as being “Jewish” and discriminated. Thus was born the new creation “Jewish math Jewish physics Jewish music Jewish medicine Jewish psychiatry.” The tide of Anti Semitism showed its ugly face in the Dreyfus affair.

Dreifus a Jewish French officer was framed that in the Franco German War of 1870 he sold the German army the secrets of new French artillery . French army officers falsely covered up the real culprit a high ranking French ; *OFFICER.* Dreyfus was tried and convicted of

treason during war time. He was demoted and imprisoned. During the trial mobs screamed for the death of all Jews. During this trial Herzl an assimilated Jew serving as a newspaper reporter from Austria realized that the only answer for Jews from

Anti Semitism was to create a Jewish homeland in Israel. He wrote the Judenstat Jewish State He became the leader for Zionism. He coined the idiom “if you really want a homeland it will no longer be a dream.”

The crescendo of the backlash against Jewish competition – Anti Semitism again showed its ugly face by Bismark in

Germany . However it rose to disproportionate heights in Russia.

The Czar and his advisors in 1880 instituted pogroms killing thousands of Jews. They had a tri pad policy regarding the 3-4 million Jews in

Russia . 1/3 will be killed 1/3 will emigrate and 1/3 will convert. They fabricated the Jewish Protocols that Jewish bankers globally want to take over the world. Jewish newspapers are disseminating Judaism and poisoning the morals of Christians. Jews are killing Christians and using their blood to bake matzohs for Passover.

Millions of Jews emigrated or were expelled from Russia. They settled in Western Europe and the Americas. In 1907 Beilus a Russian Jew was accused and tried on charges he killed a Christian child to use her blood to bake Matzos for Passover.

The United States intervened with Russia regarding their persecution of their Jews. Nothing helped.

Precisely 10 years following the Beilus trial communists over threw the Czar . Many of the leaders of the Communists were Jews. So the tiny minority of Jews finally got their revenge on the

Anti-Semitic Russian Government.

For the next 80 years with all the evils ushered in by communism there did exist Anti-Semitism but it was severely punished by the government.

However, the toxic rise of Anti-Semitism in Europe followed the defeat of Germany in the first World War and the rise of Fascism and the Nazis in Germany. The Nazis won the democratic elections in Germany of the Weimar Republic in 1933. Hitler was appointed leader. Soon after the Anti-Semitic crescendo reached its peak. The Jewish question was to be

solved with German Jews having their citizenship stripped and all their rights revoked. 90% of German Jews thus were forced to leave. That was a blessing in disguise. Those who remained were later killed in the concentration camps. Hitler made the Anschluss-union with Austria in 1938. Anti-Semitism and Jewish persecution followed. The Allies agreed to give Hitler a part of Czechoslovakia that Hitler claimed by virtue of German citizens who lived there for hundreds of years that he claimed were abused by the Czechs. However that did not stop Hitler's appetite.

Hitler invaded Poland

September 01,1939. That precipitated World War II . In 1940 Hitler's armies in a Blitz Krieg rolled over and conquered Belgium Holland France. They were posed to conquer Great Britain.

Hitler then committed the fatal mistake of attacking Russia. His armies rolled over the Western part of Russia. Like Napolian 100 years earlier the Russian winter stopped Hitler.

With the Japanese attack on Pearl Harbor December 07,1941 the USA entered the War against the Nazis and Japanese.

During 1942 1943 1944 6 million Jews and 1 million Jewish children were murdered by the Nazis. The holocaust traces a direct line to the hatred lies libel slander of 2000 years of Church Catholic and Protestant fed anti Semitism. Hitler and the Nazis merely undusted the ever present venom of the Catholic and Protestant Church's libel that Jews are eternally responsibly for the crucifixion of Jesus Christ the Son and God Himself. Finally after 1700 years of the murderous libel of deicide in 1995 [40 years after the holocaust] the Catholic Church got the courage to remove this libel of Deicide from the

Jewish people. However it still fails to acknowledge the right of Jews to Historical Israel- Judea Samaria Golan and old city of Jerusalem. This is a brief summary of the history of the European version of the 1st Amendment the separation of Church and State as regards Jews.

In the USA although there existed in the past and exists pockets of Anti-Semitism by individuals, the powerful wall of Separation of Church and State has worked.

In England in 1850 Disraeli's family converted. He rose in the ranks of

political office and eventually was elected Prime Minister. His conversion, nevertheless, did not stop anti-Semitic attacks. Once during an anti-Semitic attack Disraeli who possessed a sharp tongue replied ;

“ while my ancestors were studying law and ethics , your ancestors were swinging from branches of trees. ”

In the USA there existed strict separation of Church and state . However before the Civil war anti Semitism reared its ugly head. Judah Benjamin was elected to the Senate from a Southern state . He was berated and called a dirty Jew by a fellow

senator. Judah Benjamin is reported to have answered him in similar words as Disraeli. Judah Benjamin after the South seceded served the South as Secretary of war and later as Secretary of state. At the end of the war he escaped to England . He became a famous attorney of English law . He wrote a classic book of English law known as the Benjamin.

General Grant excluded all Jewish merchants from all areas conquered by Union troops, because of infractions by certain Jewish merchants.

However, President Lincoln intervened and refused to punish all

Jewish merchants because of the inequities of a few.

Grant when he became President employed several Jews in his cabinet.

When a rabbi was nominated to give a non denominational speech at the President's inauguration , officials from a Protestant Church were very angry. How dare the USA give equal treatment to Jews!!!!

The 1st Amendment of creating a wall Separating Church and State is

Brilliant. It is the work of genius. In the 221 years since its enactment

[1791-2017] Not one individual was deprived from exercising his/her right to observe their religion. By Separating the State from the Church, peace is

restored . Every one can state that their religion and only they have the ear of God. They and their high priest are the ambassadors and representatives of the Divine. Only they have a direct line of communication with God. Only they know precisely how God looks and acts. Only they have the formula how to keep God happy . However, no one has the POWER of the STATE to enforce this right. All are free to communicate and

try to save the souls of their fellow men/woman.

However no one has the POWER of the STATE to force others to their beliefs. What was wrong in the last 1700 years is NOT the religion; but the POWER assigned to it. Strip its Power and the religion resumes to be as pure and beautiful as it is described in their holy books FOR EVERY ONE even those who do not believe in its tenets.

The thicker the wall of SEPARATION between Church and State the greater and longer will be the life of democracy and freedom.

The beauty of the 1st Amendment is that every one can represent that they have the ear of God . Only they represent the true revelation of God. Only they have the key to make God happy. They can elect like Judaism not to engage in converting others, or try to save all non believers in your religion. However there exists no State to coerce.

Also the Bill of Rights apply to Federal and State City governments; not to individuals, with the exception of 13th amendment forbidding slavery. Individuals have the protection of Federal and State and Local Civil and Criminal Ordinances and Laws.

Individuals have the right to ban missionaries or any one else who exercise their 1st Amendment rights free speech rights from their property.

ded upon it in fire; and the smoke ascended as the smoke of a furnace, the whole mount quaked greatly. And when the voice of the horn waxed louder, Moses spoke, and God called him by a voice. * via, vils. 20. And the LORD came down upon mount Sinai, to the top of the mount; and Moses spake to the top of the mount; and Moses spake. 21. And the LORD said unto Moses: 'Go down, charge the people, lest they break through unto the LORD, and many of them perish. 22. And let Moses also, that come near to the LORD, break upon himself. 23. And Moses said unto the LORD: 'The people cannot come up unto mount Sinai; for thou didst charge us, saying: Set bounds about the mount, and say to them.' 24. And the LORD said unto Moses: Go, get thee down, and thou shalt say unto Aaron, thou, and Aaron with thee; but let not the priests and the people break through to come up unto the LORD, lest they break forth upon them.' 25. So Moses said down unto the people, and told them.

19 וַיְהִי קוֹל הַשֹּׁפָר הוֹלֵךְ וְהוֹק מְאֹד מִשָּׁה יִדְבָר וְהָאֱלֹהִים שָׁשׁ וְשִׁבְעִי (ספ) יַעֲנֵנוּ בְקוֹל: וַיִּרְדּוּ יְהוָה עַל־תֵּר סִינַי אֶל־רֹאשׁ הַהָר 21 וַיִּקְרָא יְהוָה לְמֹשֶׁה אֶל־רֹאשׁ הַהָר וַיַּעַל מֹשֶׁה: וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה הֲדָ הָעַד בְּעֵינִי פְרִי־הָרְסוֹ אֶל־יְהוָה לְרֹאוֹת 22 וְנִפְל מִמֶּנּוּ רַב: וְנָם הַבְּהֵמִים הַנִּנְשָׁים אֶל־יְהוָה וַתִּקְהָשׁוּ 23 פְרִי־פְרִיץ בָּהֶם יְהוָה: וַיֹּאמֶר מֹשֶׁה אֶל־יְהוָה לֹא־יִבְגַל הָעָם לַעֲלֹת אֶל־תֵּר סִינַי כִּי־אָמַרְתָּ הַעֲרַתָּה בְּנֵי לְאֹמֶר 24 הַגִּבַּל אֶת־הָהָר וְקִדְשָׁתוֹ: וַיֹּאמֶר אֱלֹהֵי יְהוָה לְדָוִד וְעָלִית אִתָּה וְאַדְרֹן עִמָּךְ וְהַבְּהֵמִים וְהָעָם אֶל־יְהִרְסוּ כה לַעֲלֹת אֶל־יְהוָה פְרִי־פְרִיץ־בָּם: וַיִּרְדּוּ מֹשֶׁה אֶל־הָעָם וַיֹּאמֶר אֲלֵהֶם: ם

CHAPTER XX

CAP. XX. כ

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1 God spake all these words, saying: I am the LORD thy God, who brought thee out of the land of Egypt, out of the

2 א וַיִּדְבָר אֱלֹהִים אֶת כָּל־הַדְּבָרִים הָאֵלֶּה לְאֹמֶר: ם אֲנֹכִי

priests. The first-born (Rashi, Ibn Ezra); 1, 2 and xxiv, 5. Even the 'priests', who are obliged to come nigh to God, require purification on this occasion. *near near.* To the barrier of the Mount. *make forth.* Or, 'make a breach' in them.'

the people cannot come. Moses makes bold mention the need of such precaution, urging the people are already debarred from passing by the bounds. God's answer in v. 24 is a deeper knowledge of the human heart. 'Commands are never unnecessary' (H. F. art).

and told them. He repeated the warning (כ).

the next chapter, the Ten Commandments a double accentuation in the Hebrew text— for use in public reading in the Synagogue, for use in private devotion or study. The latter alone is given in the Authorized Book, p. 87 (p. 91 Revised Edition 1962).

and *logos*, word), are supreme among the precepts of the Torah, both on account of their fundamental and far-reaching importance, and on account of the awe-inspiring manner in which they were revealed to the whole nation. Amid thunder and lightning and the sounding of the shofar, amid flames of fire that enveloped the smoking mountain, a Majestic Voice pronounced the Words which from that day to this have been the guide of conduct to mankind. That Revelation was the most remarkable event in the history of humanity. It was the birth-hour of the Religion of the Spirit, which was destined in time to illumine the souls, and order the lives, of all the children of men. The Decalogue is a sublime summary of human duties binding upon all mankind; a summary unequalled for simplicity, comprehensiveness and solemnity; a summary which bears divinity on its face, and cannot be antiquated as long as the world endures. It is at the same time a Divine epitome of the fundamentals of Israel's Creed and Life; and Jewish teachers, ancient and modern, have looked upon it as the fountain-head from which all Jewish truth and Jewish teaching could be derived. 'These Commandments are written on the walls of Synagogue and Church; they are the world's laws for all time. Never will their empire cease. The prophetic cry is true: the word of our God

THE TEN COMMANDMENTS

CHAPTER XX, 1-14

The 'Ten Words' or Commandments, the עשרה דברים or the Decalogue (from *deka*, ten,

house of bondage. ¶ 3. Thou shalt have no other gods before Me. 4. Thou shalt not make unto thee a graven image, nor any manner of likeness, of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; 5. thou shalt not bow down unto them, nor serve them; for I the LORD thy God am a jealous God, visiting the iniquity

תהא אלהים אשר הואתה מארץ מצרים מבית עבדים:
לא יהיה לך אלהים אחרים על פני: לא תעשה לך
פסל וקלתמינה אשר בשמים ומעל ואשר בארץ
סגרת ואשר במים ומתחת לארץ: לא תשתחנה להם

shall stand for ever' (M. Joseph). See Additional Note E, 'The Decalogue,' p. 400.

The most natural division of the Ten Commandments is into *man's duties towards God* (בין אדם למקום), the opening five Commandments engraved on the First Table; and *man's duties to his fellow-man* (בין אדם לחברו), the five Commandments engraved on the Second Table.

FIRST TABLE: DUTIES TOWARDS GOD

FIRST COMMANDMENT: RECOGNITION OF THE SOVEREIGNTY OF GOD

2. *I am the LORD thy God.* Jewish Tradition considers this verse as the first of the Ten Words, and deduces from it the positive precept, *To believe in the existence of God.*

1. Heb. *anochi*. The God adored by Judaism is not an impersonal Force, an It, whether spoken of as 'Nature' or 'World-Reason'. The God of Israel is the Source not only of power and life, but of consciousness, personality, moral purpose and ethical action (M. Joël).

thy God. The emphasis is on *thy*. He is the God not merely of the past generations, but of every individual soul in each generation.

who brought thee out of the land of Egypt. God is not here designated, 'Creator of heaven and earth'. Israel's God is seen not merely in Nature, but in the destinies of man. He had revealed Himself to Israel in a great historic deed, the greatest in the life of any people: the God who saved Israel from slavery had a moral claim, as their Benefactor and Redeemer, on their gratitude and obedience. 'The foundation of Jewish life is not merely that there is only one God, but the conviction that this One, Only and True God is *my* God, my sole Ruler and Guide in all that I do' (Hirsch). The first Commandment is thus an exhortation to acknowledge the sovereignty of God (קבלת עול מלכות שמים, lit. 'the taking upon ourselves the yoke of the Kingdom of Heaven').

The reference to the redemption from Egypt is of deepest significance, not only to the Israelites, but to all mankind. The primal word of Israel's Divine Message is the proclamation of the One God as the God of Freedom. The recognition of God as the God of Freedom illumines the whole of human history for us. In the light of this truth, history becomes one continuous Divine

revelation of the gradual growth of freedom and justice on earth.

SECOND COMMANDMENT: THE UNITY AND SPIRITUALITY OF GOD

Jewish Tradition (based on Talmud, Midrash and Targum) makes v. 3 the beginning of the Second Commandment.

3. *thou shalt have no other gods.* Because there are no other gods besides God. The fundamental dogma of Israel's religion, as of all higher religion, is the Unity of God.

before Me. Or, 'besides Me'; or, 'to My face' (Koenig). Nothing shall receive the worship due to Him. Neither angels nor saintly men or women are to receive adoration as Divine beings; and the Jew is forbidden to pray to them. This Commandment also forbids belief in evil spirits, witchcraft, and similar evil superstition. Furthermore, he who believes in God will not put his trust in Chance or 'luck'.

4. *a graven image.* This verse forbids the worship of the One God in the wrong way. Judaism alone, from the very beginning, taught that God was a Spirit; and made it an unpardonable sin to worship God under any external form that human hands can fashion. No doubt the law hindered the free development of plastic art in ancient Israel; but it was of incalculable importance for the purity of the conception of God.

nor any manner of likeness. Nor is He to be worshipped under any image, though such be not graven, which the human mind can conceive.

in heaven above. i.e. of the heavenly bodies; such as the ancestors of the Hebrews in Babylonia adored.

in the earth beneath. e.g. of animals, such as the Israelites saw the Egyptians worshipping.

in the water under the earth. The monsters of the deep.

5. *a jealous God.* The Heb. root for 'jealous', *kanna*, designates the just indignation of one injured; used here of the all-requiring righteousness of God. God desires to be all in all to His children, and claims an exclusive right to their love and obedience. He hates cruelty and unrighteousness, and loathes impurity and vice; and, even as a mother is jealous of all evil influences that rule her children, He is jealous

of the fathers upon the children unto the third and fourth generation of them that hate Me; 6. and showing mercy unto the thousandth generation of them that love Me and keep My commandments. ¶7. Thou shalt not take the name of the LORD thy

וְלֹא תִעַבְדֶם כִּי אֲנֹכִי יְהוָה אֱלֹהֶיךָ אֵל קָנָא פֶקֶד עֵין
 6 אָבֶת עַל-בָּנִים עַל-שְׁלֹשִׁים וְעַל-רִבְעִים לְשָׁנָא: וְעִשְׂוֹה
 7 חֲסֹד לְאֱלֹפִים לֹא-תִשָּׂא מִצְוֹתַי: ׀ לֹא תִשָּׂא

when, instead of purity and righteousness, it is idolatry and unholiness that command their heart-allegiance. It is, of course, evident that terms like 'jealousy' or 'zeal' are applied to God in an anthropomorphic sense. It is also evident that this jealousy of God is of the very essence of His holiness. Outside Israel, the ancients believed that the more gods the better; the richer the pantheon of a people, the greater its power. It is because the heathen deities were free from 'jealousy' and, therefore, tolerant of one another and all their abominations, that heathenism was spiritually so degrading and morally so devastating; see on Deut. iv, 24.

visiting the iniquity of the fathers upon the children. The Torah does not teach here or elsewhere that the sins of the guilty fathers shall be visited upon their innocent children. *The soul that sinneth it shall die* proclaims the Prophet Ezekiel. And in the administration of justice by the state, the Torah distinctly lays down, 'The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers; every man shall be put to death for his own sin' (Deut. xxiv, 16). However, human experience all too plainly teaches the moral interdependence of parents and children. The bad example set by a father frequently corrupts those that come after him. His most dreadful bequest to his children is not a liability to punishment, but a liability to the commission of fresh offences. In every parent, therefore, the love of God, as a restraining power from evil actions, should be reinforced by love for his children; that they should not inherit the tendency to commit, and suffer the consequences of, his transgressions.

Another translation is, 'remembering the sins of the fathers unto the children'; i.e. God remembers the sins of the fathers when about to punish the children. He distinguishes between the moral responsibility which falls exclusively upon the sinful parents, and the natural consequences and predisposition to sin, inherited by the descendants. He takes into account the evil environment and influence. He therefore tempers justice with mercy; and He does so to the third and fourth generation.

of them that hate Me. The Rabbis refer these words to the children. The sins of the fathers will be visited upon them, only if they too transgress God's commandments.

6. unto the thousandth generation. Contrast the narrow limits, three or four generations, within which the sin is visited, with the thousand generations that His mercy is shown to those

who love God and keep His commandments. 'History and experience alike teach how often, and under what varied conditions, it happens that the misdeeds of a parent result in bitter consequence for the children. In His providence, the beneficent consequences of a life of goodness extend indefinitely further than the retribution which is the penalty of persistence in sin' (Driver)

that love Me. Note the verb 'love', used to designate the right attitude to God; cf. 'Thou shalt love the Lord thy God with all thy heart, with all thy soul, and with all thy might' (Deut. vi, 5). Love of God is the essence of Judaism, and from love of God springs obedience to His will.

THIRD COMMANDMENT: AGAINST PERJURY AND PROFANE SWEARING

The Second Commandment lays down the duty of worshipping God alone, and worshipping Him in spirit and not through images. The Third Commandment forbids us to dishonour God by invoking His name to attest what is untrue, or by joining His name to anything frivolous or insincere.

7. take the name of the LORD. Upon the lips; i.e. to utter.

in vain. lit. 'for vanity', or 'falsehood'; for anything that is unreal or groundless.

God is holy and His Name is holy. His Name, therefore, must not be used profanely to testify to anything that is untrue, insincere or empty. We are to swear by God's Name, only when we are fully convinced of the truth of our declaration, and then only when we are required to do so in a Court of law. This verse, according to the Rabbis, forbids using the Name of God in false oaths (e.g. that wood is stone); as well as using the Name of God in vain and flippant oaths (e.g. that stone is stone). God's Name is, moreover, not to be uttered unnecessarily in common conversation.

will not hold him guiltless. i.e. will not leave him unpunished. Perjury is an unpardonable offence, which, unless repressed by severest penalties, would destroy human society. The Rabbis ordained a special solemn warning to be administered to anyone about to take an oath in a Court of law. In various ages, saintly men have avoided swearing altogether. The Essenes, a Jewish Sect in the days of the Second Temple, held that 'he who cannot be believed without swearing is already condemned'. 'Let thy yea be yea, and thy nay, nay,' says the Talmud.

God in vain; for the LORD will not hold him guiltless that taketh His name in vain. ¶ 8. Remember the sabbath day, to keep it holy. 9. Six days shalt thou labour, and do all thy work; 10. but the seventh day is a sabbath unto the LORD thy God, in it thou shalt not do any manner of work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, nor thy cattle, nor thy stranger that is within

אֶת־שֵׁם־יְהוָה אֱלֹהֶיךָ לִשְׂוֹא כִּי לֹא יִנְקֶה יְהוָה אֶת־אִשְׁרֵי־
 עַם אֱת־שְׁמוֹ לִשְׂוֹא: פ
 זָכֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ: שֵׁשֶׁת יָמִים תַּעֲבֹד וְעִשִׂיתָ
 כָּל־מְלֶאכֶתְךָ: יוֹם הַשְּׁבִיעִי שַׁבָּת | לַיהוָה אֱלֹהֶיךָ לֹא־
 תַעֲשֶׂה כָּל־מְלֶאכֶה אַתָּה | וּבְנֶךְ וּבִתְךָ עַבְדְּךָ וְאִמְתְּךָ

FOURTH COMMANDMENT: THE SABBATH

8. *remember.* The use of the word 'remember' may indicate that the institution was well known to the Israelites, long before their manna experiences; that it was a treasured and sacred institution inherited from the days of the Patriarchs; see also Note IV, p. 195. The Rabbis, however, explain 'Remember the Sabbath day' to mean, Bear it in mind and prepare for its advent; think of it day by day, and speak of its holiness and sanctifying influence. They instituted the Kiddush prayer, praising God for the gift of the Sabbath, to celebrate its coming in; and the Havdalah blessing, praising God for the distinction between the Sabbath and the six weekdays, to mark its going out.

sabbath day. Heb. *shabbath*, from a root meaning desisting from work.

to keep it holy. To treat it as a day unprofaned by workaday purposes. In addition to being a day of rest, the Sabbath is to be 'a holy day, set apart for the building up of the spiritual element in man' (Philo). Religious worship and religious instruction—the renewal of man's spiritual life in God—form an essential part of Sabbath observance. We therefore sanctify the Sabbath by a special Sabbath liturgy, by statutory Lessons from the Torah and the Prophets, and by attention to discourse and instruction by religious teachers. The Sabbath has thus proved the great educator of Israel in the highest education of all; namely the laws governing human conduct. The effect of these Sabbath prayers and Synagogue homilies upon the Jewish people has been incalculable. Leopold Zunz, the founder of the New Jewish Learning, has shown that almost the whole of Israel's inner history since the close of Bible times can be traced in following the development of these Sabbath discourses on the Torah. Sabbath worship is still the chief bond which unites Jews into a *religious* Brotherhood. Neglect of such worship injures the spiritual life of both the individual and the community.

9. *shalt thou labour.* Work during the six days of the week is as essential to man's welfare as is the rest on the seventh. No man or woman, howsoever rich, is freed from the obligation of doing some work, say the Rabbis, as idleness invariably leads to evil thoughts and evil deeds.

The proportion of one day's rest in seven has been justified by the experience of the last 3,000 years. Physical health suffers without such relief. The first French Republic rejected the one day in seven, and ordained a rest of one day in ten. The experiment was a complete failure.

work. Heb. מלאכה, that which man produces by his thought, effort and will.

10. *a sabbath unto the LORD.* A day specially devoted to God.

thou shalt not do any manner of work. Scripture does not give a list of labours forbidden on Sabbath; but it incidentally mentions field-labour, buying and selling, travelling, cooking etc., as forbidden work. The Mishna enumerates under thirty-nine different heads all such acts as are in Jewish Law defined as 'work', and therefore not to be performed on the Sabbath day; such as ploughing, reaping, carrying loads, kindling a fire, writing, sewing, etc. Certain other things which cannot be brought under any of these 39 Categories are also prohibited, because they lead to a breach of Sabbath laws (שבתה), as well as all acts that would tend to change the Sabbath into an ordinary day. Whatever we are not allowed to do ourselves, we must not have done for us by a fellow-Jew, even by one who is a Sabbath-breaker. All these Sabbath laws, however, are suspended as soon as there is the least danger to human life; יקח נפש דוחה say the Rabbis. The Commandments of God are to promote life and well-being, a principle based on Lev. xviii, 5, 'and these are the precepts of the LORD by which ye shall live וחי בהם.'

thou. The head of the house, responsible for all that dwell therein.

manservant . . . maidservant. Or, 'bondman' . . . 'bondmaid'; cf. Deut. v, 14. Not only the children but also the servants, whether Israelite or heathen, nay even the beasts of burden, are to share in the rest of the Sabbath day; see note on xxiii, 12. 'The Sabbath is a boundless boon for mankind and the greatest wonder of religion. Nothing can appear more simple than this institution, to rest on the seventh day after six days of work. And yet no legislator in the world hit upon this idea! To the Greeks and the Romans it was an object of derision, a super-

gates; 11. for in six days the LORD made heaven and earth, the sea, and all that in them is, and rested on the seventh day; therefore the LORD blessed the sabbath and hallowed it. ¶ 12. Honour thy father and thy mother, that thy days may be

11 וּבְהִמְתָּךְ וּנְרָךְ אֲשֶׁר בִּשְׁעָרֶיךָ: כִּי שֵׁשֶׁת יָמִים עָשָׂה יְהוָה אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ וְאֶת הַיָּם וְאֶת כָּל אֲשֶׁר־בָּם וַיָּנוּחַ בַּיּוֹם הַשְּׁבִיעִי עַל־כֵּן בִּרְךָ יְהוָה אֱתֵינוֹם הַשָּׁבָת

usage. But it has removed with one stroke the contrast between slaves who must labour incessantly, and their masters who may moderate continuously' (B. Jacob).

By cattle. It is one of the glories of Judaism that thousands of years before anyone else, it fully recognized our duties to the dumb brutes and helpers of man; see on Deut. v, 14.

By stranger. The non-Israelite, who agrees to keep the seven Noachic precepts; see XII, 48. Though the Sabbath was not included in these precepts, he too is to enjoy the Sabbath rest for his own sake as a human being.

Within thy gates. Within the borders of the town.

11. *rested.* See on Gen. II, 1-3.

By keeping the Sabbath, the Rabbis tell us, we testify to our belief in God as the Creator of the Universe; in a God who is not identical with Nature, but is a free Personality, the creator and ruler of Nature. The Talmudic mystics tell that when the heavens and earth were being called into existence, matter was getting out of hand, and the Divine Voice had to resound, 'Enough! So far and no further!' Man, made in the image of God, has been endowed by Him with the power of creating. But in his little universe, too, matter is constantly getting out of hand, threatening to overwhelm and crush out the soul. By means of the Sabbath, called זכרון למעשה בראשית, 'a memorial of Creation,' we are endowed with the Divine power of saying 'Enough!' to all rebellious claims of our environment, and are reminded of our potential victory over all material forces that would drag us down.

blessed the sabbath. Made it a day of blessing to those who observe it. See note on Gen. II, 3. The Sabbath was something quite new, which had never before existed in any nation or in any religion—a standing reminder that man can emancipate himself from the slavery of his worldly cares; that man was made for spiritual freedom, peace and joy (Ewald). 'The Sabbath is one of the glories of our humanity. For if to labour is noble, of our own free will to pause in that labour which may lead to success, to money, to fame is nobler still. To dedicate one day a week to rest and to God, this is the prerogative and the privilege of man alone' (C. G. Montefiore).

and hallowed it. Endowed it with sanctifying powers. The sanctity of the Sabbath is seen in its traces upon the Jewish soul. Isaiah speaks of the Sabbath as 'a delight'; and the Liturgy describes Sabbath rest as 'voluntary and congenial, happy and cheerful'. 'The Sabbath

planted a heaven in every Jewish home, filling it with long-expected and blissfully-greeted peace; making each home a sanctuary, the father a priest, and the mother who lights the Sabbath candles an angel of light' (B. Jacob). 'The Sabbath banishes care and toil, grief and sorrow. All fasting (except on the Day of Atonement, which as the Sabbath of Sabbaths transcends this rule of the ordinary Sabbath) is forbidden; and all mourning is suspended on the Sabbath day. Each of the three Sabbath-meals is an obligatory religious act (מצוה); and is in the olden Jewish home accompanied by זמירות, Table Songs. The spiritual effect of the Sabbath is termed by the Rabbis the 'extra soul', which the Israelite enjoys on that day.

Ignorant and unsympathetic critics condemn the Rabbinic Sabbath-laws with their numberless minutiae as an intolerable 'burden'. These restrictions justify themselves in that the Jew who actually and strictly obeys these injunctions, and only such a Jew, has a Sabbath. And in regard to the alleged formalism of all these Sabbath laws, a German Protestant theologian of anti-Semitic tendencies has recently confessed: 'Anyone who has had the opportunity of knowing in our own day the inner life of Jewish families that observe the Law of the fathers with sincere piety and in all strictness, will have been astonished at the wealth of joyfulness, gratitude and sunshine, undreamt of by the outsider, which the Law animates in the Jewish home. The whole household rejoices on the Sabbath, which they celebrate with rare satisfaction not only as the day of rest, but rather as the day of rejoicing. Jewish prayers term the Sabbath a "joy of the soul" to him who hallows it; he "enjoys the abundance of Thy goodness". Such expressions are not mere words; they are the outcome of pure and genuine happiness and enthusiasm' (Kittel).

Without the observance of the Sabbath, of the olden Sabbath, of the Sabbath as perfected by the Rabbis, the whole of Jewish life would in time disappear.

FIFTH COMMANDMENT: HONOUR OF PARENTS

This Commandment follows the Sabbath command, because the Sabbath is the source and the guarantor of the family life; and it is among the Commandments engraved on the First Tablet, the laws of piety towards God, because parents stand in the place of God, so far as their children are concerned. Elsewhere in Scripture, the duty to one's parents stands likewise next to the duties towards God (Lev. XIX, 3).

long upon the land which the LORD thy God giveth thee.

- ¶ 13. Thou shalt not murder.
- Thou shalt not commit adultery.
- Thou shalt not steal.
- Thou shalt not bear false witness against thy neighbour.

וְשָׂדֵי: ם כִּכְךָ אֶת־אִבְדֵּךְ וְאֶת־אִמְךָ לְמַעַן יֵאָרְכוּ
 יָד עַל הָאָדָמָה אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לָךְ: ם לֹא
 יִצְטָ: ם לֹא תִנְאֲף: ם לֹא תִגְנוֹב: ם לֹא
 תִּהְיֶה בְרִיעְךָ עַד שֹׁמֵר: ם לֹא תִחַמְדַּם בֵּית רֵעֶךָ

12. *honour thy father and thy mother.* By showing them respect, obedience and love. Each parent alike is entitled to these. For although 'father' is here mentioned first, in Lev. xix, 3 we read, 'each one shall fear (*i.e.* reverence) his mother and his father.' And this obligation extends beyond the grave. The child must revere the memory of the departed parent in act and feeling. Respect to parents is among the primary human duties; and no excellence can atone for the lack of such respect. Only in cases of extreme rarity (*e.g.* where godless parents would guide children towards crime) can disobedience be justified. Proper respect to parents may at times involve immeasurable hardship; yet the duty remains. Shem and Japhet throw the mantle of charity over their father's shame: only an unnatural child gloats over a parent's disgrace or dishonour. See note on Gen. ix, 23 (p. 34) and Prov. xxx, 17. The greatest achievement open to parents is to be ever fully worthy of their children's reverence and trust and love.

that thy days may be long. *i.e.* the honouring of one's parents will be rewarded by happiness and blessing. This is not always seen in the life of the individual; but the Commandment is addressed to the individual as a member of society, as the child of a people. The home is infinitely more important to a people than the schools, the professions or its political life; and filial respect is the ground of national permanence and prosperity. If a nation thinks of its past with contempt, it may well contemplate its future with despair; it perishes through moral suicide.

SECOND TABLE: DUTIES TOWARDS FELLOW-MEN

The first five Commandments have each an explanatory addition; the last five are brief and emphatic Thou shalt not's. Our relation to our neighbours requires no elucidation; since we feel the wrongs which others do to us, we have a clear guide how we ought to act towards others. These duties have their root in the principle 'Thou shalt love thy neighbour as thyself', applied to life, house, property and honour.

THE SIXTH COMMANDMENT: THE SANCTITY OF HUMAN LIFE

13. *thou shalt not murder.* The infinite worth of human life is based on the fact that man is created 'in the image of God'. God alone gives life, and He alone may take it away. The intentional killing of any human being, apart from

capital punishment legally imposed by a judicial tribunal, or in a war for the defence of nation and human rights, is absolutely forbidden. Child life is as sacred as that of an adult. In Greece weak children were *exposed*; that is, abandoned on a lonely mountain to perish. Jewish horror of child-murder was long looked upon as a contemptible prejudice. 'It is a crime among Jews to kill any child,' sneered the Roman historian Tacitus.

Hebrew law carefully distinguishes homicide from wilful murder. It saves the involuntary slayer of his fellow-man from vendetta; and does not permit composition, or money-fine, for life of the murderer. Jewish ethics enlarges notion of murder so as to include both the doing of anything by which the health and well-being of a fellow-man is undermined, and the omission of any act by which a fellow-man could be saved in peril, distress or despair. For prohibition of suicide, see note on Gen. ix, 5.

SEVENTH COMMANDMENT: THE SANCTITY OF MARRIAGE

adultery. 'Is an execrable and God-detested wrong-doing' (Philo). This Commandment against infidelity warns husband and wife alike against profaning the sacred Covenant of Marriage. It involves the prohibition of immodest speech, immodest conduct, or association with persons who scoff at the sacredness of pure life. Among no people has there been a purer household life than among the Jewish people. No woman enjoyed greater respect than the Jewish woman and she fully merited that respect.

EIGHTH COMMANDMENT: THE SANCTITY OF PROPERTY

thou shalt not steal. Property represents the fruit of industry and intelligence. Any aggression on the property of our neighbour is, therefore, an assault on his human personality. This Commandment also has a wider application than theft and robbery; and it forbids every illegal acquisition of property by cheating, by embezzlement or forgery. 'There are transactions which are legal and do not involve any breach of law which are yet base and disgraceful. Such are transactions in which a person takes advantage of the ignorance or embarrassment of his neighbour for the purpose of increasing his own property' (M. Friedländer).

¶ 14. Thou shalt not covet thy neighbour's house; thou shalt not covet thy neighbour's wife, nor his man-servant, nor his maid-servant, nor his ox, nor his ass, nor any thing that is thy neighbour's.*vii a. ¶ 15. And all the people perceived the thunders, and the lightnings, and the voice of the horn, and the mountain smoking; and when the people saw it, they trembled, and stood afar off. 16. And they said unto Moses: Speak thou with us, and we will hear; but let not God speak with us, lest we die.' 17. And Moses said unto the people: 'Fear not; for God is come to prove you, and that His fear may be before you, that ye

ס לא תחמד אשת רעה ועבדו ואמתו ושורו תמזו
 וכל אשר לרעה: פ שביעי
 טו וכל־העם ראים את־הקולות ואת־הגלפידים ואת קול
 השפף ואת־ההר עשן וירא העם וינעו ויעמדו מרחק:
 16 ויאמרו אל־משה דבר־אתה עמנו ונשמעה ואל־ידבר
 17 עמנו אלהים בְּדַנְמִית: ויאמר משה אל־העם אל־תיראו
 כי לבצעבור נסות אתכם בא האלהים ובעבור תתורה
 18 וראתו על־פניכם לבלתי תחטאו: ויעמד העם מרחק

NINTH COMMANDMENT: AGAINST BEARING FALSE WITNESS

The three preceding Commandments are concerned with wrongs inflicted upon our neighbour by actual deed; this Commandment is concerned with wrong inflicted by word of mouth. *thou shalt not bear false witness.* The prohibition embraces all forms of slander, defamation and misrepresentation, whether of an individual, a group, a people, a race, or a Faith. None have suffered so much from slander, defamation and misrepresentation as the Jew and Judaism. Thus, modernist theologians still repeat that, according to this Commandment, the Israelite is prohibited only from slandering a fellow-Israelite; because, they allege, the Heb. word for 'neighbour' (רע) here, and in 'Thou shalt love thy neighbour as thyself' (Lev. xix, 18), does not mean fellow-man, but only fellow-Israelite. This is a glaring instance of bearing false witness against Judaism; and is proved to be so by xi, 2 ('Let every man ask of his neighbour, jewels of silver, etc.'), where the word *neighbour* cannot possibly mean an Israelite, but distinctly refers to the Egyptian. In this Commandment, as in all moral precepts in the Torah, the Heb. word *neighbour* is equivalent to *fellow-man*.

TENTH COMMANDMENT: AGAINST COVETOUS DESIRES

14. *covet.* i.e. to long for the possession of anything that we cannot get in an honest and legal manner. This Commandment goes to the root of all evil actions—the unholy instincts and impulses of predatory desire, which are the spring of nearly every sin against a neighbour. The man who does not covet his neighbour's goods will not bear false witness against him; he will neither rob nor murder, nor will he commit adultery. It commands self-control; for every man has it in his power to determine whether his desires are to master him, or he is to master his desires. Without such self-control,

there can be no worthy human life; it alone is the measure of true manhood or womanhood. 'Who is strong?' ask the Rabbis. 'He who controls his passions,' is their reply.

thy neighbour's house. i.e. his household. The examples enumerated are the objects most likely to be coveted.

This Commandment is somewhat differently worded in the Decalogue which is repeated by Moses in his Farewell Addresses to Israel. That difference, together with the other slight variations in that Decalogue from the original in this chapter of Exodus, is dealt with in the Commentary on *Deuteronomy*.

15-18. THE EFFECT OF THE REVELATION

15. *perceived the thunders, and the lightnings.* An example of the rhetorical figure called *zeugma*, by which a verb is used with two or more objects, some of which should strictly be governed by another verb. As soon as the people heard the thunder and saw the lightning (xix, 16, 19) they trembled, even before the Commandments were given; see Deut. v, 19-30. *trembled.* Or, 'reeled,' fell in panic.

16. *we will hear.* And obey; see Deut. v, 24. *but let not God speak with us.* Prior to the promulgation of the Decalogue. *lest we die.* See Deut. v, 22.

17. *to prove you.* Moses pacifies the people. The object of the terrors of Sinai was to 'prove' them; i.e. to put them to the proof (xvi, 4) whether they were inclined to submit themselves to God. Luzzatto takes the expression in the sense of testing a person desiring to be initiated, with a view of determining his fitness.

that His fear may be before you. The fear of God means the fear or dread of offending God; and since this prevents sin, the 'fear of God' becomes the 'love of God'.

that ye sin not. God desires that righteousness shall be the rule of man's life.

sin not.' 18. And the people stood afar off; but Moses drew near unto the thick darkness where God was.*^{m a} ¶ 19. And the LORD said unto Moses: Thus thou shalt say unto the children of Israel: Ye yourselves have seen that I have talked with you from heaven. 20. Ye shall not make with Me—gods of silver, or gods of gold, ye shall not make unto you.*^{m a} 21. An altar of earth thou shalt make unto Me, and shalt sacrifice thereon thy burnt-offerings, and thy peace-offerings, thy sheep, and thine oxen; in every place where I cause My name to be mentioned I will come unto thee and bless thee. 22. And if thou make Me an altar of stone, thou shalt not build it of hewn stones; for if thou lift up thy tool upon it, thou hast profaned it. 23. Neither shalt thou go up by steps unto Mine altar, that thy nakedness be not uncovered thereon.

וַיִּמָּשָׁה נֹגֵשׁ אֱלֹהֵי עֶרְפֶּל אֲשֶׁר-שָׁם הָאֱלֹהִים: ׀
 וַיֹּאמֶר יְהוָה אֶל-מֹשֶׁה כֹּה תֹאמַר אֶל-בְּנֵי יִשְׂרָאֵל אַתֶּם
 רִאִתֶּם כִּי מִן-הַשָּׁמַיִם דִּבַּרְתִּי עִמָּכֶם: לֹא תַעֲשֶׂוּ אֵתִי
 אֱלֹהִי לְכֶסֶף וְאֱלֹהִי זָהָב לֹא תַעֲשׂוּ לָכֶם: מִזְבֵּחַ אֲדָמָה
 תַעֲשׂוּהוּ לִי וְחִבַּתְתָּ עָלָיו אֶת-עֹלֹתֶיךָ וְאֶת-שְׁלֹמֶיךָ אֶת־
 זִבְחֶיךָ וְאֶת-בְּרִיחֶיךָ בְּכָל-הַמְּקוֹם אֲשֶׁר אֹכִיר אֶת-שְׁמִי
 אֵבָרָה אֵלָיךָ וּבְרַכְתִּיךָ: וְאִם-מִזְבֵּחַ אֲבָנִים תַעֲשׂוּהוּ לִי
 לֹא-תִבְנֶנּוּ אֹתוֹן נֹגֵשׁ כִּי חִרְבֶּךָ נִגְפָתָה עָלָיָה וְתִחַלְלָהּ:
 וְלֹא-תַעֲלֶה בָּמַעְלֹת עַל-מִזְבְּחִי אֲשֶׁר לֹא-תִגְלֶה
 עֲרוֹתֶיךָ עָלָיו:

18. The people remained standing afar off (see v. 15), whilst Moses approached the thick darkness. *where God was.* 'Where the Glory of God was' (Onkelos).

21. *an altar of earth.* Not even an altar of stone is essential for worshipping God; see v. 22 *thereon.* Better, 'thereby,' for the animal was not to be slain on the altar. *in every place.* Refers to the different places at which the Tabernacle rested, from the entry of the Israelites into Canaan to the erection of the Temple by Solomon (Hoffmann); see Additional Notes on Deuteronomy, *Centralization of Worship.*

THE BOOK OF THE COVENANT

CHAPTERS XX, 19-XXIII, 33

This section is a body of miscellaneous laws—civil, criminal, moral and religious. Nothing could be more appropriate for the opening of such a collection of laws than regulations for public worship.

to be mentioned. i.e. wherever I command thee to build an altar or sanctuary unto Me. *To mention or remember* the name of God means to worship Him; cf. Ps. xx, 8 and Isa. xxvi, 13.

19-23. HOW GOD IS TO BE WORSHIPPED

19. *ye yourselves have seen.* You have been eye-witnesses, and know the reality of My revelation.

22. *an altar of stone.* Is permissible; but the stones must be of unhewn natural rock, with the stamp of God's handiwork alone.

from heaven. In an overwhelming and incomparable manner (Strack).

tool. lit. 'sword' or, 'iron instrument.' The Talmud explains this prohibition as follows: 'Iron shortens life, while the altar prolongs it. The sword, or weapon of iron, is the symbol of strife; whereas the altar is the symbol of reconciliation and peace between God and man, and between man and his fellow.'

20. *make with Me—gods.* The regulations concerning worship begin by repeating the prohibition of idol-worship, even if the idol be of silver or gold. The incident of the Golden Calf shows that such repetition was far from unnecessary.

23. *uncovered.* Lest the clothes of the priest be disturbed and his limbs uncovered. It is a warning not only against the frantic indecencies of pagan rituals, but against all infractions of propriety in worship.

sin not.' 18. And the people stood afar off; but Moses drew near unto the thick darkness where God was. *m s- ¶ 19. And the LORD said unto Moses: Thus thou shalt say unto the children of Israel: Ye yourselves have seen that I have talked with you from heaven. 20. Ye shall not make with Me—gods of silver, or gods of gold, ye shall not make unto you. *m s- 21. An altar of earth thou shalt make unto Me, and shalt sacrifice thereon thy burnt-offerings, and thy peace-offerings, thy sheep, and thine oxen; in every place where I cause My name to be mentioned I will come unto thee and bless thee. 22. And if thou make Me an altar of stone, thou shalt not build it of hewn stones; for if thou lift up thy tool upon it, thou hast profaned it. 23. Neither shalt thou go up by steps unto Mine altar, that thy nakedness be not uncovered thereon.

וַיִּמָּשֶׁה נֹשֵׁא אֶל־הָעַרְפֶּל אֲשֶׁר־שָׁם הָאֱלֹהִים: ׀
וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה כֹּה תֹאמַר אֶל־בְּנֵי יִשְׂרָאֵל אַתֶּם
רְאִיתֶם בִּי מִן־הַשָּׁמַיִם דִּבַּרְתִּי עִמָּכֶם: לֹא תַעֲשׂוּן אִתִּי
אֱלֹהִים כֶּסֶף וְאֱלֹהִים זָהָב לֹא תַעֲשׂוּ לָכֶם: מִזְבֵּחַ אֲדָמָה
תַּעֲשׂוּהֶנּוּ תִבְחַת עָלָיו אֶת־עֹלֹתֶיךָ וְאֶת־שְׁלָמֶיךָ אֶת־
אֵנָה וְאֶת־בְּקָרְךָ בְּכָל־מְקוֹם אֲשֶׁר אֹפִיר אֶת־שְׁמִי
אֵבֶה אֵלֶיךָ וּבִרְבֵּיתֶךָ: וְאִם־מִזְבֵּחַ אֲבָנִים תַּעֲשׂוּהֶנּוּ
לֹא־תִבְנֶנּוּ אֶתֶּן נֹגֶת כִּי חִרְבֶּךָ הַגַּפְתָּ עָלֶיהָ וְתִחַלְלָהּ:
וְלֹא־תַעֲלֶה בָמַעְלָת עַל־מִזְבְּחִי אֲשֶׁר לֹא־תִגְלֶה
סְרוּחֶךָ עָלָיו:

18. The people remained standing afar off (see v. 15), whilst Moses approached the thick darkness.

where God was. 'Where the Glory of God was' (Onkelos).

THE BOOK OF THE COVENANT

CHAPTERS XX, 19-XXIII, 33

This section is a body of miscellaneous laws—civil, criminal, moral and religious. Nothing could be more appropriate for the opening of such a collection of laws than regulations for public worship.

19-23. HOW GOD IS TO BE WORSHIPPED

19. *ye yourselves have seen.* You have been eye-witnesses, and know the reality of My revelation.

from heaven. In an overwhelming and incomparable manner (Strack).

20. *make with Me—gods.* The regulations concerning worship begin by repeating the prohibition of idol-worship, even if the idol be of silver or gold. The incident of the Golden Calf shows that such repetition was far from unnecessary.

21. *an altar of earth.* Not even an altar of stone is essential for worshipping God; see v. 22. *thereon.* Better, 'thereby,' for the animal was not to be slain on the altar.

in every place. Refers to the different places at which the Tabernacle rested, from the entry of the Israelites into Canaan to the erection of the Temple by Solomon (Hoffmann); see Additional Notes on Deuteronomy, *Centralization of Worship.*

to be mentioned. i.e. wherever I command thee to build an altar or sanctuary unto Me. To mention or remember the name of God means to worship Him; cf. Ps. xx, 8 and Isa. xxvi, 13.

22. *an altar of stone.* Is permissible; but the stones must be of unhewn natural rock, with the stamp of God's handiwork alone.

tool. lit. 'sword' or, 'iron instrument.' The Talmud explains this prohibition as follows: 'Iron shortens life, while the altar prolongs it. The sword, or weapon of iron, is the symbol of strife; whereas the altar is the symbol of reconciliation and peace between God and man, and between man and his fellow.'

23. *uncovered.* Lest the clothes of the priest be disturbed and his limbs uncovered. It is a warning not only against the frantic indecencies of pagan rituals, but against all infractions of propriety in worship.

CHAPTER VI

CAP. VI. 1

1. In the year that king Uzziah died I saw the Lord sitting upon a throne high and lifted up, and His train filled the temple.
2. Above Him stood the seraphim; each one had six wings: with twain he covered his face, and with twain he covered his feet, and with twain he did fly. 3. And one called unto another, and said:
Holy, holy, holy, is the LORD of hosts; The whole earth is full of His glory.
4. And the posts of the door were moved at the voice of them that called, and the house was filled with smoke 5. Then said I:

א בשנת־מות המלך עזריה ואראה את־אדני ישב על־כסא
 ב רם ונשא ושוליו מלאים את־ההיכל: שרפים עמדים |
 ג ממעל לו שש כנפים שש כנפים לאחד בשתים ויכסה
 ד פניו ובשתים יכסה רגליו ובשתים יעופף: וקרא ור
 ה אלה ואמר קדוש | קדוש קדוש יהיה צבאות מלא
 ו כל־הארץ כבודו: וניעו אמות הספים מקול הבורא

For the life and message of Isaiah, see p. 225.

The Sedrah describes the Revelation on Sinai that was to turn Israel into a Holy Nation, and guide the children of men in the paths of Reverence and Righteousness. The Haftorah records the revelation that came to Isaiah in his early manhood, when, one day in the Temple, he heard the Seraphim sing, 'Holy, holy, holy is the LORD of hosts, the whole earth is full of His glory.' This cry out of eternity, proclaiming the ineffable holiness, the supreme majesty, and universal sovereignty of God, has been called the quintessence of all the teachings of the Prophets. It is the quintessence of the teachings of all true Religion.

1-5. THE CALL OF ISAIAH

1. *in the year that king Uzziah died.* After a prosperous reign of over a half-century (790-740 B.C.E.). He had greatly increased the wealth and power of the kingdom of Judah (II Chron. xxvi, 1-15); and his death filled all minds with misgivings. 'What will become of Judah now that Uzziah is gone?' was on the lips of all. In that year Isaiah 'saw the LORD', and realized that though mortal rulers come and go, God is in His heaven. This vision marks the beginning of Isaiah's ministry.

I saw the Lord. In prophetic ecstasy (Kimchi). The unseen spiritual world opens to Isaiah's inner eye; the Temple walls seem to him to expand into a Heavenly Palace; and he beholds God enthroned as the Sovereign of every being on earth or in heaven. 'How God reveals Himself to His chosen messengers will scarcely ever be understood. It is the greatest of mysteries; although that He reveals Himself is the greatest of certainties' (Marti).

2. *above Him stood the seraphim.* Better, *seraphim were standing over Him; i.e.* angelic beings were in attendance upon Him.

covered his face. In reverence (Exod. iii, 6).
covered his feet. In humility, as unworthy to meet directly the Divine glance.

he did fly. To perform the will of the Creator.
 3. *holy, holy, holy.* Threefold repetition in Heb. poetry indicates the superlative degree: God is the highest Holiness. 'Holy—in the highest Heaven, the place of His Divine abode; holy—upon earth, the work of His might; holy—for ever and ever unto all eternity' (Targum Jonathan).

'The Holy One of Israel,' is the title of God in Isaiah's writings. In Rabbinical literature, the most frequent Name used for God is *הקדוש* 'The Holy One, blessed be He.' *Holy* denotes the awe-ful and august ethical majesty of God (R. Otto), His moral perfectness and complete freedom from all that makes men imperfect and impure. It denotes 'more than goodness, more than purity, more than righteousness: it embraces all these in their ideal completeness, but it expresses besides the recoil from everything which is their opposite' (Driver). Holiness is the *essential* attribute of God. Because of this holiness, inherent in Himself, His power is absolute and infinite.

the whole earth is full of His glory. All that is sublime in nature and human history is the outward expression and irradiation of the Divine Spirit.

4. *posts.* Though the vision is seen with his inner eye, it is none the less actual. In the agitation of such a soul-experience, the pillars shake and the House becomes blurred before his physical eyes.

5. *I am undone.* God's holiness is, as it were, 'a devouring fire' of all impurity. The Prophet, therefore, is overwhelmed by the sense of his own unworthiness, and of the unworthiness of his people. Like Abraham of old, he feels that

Woe is me! for I am undone;
Because I am a man of unclean lips,
And I dwell in the midst of a people of
unclean lips;
For mine eyes have seen the King,
The LORD of hosts.

6. Then flew unto me one of the seraphim,
with a glowing stone in his hand, which he
had taken with the tongs from off the altar;
7. and he touched my mouth with it, and
said:

Lo, this hath touched thy lips;
And thine iniquity is taken away,
And thy sin expiated.

8. And I heard the voice of the Lord, saying:

Whom shall I send,
And who will go for us?
Then I said: 'Here am I; send me.' 9. And
He said: 'Go, and tell this people:

Hear ye indeed, but understand not;
And see ye indeed, but perceive not.

10. Make the heart of this people fat,
And make their ears heavy,
And shut their eyes;
Lest they, seeing with their eyes,
And hearing with their ears,
And understanding with their heart,
Return, and be healed.'

והבית ומלא עשן: ואמר אויילי כירנדמיתו כי איש טמא
שפתים אנכי ובתוך עמ־טמא שפתים אנכי ישב כי את
דמולך יהיה צבאות ראו עיני: ונעף אלי אחד מן־השָׁרִיִּים
והיה רצפה במלקחיים לקח מעל המזבח: ונגע על־פי
והנה נגע וה על־שפתך וסר עונך והטאתך תקפר:
ואשמע את־קול אדני אמר את־מי אשליח ומי ילך־לני
ואמר הנני שלחני: ויאמר לך ואמרת לעם הנה שמעו
שמעו ולא תבינו וראו ראו ולא תדעו: השמן לביהעם
תה ואזני הכבד ועיני השע פך־ראה בעיניו ובאזניו
שמעו ולבבו יבין ושם ורפא לו: ואמר עד־מתי אדני
והנה נגע ער אשׁר אס־שאו ערים מאן יושב ובתים מאן

11. Then said I: 'Lord, how long?' And He
answered:

'Until cities be waste without inhabitant,
And houses without man,
And the land become utterly waste,

v. קמץ ברביע

he and his people and all existence are but
'dust and ashes' in the presence of the Divine
Holiness (R. Otto).

mine eyes have seen the King. No vision of any
form or appearance is meant, but a revelation of
His transcendent holiness and might.

6-13. ISAIAH'S PURIFICATION AND MISSION

6. *from off the altar.* Where the fire is holy;
and where there is no 'strange fire' (Ibn Ezra).
Man must be sanctified, *i.e.* purged of impurity,
before he can hear God. 'As earthly fire burns
away the outward impurity, so the heavenly
fire burns away the defilement of sin, first from
the lips, but through them from the whole man'
(Dillmann).

8. *who will go for us.* The plural is the so-
called plural of majesty; as in Gen. 1, 26.

here am I; send me. Isaiah answers the call
not out of compulsion, but out of freedom. His
eager response rushes from heart and lips cleansed
of human impurity.

9. *hear ye indeed.* The great failing of the
inhabitants of Judah and Jerusalem during the

prosperous reign of Uzziah was an insensibility
to God and Divine things; they did not *miss*
God, and therefore they were not prepared to
seek Him. To such a generation, the first effect
of Isaiah's message of the holiness of God and
His absolute sovereignty over their lives, would
be to *increase* their blindness and obduracy. It
would tend to 'harden their hearts'; see on
Exod. iv, 21. Most of his hearers will stubbornly
reject his message; they will harden their hearts;
and the fuller the teachings imparted to them,
the deeper will be the guilt of rejecting them.
This tragic effect of his message Isaiah is clearly
shown on the very threshold of his ministry;
and the *result* of the prophet's ministrations is
described as though it were its *purpose*
(Skinner).

11. *Lord, how long?* How long shall this
spiritual blindness and unwillingness to repent
endure? This question is wrung from the
Prophet by his compassion for his people. The
answer is given in v. 11-13. The perseverance
in unbelief will continue until national disasters
and exile have swept away the idolatrous majority
and enabled the Remnant, the indestructible
germ of spiritual Israel, to flourish and blossom
under God's care.

12. And the LORD have removed men far away,
And the forsaken places be many in the midst of the land.

13. And if there be yet a tenth in it, it shall again be eaten up; as a terebinth, and as an oak, whose stock remaineth, when they cast their leaves, so the holy seed shall be the stock thereof.'

CHAPTER VII

1. And it came to pass in the days of Ahaz the son of Jotham, the son of Uzziah, king of Judah, that Rezin the king of Aram, and Pekah the son of Remaliah, king of Israel, went up to Jerusalem to war against it; but could not prevail against it. 2. And it was told the house of David, saying: 'Aram is confederate with Ephraim.' And his heart was moved, and the heart of his people, as the trees of the forest are moved with the wind. ¶3. Then said the LORD unto Isaiah: 'Go forth now to meet Ahaz, thou, and Shear-jashub thy son, at the end of the conduit of the upper pool, in the highway of the fullers' field; 4. and say unto him: Keep calm, and be quiet; fear not, neither let thy heart be faint, because of these two tails of smoking firebrands, for the fierce anger of Rezin and Aram, and of the son of Remaliah. 5. Because Aram hath counselled evil against thee, Ephraim also, and the son of Remaliah, saying: 6. Let us go up against Judah, and vex it, and let us make a breach therein for us, and set up a king in the midst of it, even the son of Tabeel.

1 That is, A remnant shall return.

13. *if there be yet a tenth.* After the exile of the ten tribes of the Northern Kingdom, Judah maintained its existence for 134 years. *it shall again be eaten up.* The kingdom of Judah too shall go into exile. *whose stock remaineth.* As when a tree is cut down, the stump retains the vitality from which new shoots may grow, so there is a kernel of Israel, a Remnant of faithful and godly men, that form the indestructible 'stock' of the Tree of Judaism.

CHAPTER VII

From the vision of the future, the prophet returns to events of his day. The kings of Israel, having failed to induce Ahaz, king of Judah, to join them in their alliance against Assyria, advanced upon Jerusalem, and were determined to dethrone Ahaz. Isaiah bids the despairing king have faith in God and fear nought.

2. *the house of David, i.e. Ahaz.*

Ephraim. The poetical name for the kingdom of Israel.

12 אָרָם וְהָאֲרָמִים תִּשָּׂאָה שְׂמִמָּה: וְרַחֵק יִהְיֶה אֶת־הָאָרֶם

13 וְרַבָּה הָעֲזוּבָה בְּקֶרֶב הָאָרֶץ: וְעוֹד בָּהּ עֲשִׂירֶיהָ וְשָׂבָה

וְהִיתָה לְבָעֵר כְּאַלְהָה וּכְאֵלֹהִים אֲשֶׁר בְּשִׁלְכֹת מִצְבַּת פֶּם

וְרַע קָדַשׁ מִצְבַּתָּהּ:

CAP. VII. 1

א וַיְהִי בַיּוֹם אֲחֻז בְּדִיּוֹתָם בְּדַעְוֵיהֶו מִלֶּךְ יְהוּדָה עֲלֶיהָ רִצִּין

מִלֶּךְ־אָרָם וּפְקַח בֶּן־רִמְלִיָּהוּ מִלֶּךְ־יִשְׂרָאֵל יְרוּשָׁלַם

2 לְמִלְחָמָה עָלֶיהָ וְלֹא יָבֵל לְהִלָּחֵם עָלֶיהָ: וַיָּגֵד לְבֵית דָּוִד

לֵאמֹר נָחָה אָרָם עַל־אֶפְרַיִם וַיִּנְעוּ לְקַבֵּוּ וּלְקַבֵּוּ עִמּוּ בְּנֹעַ

3 עֲצִי־יָעַר מִפְּנֵי־רוּחַ: וַיֹּאמֶר יְהוָה אֱלֹהֵי־שִׁעְיָהוּ צֹא־

נָא לְקַרְבָּאת אֲחֻז וּשְׂאֵר יִשׁוּב בְּנֶךְ אֶל־קִצְצָה תַעֲלֵת

4 הַבְּרֵכָה הָעֲלִיּוֹנָה אֶל־מַסְלַת שְׂדֵה כּוּבָם: וְאָמַרְתָּ אֵלָיו

הַשְׁמֵר וְהִשְׁקֵט אֶל־תִּירָא וּלְבַבְךָ אֶל־יָדָךְ מִשְׁנֵי וּנְבוֹת

הָאֲוִדִים הַעֲשֵׂנִים הָאֵלֶה בְּהִרְיֹאתָ רִצִּין וְאָרָם וּבְךָ

ה רִמְלִיָּהוּ: יַעַן כִּי־יַעַן עָלְדָךְ אָרָם רָעָה אֶפְרַיִם וּבְךָ־רִמְלִיָּהוּ

6 לֵאמֹר: נַעֲלָה בִיהוּדָה וּנְקִיצְנָה וּנְבַקְעָנָה אֵלֵינוּ וּנְמַלְךְךָ

מִלֶּךְ בְּתוֹכָהּ אֵת בְּרִשְׁבָּאֵל:

1 v. 2. טלעיל

3. *Shear-jashub.* lit. 'A remnant shall return'. Isaiah gave significant and prophetic names to his sons, as did Hosea (1, 4, 9).

conduit of the upper pool. Identified with recently discovered reservoirs near to the pool of Siloam. Ahaz had gone there to assure himself of an adequate water supply in the event of a siege.

4. *tails of smoking firebrands.* Incapable of more mischief; the strength of the advance of the two allies is exhausted; they do not know that they are two dying nations already doomed. The Assyrian hordes were at that moment hastening on to descend upon Syria and Israel. *son of Remaliah. i.e. Pekah, king of Israel.*

6. *a breach.* In its walls; i.e. capture its capital city.

son of Tabeel. One of their own puppets, amenable to their plans.

The Prophet assures Ahaz that the campaign against him will utterly fail, and exhorts him to have confidence in God's care and guidance.

5. For a child is born unto us,
 A son is given unto us;
 And the government is upon his shoulder;
 And his name is called
¹Pele-joez-el-gibbor-
 Abi-ad-sar-shalom;
 6. That the government may be increased,
 And of peace there be no end,
 Upon the throne of David, and upon his
 kingdom,
 To establish it, and to uphold it
 Through justice and through righteous-
 ness
 From henceforth even for ever.
 The zeal of the LORD of hosts doth per-
 form this.

כִּי־יֵלֶד יֶלְדֵנוּ

וְנָתַן לָנוּ בְנוֹ וְהָיָה הַמְּשָׁלָה עַל־שִׁמְרוֹ וְיִקְרָא שְׁמוֹ פֶּלֶא

וְעַל־אֲבִירֵי שְׁרֵי־שָׁלוֹם: לְמַדְבַּח הַמִּשְׁכָּה

לְעִלְיָם אֵיךְ עַל־בְּסֵא דָוִד וְעַל־מַמְלַכְתּוֹ לְהַכִּין אֶת־הַ

מַלְכוּת בְּמִשְׁפָּט וּבְצִדְקָה מֵעַתָּה וְעַד־עוֹלָם קִנְיַת יְהוָה

בְּאֵת הַעֲשֵׂה־זֹאת:

¹ That is, *Wonderful in counsel is God the mighty, the Everlasting Father, the Ruler of peace.*

ד' כ"ב ה'נחמ"ב באמצע חיבה

CHAPTER IX, 5, 6

The Haftorah breaks off here and continues with two verses from a later prophecy, concerning Hezekiah, the son of Ahaz, then but a lad. His righteous reign will lift Judah from the degenerate condition into which it had sunk. Hezekiah will be the leader of the 'holy seed', the indestructible faithful Remnant in Israel.

5. *a child is born unto us.* The correct rendering of the Heb. is: unto us a child *has been* born—unto us a son *has been* given. The reference is not to any future Messiah, nor to any one yet unborn (see p. 202). Hezekiah had already given promise of the qualities of heart and mind that pointed to him as the future regenerator of his people.

the government is upon his shoulder. This clearly indicates that the 'crown prince' is the person referred to.

pele-joez-el-gibbor-abi-ad-sar-shalom. i.e. Wonderful in counsel is God the mighty, the Everlasting Father, the Ruler of Peace (Rashi and Luzzatto). This is the significant name by which the child will be known; it is, therefore, left untranslated; in the same way as *Shear-jashub* (v. 3), *Immanuel* (vii, 14) and *Maher-shalal-hash-baz* (viii, 3) are all given in the Hebrew form.

The RV gives 'Wonderful, Counsellor, Mighty God, Everlasting Father, Prince of Peace'. This is quite impossible. No true Prophet—indeed, no true Israelite—would apply a term like

'Mighty God' or 'Everlasting Father' to a mortal prince. What is equally decisive against the RV rendering (which is followed by Christian translators and, with some modifications, by many Jewish ones; e.g. Zunz, Leeser, Philippon) is the fact that the significant names of the children of the Prophets never describe the child, but in each case embody some religious message to the Prophet's contemporaries. *The Shear-jashub* proclaimed that a faithful Remnant would survive the successive calamities that would befall Israel. This is true of all the other significant names in Isaiah; as well as of Hosea's names, like *Lo-ruhammah* and *Lo-ammi*.

6. *the throne of David.* The kingdom of Israel devastated by the Assyrians in the days of Ahaz fell into the hands of Hezekiah by reason of the weakening of Assyria in his days. For the first time since the days of Solomon, the national unity was re-established, and Hezekiah was the first ruler once more to occupy the throne of David; hence the Prophet speaks of the *increase of his government.*

for ever. i.e. during the days of Hezekiah (Rashi).

through justice and through righteousness. Characteristics of true government—and of Hezekiah's reign.

the zeal of the LORD of hosts. The love of God for His people, and His passion for Righteousness, guarantee the promised deliverance.

EXODUS—ADDITIONAL NOTES

or there is grace and merciful forgiveness who repent; but there is unsparing retribution for those who, hardening their hearts to the voice of God, continue to oppress the weak and the poor.

The ten plagues form a symmetrical and unfolding scheme. The first nine plagues are arranged in three series of three each: (a) blood, (b) fleas, murrain, boils; (c) hail, darkness. In each series the first plague is announced to Pharaoh beforehand at the brink of disaster, the second is proclaimed by Moses at the second warning, and the third is sent without warning. The series of plagues rises to a climax, the final being the climax of all that preceded; and these ten plagues prelude to the tenth plague—the death of the firstborn, which seals the completeness of the divine retribution. The first nine plagues, though often regarded as wonders, are not fantastic miracles but are based on natural phenomena. As is clear elsewhere in Scripture, the supernatural is interwoven with the natural; and the plagues are but miraculously intensified forms of natural occurrences to which the Egyptians and other natural occurrences to which the Egyptians were more or less liable. Between June and July, the Nile usually turns to a dull red, due to the presence of vegetable matter. After this time, the slime of the river increases in vast number of frogs; and the air is filled with swarms of tormenting insects. We can therefore understand that an exceptional increase of the Nile would vastly increase the number of frogs in its waters; that the huge decaying frogs would inevitably breed thousands of flies, which, in turn, would spread germs that attacked the animals and the pest-ridden region of the Nile. But, in the Bible, we place the greater emphasis on the supernatural in the account of the plagues, we must never forget the purpose for which they were recorded. As is true of every narrative, the purpose is not so much an exhaustive archæological or even scientific chronicle, as it is moral and religious instruction. The story of the plagues is drawn in glowing colours, and its typical and didactic character cannot be overrated. It depicts the triumph of man's strongest determination when he contends with God, and the fruitless human efforts to frustrate His purposes.

Further, the contest was far more than a humiliation of the unrepentant and arrogant tyrant. It was nothing less than a triumph over the gods of Egypt. The plagues fell on the principal divinities that were worshipped in the Nile Valley. The Nile was a god; it became loathsome to its worshippers. The frog was venerated as the sign of life, and it was turned into a horror. The golden calf—the sacred ram, the sacred goat, the golden calf—were all smitten. The sacred beetle was a torment to those who put their trust in it. When we add to these the plague

of darkness, which showed the eclipse of Ra, the Sun-god, we see that we have here a contrast between the God of Israel, the Lord of the Universe, and the senseless idols of a senile civilization; as it is written (xii, 12), 'against all the gods of Egypt I will execute judgments: I am the LORD.'

E

THE TEN COMMANDMENTS, OR THE DECALOGUE

No religious document has exercised a greater influence on the moral and social life of man than the Divine Proclamation of Human Duty, known as the Decalogue. These few brief commands—only 120 Hebrew words in all—cover the whole sphere of conduct, not only of outer actions, but also of the secret thoughts of the heart. In simple, unforgettable form, this unique code of codes lays down the fundamental rules of Worship and of Right for all time and for all men.

I

THE DECALOGUE IN JUDAISM

From early times the basic importance of the Ten Commandments was duly recognized in Israel. The Teachers of the Talmud emphasized their eternal and universal significance by means of parable, metaphor, and all the rare poetic imagery of Rabbinic legend. The Tables on which the Ten Commandments were written, they said, were prepared at the eve of Creation—thus ante-dating humanity, and therefore independent of time or place or racial culture; and they were hewn from the sapphire Throne of Glory—and therefore of infinite worth and preciousness. The Revelation at Sinai, they taught, was given in desert territory, which belongs to no one nation exclusively; and it was heard not by Israel alone, but by the inhabitants of all the earth. The Divine Voice divided itself into the 70 tongues spoken on earth, so that all the children of men might understand its world-embracing and man-redeeming message. Each command, as it rang out from Sinai's top, filled the world with aroma. The dead in Sheol were revived, and betook themselves to Sinai; yea, even the souls of all the unborn generations in Israel were assembled there. As the Divine Commandments rang out from Sinai's height, no bird sang, no ox lowed, the ocean did not roar, and no creature stirred; all Nature was rapt in breathless silence at the sound of the Divine Voice asserting the supremacy of Conscience and Right in the Universe. The Rabbis held the sixth of Sivan, the day of the Revelation at Mount Sinai, to be as momentous as the day of Creation itself; for without the coming into existence of Moral Law, the creation of the material universe

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would have been incomplete, nay, meaningless. At the same time, the Teachers of the Talmud were most careful to emphasize that the Ten Commandments did not contain the Whole Duty of Man, as some Jewish sectaries in the days of the Second Temple contended. The Decalogue laid down the *foundations* of Religion and Morality, but was not in itself the entire structure of Human Duty.

The Rabbinic view of the Decalogue was shared by the religious teachers and philosophers in the Middle Ages, and is to-day held by the followers of all schools of Judaism. Saadyah and Yehudah Hallevi, Rashi and Abarbanel, the Karaites and the Cabalists, all agree in regarding the Ten Commandments as the Fundamentals of the Faith, as the Pillars of the Torah and its Roots. In modern times, various exponents of Judaism have shown that all the ritual observances prescribed in the Torah are visible embodiments of the general truths enshrined in the Decalogue; and that, in fact, the whole content of Judaism as Creed and Life can be arranged under the ten general headings of the Commandments.

II

THE DECALOGUE OUTSIDE ISRAEL

It is interesting to note the place that the Decalogue held in the religious life of Humanity outside the Synagogue. One of the most renowned of the Church Fathers spoke of the Decalogue as 'the heart of the Law'; and this remained the opinion of Western Christendom for over 1,500 years. Luther's words—'Never will there be found a precept comparable or preferable to these commands, for they are so sublime that no man could attain to them by his own power'—are typical of thought in the Reformed Churches. The Humanists, the Deists and even the Freethinkers spoke in reverence of the Law of Sinai. Two generations ago, Renan wrote: 'The incomparable fortune which awaited this page of Exodus, namely, to become the code of universal ethics, was not unmerited. The Ten Words are for all peoples; and they will be, during all centuries, the commandments of God.' And historians of civilization are generally agreed that, low as the ethical standards of the world at present undoubtedly are, it is certain that they would be even lower, but for the supreme influence of the Ten Commandments.

Quite a different attitude towards the Decalogue began with the rise of Bible Criticism. Too often it has been one of undisguised hostility. This hostility is based on alleged historical and moral reasons. One example of each of these alleged reasons will suffice to show their groundlessness. Thus, during the greater part of the nineteenth century, Critics denied that the Decalogue was Mosaic, because of the prohibition of image-worship in the Second Commandment. The prevalence of image-worship during the period of the Judges and Monarchy, they

maintained, proved that no prohibition of ~~it~~ worship could have been promulgated ~~in~~ days of Moses. Now it is quite true that ~~the~~ against image-worship was for many ~~cent~~ *disregarded* in large sections of ancient ~~is~~ in the same way as throughout fourteen ~~cent~~ after the rise of Christianity, the prohibitive image-worship was 'deliberately ignored by the entire Christian Church down to the Reformation and is still treated as null and void by the ~~port~~ portion of Christendom' (Canon Charles); it is never safe to argue that, because ~~any~~ is openly broken or tacitly disregarded, ~~the~~ law does not therefore exist. All ~~exper~~ whether in ancient or modern societies, is ~~ag~~ such an assumption. Eminent Bible ~~Sch~~ fully recognize this; and men like Prof. Burney and Sellin admit 'that no ~~reaso~~ ground can be discovered against the ~~M~~ origin of the Decalogue'.

Not more convincing are the moral ~~objec~~ which Critics level against the Decalogue, that it deals only with *outward* actions, disregard the Tenth, the most inward of ~~all~~ Commandments; or they deliberately deny 'Thou shalt not covet' seeks to restrain the ~~un~~ful, inward desire for something that is ~~ano~~th. According to them, 'it emphasizes not so ~~the~~ feelings, as the practical steps which ~~be~~ taken to give effect to them' (Bennett). ~~reason~~ for such an astounding explanation is ~~in~~ the new Anglican Commentary as follows: 'A commandment which suggests so ~~high~~ standard of morals as "Thou shalt not ~~co~~ is out of place in the Decalogue!' 'It is ~~ques~~ able,' adds the editor of that ~~Comm~~ 'whether the Decalogue should be so ~~con~~ and nakedly propounded as the summary ~~of~~ Moral Law.' The motive behind this ~~hor~~ of modernist ecclesiastics to the Decalogue, to the whole of the Hebrew Scriptures, is a ~~fold~~ one. In the first place, if the Tenth ~~Com~~ mandment is given its right and honest ~~interp~~ tion, *wherein is the superiority of the ~~Co~~* over the Torah? And this alleged ~~superi~~ of Christianity to Judaism they are ~~deter~~ to maintain at all costs. And in the second ~~pl~~ they believe they will save the New ~~Testa~~ by discrediting the 'Old'. A vain hope. ~~Reje~~ of the Decalogue leads to rejection of all ~~mor~~ and religion.

III

THE MORAL CHAOS OF OUR TIMES

Attacks on the Decalogue are singularly opportune at the present day. For our age generation stand in especial need of a ~~D~~ Confirmation of the Moral Law. The ~~ninete~~ century loved to speak of itself as the ~~Age~~ Science. Now 'Science equips man, but ~~doe~~ guide him. It illuminates the world for him ~~t~~ region of the most distant stars; but it leaves

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heart. It is invincible; but indifferent, un-moral' (Darmesteter). That century heralded the discovery that man came from a beast; and very soon after that discovery, the literary and artistic leaders took it upon themselves to convince their contemporaries that it was only natural for man to return to the A powerful Paganism began its assault upon the ancient organized Morality. It had God in the sphere of human conduct, and all moral inhibitions, and declared that the inclination to be the true guides of man's happiness. The twentieth century is the age of the instruction begun in the nineteenth century. The new Psychology preaches repression of instincts to be a danger to personality; and it holds that as natural the unbridled gratification of instincts; which civilized mankind has always thought ought to be controlled or disciplined. A new ethic has arisen, as subversive as it is different, which bids each man, woman or child to follow his own inclination, and to do what which seems right in his or her own eyes. It declares that all moral laws are man-made; and that all can, therefore, be unmade by man. In consequence, on every side a questioning of the sacredness of human life, a scoffing at the holiness of purity, and an angry repudiation of the idea of property. In some lands, this has resulted in social and political upheavals, resulting in the destruction of memorial human institutions being torn to their roots. Even in English-speaking lands there is to-day an impatience with authority; and men deny, or at any rate question, the reality of ethical distinctions. Things are devalued, extenuated, nay encouraged—in art, on the stage, in everyday life—that only a few years ago would have been the subject of a sternly qualified condemnation. The pilot's stars and the guidance seem no longer to be fixed and reliable for the many voyagers over the ocean whose clouded heavens offer no guidance at

this spiritual confusion and moral chaos, man's mind remains clear-eyed and unmoved. It turns resolutely to the Divine origin of the Law; and continues to proclaim that there is an everlasting distinction between right and wrong, and an absolute 'Thou shalt' and 'Thou shalt not' in human life, a categorical imperative in which the Law is high above the promptings of passion, the adventure of inclination, or the fashion of the hour. Weak and erring man needs an objective code in matters of right and wrong, and must own with unmistakable clearness the demands of duty, and denouncing the chief of sins. Such a Divine affirmation of the Law was at all times a vital necessity for man, in order to set aside doubt, and to combat that perverse casuistry which is always ready to call good evil, and evil good. God is not a Father. He is also our Law-giver; and in the Decalogue, He has made known to the world the foundations on which human life and happiness can be built.

IV

REVELATION AND THE DECALOGUE

Judaism stands or falls with its belief in the historic actuality of the Revelation at Sinai.

Revelation, in the first instance, means the unveiling of the character and will of God to the children of men. This is implied in the Theistic position. If we think of the Universe as merely an aggregate of blind forces, then there is, of course, no room for *communication* of any kind between God and man. But the moment we assert the existence of a Supreme Mind as the Fountain and Soul of all the infinite forms of matter and life, revelation, or communication between God and man, becomes a logical and ethical necessity. The exact *manner* of this supernatural communication between God and man will be conceived differently by different groups of believers. Some will follow the Biblical accounts of Revelation in their literal sense; others will accept the interpretation of these Biblical accounts by Rabbis of Talmudic days, Jewish philosophers of the Middle Ages, or Jewish religious thinkers of modern times. No interpretation, however, is valid or in consonance with the Jewish Theistic position, which makes human reason or the human personality the *source* of such revelation. A noted philosopher of religion has recently given expression to this truth in the words: 'All Revelation is supernatural. There can be no such thing as a purely natural revelation. We cannot really know God except as He desires to be known and makes Himself apprehensible. No view of God that grew up "of itself" in the human mind, owing nothing to God's self-disclosing action, could have any value' (Wobbermin).

Revelation is thus but the obvious inference and corollary of the character of the Deity held by all who believe in a Personal God and Father in Heaven, in prayer to Whom, in worship of Whom, and in communion with Whom, the highest moments of our lives are passed and lived. This close spiritual relationship between God and man, this interplay of spiritual forces and energies, whereby the human soul responds to the Self-manifesting Life of all Worlds, attains in Israel's Prophets that overmastering *certainly* which enables them to declare, 'Thus saith the LORD.' Theirs is an absolute conviction that the thoughts which arose in their minds about Him and His will, and the commands and exhortations which they issued in His name, really came to them at His prompting and were invested with His authority. Maimonides compared revelation to illumination by lightning on a dark night. Some prophets were granted only one such lightning-flash from the Divine; in the case of others these lightning-flashes were oft repeated; whereas to Moses was accorded continuous, unintermittent Light. Not in dreams or visions or occasional flashes of Divine intuition was the

manner of revelation in his case, but 'face to face'; i.e. in the form of self-luminous thought and complete self-consciousness. In his mind, the Rabbis say, the Divine Message was reflected as in a clear mirror (אֶסְפֶּקְלִיָּה מְאִירָה). The supreme revelation in the life of the Lawgiver, however, that of the Covenant at Mount Sinai, he shared with the whole of Israel. To all of them was then vouchsafed the psychic experience of a direct communion with God. Even as at the shores of the Red Sea, when, in the words of the Sages, an ordinary maidservant was able to perceive what an Ezekiel in his moments of ecstasy could not attain to—so at Sinai, a mystic Vision gripped the spirit of the awe-struck People, filling their souls with reverence and certitude and Light.

V

ISRAEL, THE PEOPLE OF REVELATION

A study of Israel's amazing story will strengthen any unbiased seeker of the Truth in the conviction that Israel's Vision of the Divine is different not only in degree *but in kind* from that of any other nation; and that, therefore, there has indeed been a unique impact of the Spirit of God upon the soul of Israel. In fact, from the very first there must have been a predisposition in the nature of the Jewish people to receive the Message of Sinai. The Rabbis point out that all the precepts of the Decalogue had been practised by the Patriarchs and had become the family tradition of their children. Before giving the Torah to Israel, Rabbinic legend furthermore tells us, God offered it to the other nations of the world; everyone of them, however, refused it for one reason or another. Thus, the children of Edom asked, 'What is written in this Torah?' When God named its principal commandment, *Thou shalt not kill*—their decisive answer was, 'We cannot accept it.' Other peoples objected to the seventh and eighth commandments—immorality and the appropriation of other men's possessions being the expression of their national bent. None of them, it seems, was against Religion as such, so long as Religion confined itself to general principles. What they all objected to was the definite, concrete 'do not's' of the Decalogue. 'We have no desire for the knowledge of Thy ways,' they exclaimed; 'give your Torah to Israel.' Then God came to Israel; and Israel's reply was, *All that the LORD hath spoken we will do and we will obey.*

So all-compelling has been the recognition of Israel's national genius for the Life of the Spirit that it has crystallized itself into the doctrine of the Election and Mission of Israel (I. Epstein). 'Israel is the People of Revelation,' says a modernist Jewish thinker. 'It must have had a native endowment to produce and rear the succession of Prophets. Hence we do not speak of the God of Moses, nor of the God of the Prophets, but of the God of Israel' (Geiger). 'Had there been no Israelites there would be no Torah,'

said Yehudah Hallevi seven centuries before him. 'Israel's pre-eminence is not derived from Moses; it is Moses whose pre-eminence is due to Israel. The Divine love went out towards the descendants of the Patriarchs. Moses was merely the Divinely chosen instrument through whom God's Blessing was to be assured unto them.'

Medieval poet and modernist thinker alike agree that Israel was from its birth predestined to become a Kingdom of Priests. Its career as a Holy Nation dates from the historically attested mystical experience at the foot of Sinai. *Without* the Covenant at Sinai, the Exodus would have had little meaning; the story of Israel, like that of other kindred Semitic tribes, would have lain itself in the sands of the desert. *With* the Covenant at Sinai, everlasting life was planted in Israel's soul; and the story of Israel issues in eternity.

F

IS THE CODE OF HAMMURABI THE SOURCE OF THE MOSAIC CIVIL LAW?

For nearly a century there has been continuing archaeological rediscovery of ancient civilizations that had for ages vanished from earth. To take one example: we possess to-day the actual originals of the code of laws, administrative orders and official letters of King Hammurabi, who was a contemporary of Abraham, and is mentioned in the early chapters of the Book of Genesis. This code of laws is one of the landmarks in world history, and has important bearings on the legislation of the Torah.

Mesopotamia. The original inhabitants of the Euphrates Valley—the domain of King Hammurabi—are generally spoken of as Sumerians. Thousands of years before any other people they built brick houses, devised a strong family organization, and grouped themselves into city-states. The first schools in the world were established by them; and the Sumerians were the pioneers in alphabetic writing, architecture, weights and measures, and scientific irrigation. Their division of the circle into 360 degrees and of the hour into sixty minutes of sixty seconds has remained to this day.

The extraordinary fertility of their land made it the goal of invaders from the desert countries to the east and west. The vastest of these invading hordes in historic times arrived about 2500 B.C.E. from the Arabian Peninsula. These invaders overwhelmed the country, and founded the city of Babylon in the year 2300—the city which was destined in time to become the emporium of the East and mistress of the world. The population thoroughly assimilated, and the culture measurably advanced, the religion and culture of the original Sumerians. The zenith of their

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Babylonian civilization was reached under the king of the Semitic dynasty, King Amraphel, known as Hammurabi (1945–1902 B.C.E.), whose great achievement was the codification of Babylonian law. A generation ago this Code of Hammurabi was rediscovered for the modern world.

Babylonian Society. Nothing can give us such insight into the cultural and social life of the Babylonians 3,900 years ago as this collection of the *Society in ancient Babylonia* consisted of certain definite castes; king, court and priests, of gentle birth (aristocrats and officers), commoners and slaves. The differences between social grades can be seen by various regulations; e.g. where capital punishment for theft was commuted for by payment, the thief had to pay thirtyfold if the theft was from the royal estate; tenfold, if from a gentleman; fivefold, if from a commoner. The commoner was a free man, but subject to *corvée*, or forced unpaid labour, and liable to be sold into slavery for debt or for crime.

The slave was merely a chattel, with his owner's name branded or tattooed on his arm, and could not go beyond the city gates without a written permit from his master. A strict fugitive slave law was in operation, which in some respects was as harsh as the American fugitive slave law of Uncle Tom's days. There were statutory rewards for the captor of the runaway slave; while anyone harboring a slave to escape was punished by death. Contrast with this the commandment in Deuteronomy xxiii, 16, 'Thou shalt not deliver up thy brother that is escaped from his master unto thee.'

If a slave married a free woman, the children were free. If a free man married a slave woman, she was as a second wife, the children were free, and the slave woman also became free on her husband's death. The first wife had the right to punish insolence, but only by degradation. Onan, the son of a free man and a bond-servant, was free. When Hagar is insolent to Sarah, the latter may punish her as harshly as Abraham would permit, but she could no longer sell her.

The position of woman in Babylonian life was favourable. In marriage between different social grades, the wife maintained, and her children inherited, the higher status. On her marriage she brought a dowry to her husband, which remained with her for life. As wife, she could be witness, conduct business in her own name, and possess property which her husband's creditors could not take to pay any of his ante-nuptial debts.

Land laws and commerce. Land was private property, subject to an impost levied on the crop. Vast herds and flocks were owned. The shepherd gave a receipt for the animals entrusted to him, and was bound to return them with reasonable increase. He was allowed to use a certain number of animals for food, and was not responsible for those killed by lion or lightning. Any loss due to his carelessness he had to repay tenfold. This illustrates

Jacob's protest to Laban: 'These twenty years have I been with thee; thy ewes and thy she-goats have not cast their young, and the rams of thy flock have I not eaten. That which was torn of beasts I brought not unto thee; I bore the loss of it; of my hand didst thou require it, whether stolen by day or stolen by night' (Gen. xxxi, 38, 39).

In commerce, there was the all-pervading obligation of putting every business transaction in writing, signed, sealed, witnessed and in duplicate. There were detailed regulations for rent, lease and lease guarantees, administrators of property, safe-deposit, warehousing, partnership, commercial travellers and agents, transport and shipping. There were fixed tariffs for various classes of labourers, ox-drivers, harvesters, veterinary surgeons, ship-builders, boatmen and branders. The physician's fee was fixed according to the social grade of the patient, the builder's according to the size of the house.

The value placed on human life in this Code is slight. Horrible mutilations abound—of eyes, ears, tongue, and hand; and there are thirty-four crimes for which the death penalty is inflicted; among these every kind of theft, including receiving and buying from servants. It is well, however, to compare with this list, and the horrible forms of death prescribed, the exceedingly cruel modes of execution in European countries down to quite modern times. Even in England, pocket-picking was punishable by death till the year 1808, and sheep-stealing until 1832!

Moses and Hammurabi. Much more interesting than the examination of the detailed regulations of the Code is the question, What is the influence of this oldest code of laws in the world on the Mosaic civil law?

It is now admitted that some of the stories of the Patriarchs can only be fully understood in the light of Hammurabi family and shepherd law. This is so, as we have seen in the Sarah-Hagar incident; likewise, the complaint of Jacob against Laban is in strict conformity with sections 261 to 267 of the Code of Hammurabi. As for the legal portions of Exodus, Leviticus, and Deuteronomy, no feature can be definitely singled out as derived from the Hammurabi Code. There are, however, some twenty-four instances of *analogies* and *resemblances* between the two Codes—in regard to the laws of kidnapping, burglary, deposit, assault, and various others; and especially in the *lex talionis*, life for life, eye for eye, tooth for tooth. Now, it is argued, in view of the fact that the Mosaic law is at least 400 years the younger of the two, these resemblances constitute strong evidence that the Hammurabi Code is the immediate or the remote source of the Mosaic civil and criminal legislation.

Many scholars, however, challenge this inference. They say that common laws are often due to common human experience, which is much the same everywhere. The history of the Patriarchs, they agree, has a Babylonian

background: but this is so because they were of Babylonian descent. Abraham came from Ur of the Chaldees, a favourite city of his contemporary Hammurabi. Abraham, Isaac and Jacob all lived in Canaan, which was then under Babylonian sway. The Mosaic Law, however, is in no way indebted to the Babylonian. For it would be absolutely inexplicable why there are no Babylonian loan-words in its terminology, if the Babylonian law were the source of the Pentateuchal legislation. A higher culture always forces its use of language upon a primitive people which adopts that culture. Again, laws, as the peculiar expression of a people's life, can only be imported where the habits of life of the two peoples are related, and where similar social and economic conditions exist. Now Israel is the least Babylonian of peoples, being nomadic, rural, primitive; whereas Babylon has an intricate, highly industrialized, commercial city-civilization. In Israel, the people is in possession of sovereign rights; the king is under the law. In Babylon, a limited monarchy would have been deemed a contradiction in terms. In Israel, the death penalty for property crimes is abolished; and whether the theft be from king, noble, commoner or slave, the fine is the same. The slave is considered a human being. He is to go free for the loss of an eye, or even a tooth, at the hands of his master. The Babylonian Code closes with the case of the slave whose ear is to be cut off for desiring freedom; whereas the Mosaic Civil law (Exodus xxi, 2-6) opens with the case of the slave whose ear is to be bored as a mark of disgrace for refusing to go free when his six years of servitude are at an end! There is not a trace of the Biblical ideal of personal holiness in the Babylonian Code, or of the beneficence and consideration for the poor and needy, which is so characteristic of the Mosaic legislation. Deeper still is the abyss between this Code and the Mosaic Law in their respective attitudes to human freedom. The words of Henry George, spoken fifty years ago, concerning the Mosaic Law, still hold good:

"The Hebrew commonwealth was based upon the individual—a commonwealth whose ideal it was that every man should sit under his own vine and fig-tree, with none to vex him or make him afraid; a commonwealth in which none should be condemned to ceaseless toil; in which for even the bond-slave there should be hope; in which for even the beast of burden there should be rest. It is not the protection of property, but the protection of humanity, that is the aim of the Mosaic Code. Its Sabbath day and Sabbath year secure, even to the lowliest, rest and leisure. With the blasts of the jubilee trumpets the slave goes free, and a re-division of the land secures again to the poorest his fair share in the bounty of the common Creator. The reaper must leave something for the gleaner; even the ox cannot be muzzled as he treadeth out the corn. Every-

where, in everything, the dominant idea is that of our homely phrase, "Live and let live."

'Eye for eye' in Mosaic Law. Further, nothing can illustrate the fundamental difference of the legal systems of these two peoples better than their different application of the law of retaliation or the rule of 'measure for measure'. The enunciation of the principle of 'life for life, eye for eye, tooth for tooth', is to-day recognized as one of the most far-reaching steps in human progress. It means the substitution of legal punishment, and as far as possible the exact equivalent of the injury, in place of wild revenge. It is the spirit of equity. The Church Father Augustine, was one of the first to declare that retaliation was a law of justice, not of hatred; one eye, not two, for an eye; one tooth, not two, for a tooth; one life, not a whole family, for a life. The founders of International Law—Hugo Grotius, Jean Bodin, and John Selden—all maintain that the rule 'eye for an eye' enjoins, on the one hand, that a fair and equitable relation must exist between the crime and the punishment; and on the other hand, that all citizens are equal before the law, and that the injuries of all be valued according to the same standard. 'It is a law appropriate only for free peoples'—said one of the pioneers of modern Bible exegesis, John D. Michaelis—"in which the poorest inhabitant has the same rights as his most aristocratic assailant . . . It deems the tooth of the poorest peasant as valuable as that of the nobleman, strangely so, because the peasant must bite crust while the nobleman eats cake.' Of course in primitive society there was great danger of this principle becoming petrified into a hard and fast rule of terrible cruelty. In the Mosaic Law, however, monetary commutation had already begun. This is seen from the prohibition of accepting money-compensation for malicious murder: 'Ye shall take no ransom for the life of a murderer, that is guilty of death (Numbers xxxv, 31). The literal application of 'eye for eye, tooth for tooth' was excluded in Rabbinic Law; and there is no instance in Jewish history of its literal application ever having been carried out.

'Son for son, and daughter for daughter' in the Hammurabi Code. Very different is the way in which this principle was applied in the Code of Hammurabi. The whole Code seems to be based on it; and instead of being merely a general maxim, as in Hebrew jurisprudence, it is taken literally and translated into cold prose; 'If a man has caused the tooth of a man who is equal to fall out, one shall make his tooth to fall out'; and similarly in fourteen other cases. It is true that here likewise the beginning of monetary compensation appears; but not for the aristocrat or free-born, only for slaves. Furthermore, the retaliation principle is extended and carried to grotesque extremes. For example, if the jerry-builder, by his faulty constructing of a house, causes the death of the owner, the jerry-builder

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killed; but if he causes the death of the son or daughter of the owner, then not the jerry-builder but his son or his daughter is killed! This explains a passage in the Mosaic civil code which no one could ever explain till the discovery of the Hammurabi Code. In Exodus, xxi, 28-31, we read:—

If an ox gore a man or a woman, that they die, the ox shall surely be stoned . . . ; but the owner of the ox shall be quit. But if the ox was wont to gore in time past, and warning hath been given to its owner, and he hath not kept it in, but it hath killed a man or a woman; the ox shall be stoned, and its owner also shall be put to death. If there be laid on him a ransom, then he shall give for the redemption of his life whatsoever is laid upon him. Whether it has gored a son, or have gored a daughter, according to this judgement shall it be done unto him.'

Now, what is the meaning of the last clause? Prof. David Mueller, whose treatise on the Code (Die Gesetze Hammurabis und ihr Verhältniss zur mosaischen Gesetzgebung, Vienna, 1893) is by far the best and most scholarly, reminds us that in the pre-Mosaic age if a young ox killed a man, the owner of the ox was killed; if, however, he killed a son or daughter, then not the owner of the ox, but his son or his daughter was killed. By this one unobtrusive clause, *Whether it have gored a son, or have gored a daughter, according to this judgment shall it be done unto him*—the Torah sweeps away an infamous caricature of human justice. And that the meaning of this clause be for ever unmistakable, it again declares elsewhere (Deuteronomy xxi, 16), 'The fathers shall not be put to death for the children, neither shall the children be put to death for the fathers; every man shall be put to death for his own sin.'

No direct relation between the Codes. Now these differences certainly do away with the notion that the Hammurabi Code is the source of the Mosaic Civil Law. The best authoritative opinion indeed holds that these two systems are independent codifications of ancient Semitic Common Law. The resemblances in the two codes are due to the common usage of the Semitic ancestors of both Babylonians and Hebrews. This common element was in Babylon developed into the Code of Hammurabi; but in Israel it was, under Providence, sifted and transmuted in such a way as to include love of stranger, protection of slave, the Ten Commandments, and the law, 'Thou shalt love thy neighbor as thyself' (Leviticus xix, 18, 34).

As to the influence of these Codes on the legislation of later ages, all trace of the Babylonian Code seems to have been lost with the passing of the Assyro-Babylonian Empire. It is otherwise with Biblical Law. Woodrow Wilson called attention to the potent leaven of

Judaic thought in the legislations of the Western peoples throughout the Christian era.

'It would be a mistake,' he writes, 'to ascribe to Roman legal conceptions an undivided sway over the development of law and institutions during the Middle Ages. The laws of Moses as well as the laws of Rome contributed suggestions and impulse to the men and institutions which were to prepare the modern world; and if we could but have the eyes to see the subtle elements of thought which constitute the gross substance of our present habit, both as regards the sphere of private life and as regards the action of the State, we should easily discover how very much besides religion we owe to the Jew.'

The discovery of the Hammurabi Code at the beginning of this century was most disturbing to Bible Critics. It had been to them one of the 'finalities of scholarship' that the Pentateuch came after the Prophets in time and was not, and could not have been, Mosaic. Now it was seen that as early as the days of Abraham there existed not only written laws, but a Code full of most remarkable detail which shed a new light on the Patriarchs and on the Torah. And though in Liberal Jewish circles the discovery of this Babylonian Code was hailed as 'a blow to Orthodoxy', because of its resemblances to the Mosaic Law, closer examination has made abundantly clear the everlasting difference between the two—in humanity, righteousness, and holiness.

That discovery, followed as it soon was by the finding of the Assyrian and Hittite Codes, has impressed a much-needed lesson on Bible Critics; and that is, Wisdom is not of yesterday! 'We must rid ourselves of the notion,' wrote the late Prof. Baentsch of Jena, one of the foremost Biblical scholars of our times, 'that the pre-Mosaic age in Israel was barbarous or semi-barbarous, with animistic tree, stone, and ancestor worship: with fetishism, totemism, witchcraft, and other such beautiful things. To-day, we know that the age of Abraham was the outcome of a religious development that goes back many thousands of years.' Verily, the horizon of human history has been widened by millennia; and the evolutionary view of history, the view which holds that progress is always in a straight line, is seen to be both fatalistic and false. There are ebb and flood-tides in the history of the human spirit; and periods of decline like the post-Homeric age in early Greece, or the barbarous period of the Judges in Israel, can no longer be used to disprove the existence of the Creative Epochs that preceded them. Once again we have seen that the words of the Psalmist, 'Truth shall spring from the earth,' have become literally fulfilled; and the very stones of the Euphrates and Tigris valleys have given their decisive testimony in vindication of the Torah.

make her a harlot, lest the land fall into harlotry, and the land become full of uncleanness. 30. Ye shall keep My sabbaths, and reverence My sanctuary: I am the LORD. 31. Turn ye not unto the ghosts, nor unto familiar spirits; seek them not to be defiled by them: I am the LORD God. 32. Thou shalt rise up before the hoary head, and honour the face of the old man, and thou shalt fear thy God: I am the LORD. 33. And if a stranger shall sojourn with thee in your land, ye shall not wrong him. 34. The stranger that sojourneth with you shall be unto you as the home-

31 שְׁבֵתִי תִשְׁמְרוּ וּמִקְדָּשִׁי תִירָאוּ אֲנִי יְהוָה: אֲלֹהֵיכֶם
 אֲלֹהֵיכֶם וְאֵלֵי הַבְּהֵמֹת וְאֵלֵי הַבְּחֵימֹת לִטְמֵאָה כֹּהֵם אֲנִי
 יְהוָה אֱלֹהֵיכֶם: מִפְּנֵי שִׂיבָה תִלְוֶם וְהוֹרֶת פְּנֵי זָקֵן וְיִרְאתֶם
 מֵאֵלֵהֶם אֲנִי יְהוָה: ׀ וְכִרְיֵנִי אֶתְּנֶה לָּךְ בְּאַרְצְכֶם לֹא
 32 רַבֵּיעִי (שֵׁשִׁי)
 (שֶׁשֶׁן מִזֶּה)
 33
 34 תֹּנֶה אֹתוֹ: בְּאַזְרַח מִכֶּם יְהוָה לָכֶם הַגֵּר וְהַגֵּר אֶתְכֶם
 וְאִדְבַת לֹא כִמֹּד כִּי־גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם אֲנִי יְהוָה

profane not thy daughter. A prohibition of a father to hand over his daughter to a man without the previous rites of 'sanctification'—i.e. without a legal marriage; as well as prohibition of a woman of her own free will to consort with a man without such legal marriage (Sifra). The use of the word *profane* is noteworthy. It presupposes the sacredness of womanhood; and it treats such an action as a profanation and a violation of the sacred personality of a human

made it include anyone who had acquired wisdom (זקן, זה שקנה חכמה). But even where there is no book-learning, there may be the matured wisdom of experience. A famous rabbi would stand up even before an aged heathen peasant, saying, 'What storms of fortune has this old man weathered in his life-time.'
thou shalt fear. Cf. on v. 14. Here, too, the inner motives of a man are involved, not only his outward acts.

land, i.e. its inhabitants, as in xviii, 25.
into harlotry. Looking upon the 'demand' for harlotry as a normal condition of things, and regarding the consequent 'supply' of human beings for such life of shame.

33. *a stranger.* The duty of loving the stranger is stressed thirty-six times in Scripture and is placed on the same level as the duty of kindness to, and protection of, the widow and the orphan. 'The alien was to be protected, although he was not a member of one's family, clan, religious community, or people; simply because he was a human being. In the alien, therefore, man discovered the idea of humanity' (Hermann Cohen). See the comments on Exod. xxii, 20.

sabbaths . . . sanctuary. The parenthetical nature of this injunction may be intended to stress upon the Israelite that reverence for the Sabbath and Sanctuary will keep him from the heathenish rites and immoralities mentioned in the preceding verses and that following.

not do him wrong. Heb. לֹא תוֹנוּ. Not only oppression by unrighteous deeds, such as taking advantage of his ignorance to overreach him. The Rabbis take the word in sense of 'offend', and they emphasize the peculiar heinousness of wounding the alien's feelings by insulting speech (אוונאת דברים). Few modern peoples, alas, can truthfully be said to have learned this ethical precept.

familiar spirits. The English word 'familiar' means 'attendant'. The wizard professes to be in touch with the spirit attendant upon him, or dwelling within him, what is hidden from the ordinary person.
be defiled. Physically, by coming into contact with the dead bones which were part of the ceremonial uncleanness of the wizard; and spiritually, by being drawn into the mire of superstition inseparable from witchcraft and necromancy; see on xx, 6.

34. *as the home-born.* There was to be one law only, the same for home-born and alien alike (xxiv, 22; Num. xv, 16); see p. 260. The stranger is to share in the corners of the field, the forgotten sheaf, and every form of poor relief. The tremendous seriousness with which justice to the stranger is inculcated is seen from the fact that, among the covenant admonitions at Mount Ebal, we read 'Cursed be he that perverteth the justice due to the stranger' (Deut. xxvii, 19). Israel was not permitted to hate even the Egyptian, the people that enslaved him. It was to transform those memories of bitter oppression into feelings of compassion to all the friendless and down-trodden. In other ancient codes, the stranger was

32-37. ETHICAL INJUNCTIONS

rise up before the hoary head. 'Hoary,' means 'white with age'. The ethical sublimity of this injunction is not diminished by the fact that such practices exist among other ancient peoples, and that in the Orient reverence for old age is or was until the present day.
honour the face of the old man. 'Honour the face of an old man' (Moffatt). The Rabbis have emphasized the connotation of the word 'old' and

born among you, and thou shalt love him
as thyself; for ye were strangers in the land
of Egypt: I am the Lord your God. 35.
Ye shall do no unrighteousness in judgment,
in measure, in weight, or in measure. 36.
Just balances, just weights, a just ephah,
and a just hin, shall ye have: I am the
Lord your God, who brought you out of
the land of Egypt. 37. And ye shall observe
all My statutes, and all Mine ordinances,
and do them: I am the Lord.*v.

CHAPTER XX

1. And the Lord spoke unto Moses, saying:
2. Moreover, thou shalt say to the children
of Israel: ¶ Whosoever he be of the children
in Israel, that giveth of his seed unto
Molech; he shall surely be put to death;
the people of the land shall stone him with
stones. 3. I also will set My face against
that man, and will cut him off from among
his people, because he hath given of his
seed unto Molech, to defile My sanctuary.

rightless. Thus, the Romans had originally one
word, 'hostis' for both stranger, and enemy.
According to Germanic Law the stranger was
'rechtisunfahig'; See on xxiv, 22.
thou shalt love him as thyself. Do to him what
you would wish others to do unto you, if you
were a stranger in a strange land. See Additional
Note, 'Thou Shalt Love Thy Neighbour As
Thyself,' p. 563.

35. in judgment. Not an unnecessary repetition
of the same phrase in v. 15. God abhors
unrighteousness, i.e. dishonesty, in business.
For all that do such things are an abomination
unto the Lord' (Deut. xxv, 16).

36. ephah. The standard dry measure; some-
what larger than a bushel.
him. A measure for liquids; a sixth of the ephah,
about 1½-1¾ gallons.
brought you out. God had delivered the
Israelites from a land where they had suffered
from injustice; let them not practise injustice in
their dealings with one another.

37. I am the Lord. Thus this remarkable series
of precepts ends on the exalted note with which
it opened; v. 2.

CHAPTER XX.
PENALTIES FOR UNLAWFUL
MARRIAGES, MOLECH WORSHIP AND
NECROMANCY

This chapter is a natural pendant to xviii
and xix, and enumerates the acts that would
debase Israel's life, and altogether destroy its
ideal of Holiness. In an organized society, it is
essential to institute penalties for the violation of
measures that are vital to its existence. Ruthless
measures were indispensable against the abomin-
able vices and hideous practices which Israel was

1-5. PENALTIES FOR MOLECH WC

2. strangers. Such horrors should r
mitted even to resident strangers on any
ground that
concern of the community what aliens
Molech. See on xviii, 21.
people of the land. Heb. am ha-
again it is better to translate, the
Council; i.e. the national representa-
on behalf of the nation, shall stamp
hideous idolatry.
stone him. Stoning goes back to ho
antiquity, and was prescribed for c
demanded punishments with a deterri
upon the people. In later ages, th
method was modified to render it mor
The Talmud tells that, in capital offen
quents were drugged, in order to de
senses before execution.

3. set My face. See xvii, 10.
will cut him off. This verse refers to
a man who performs the atrocity in p



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The Want, Will, and Hopes of the People

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IN CONGRESS, JULY 4, 1776

The unanimous Declaration of the thirteen united States of America

When in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected, whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefit of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies

For taking away our Charters, abolishing our most valuable Laws and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation, and tyranny, already begun with circumstances of Cruelty & Perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these united Colonies are, and of Right ought to be Free and Independent States, that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

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Matthew Thornton ([./signers/thornton.html](#))

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The Heritage Guide to The Constitution

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The Constitution of the United States

The authoritative reference with expert, clause-by-clause analysis

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We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I: Legislative Essays »

Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the

Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article II: Executive Essays »

Section 1

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: — "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section 2

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III: Judicial Essays »

Section 1

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section 2

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State; — between Citizens of different States; — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attained.

Article IV: States Essays »

Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section 3

New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

Article V: Amendment Essays »

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI: Supreme Law Essays »

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article VII: Ratification Essays »

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G^o. Washington *Presidt. and deputy from Virginia*

Delaware

- Geo: Read
- Gunning Bedford jun
- John Dickinson
- Richard Bassett
- Jaco: Broom

Maryland

- James McHenry
- Dan of St Thos. Jenifer
- Danl. Carroll

Virginia

- John Blair
- James Madison Jr.

North Carolina

- Wm. Blount
- Richd. Dobbs Spaight
- Hu Williamson

South Carolina

- J. Rutledge
- Charles Cotesworth Pinckney
- Charles Pinckney
- Pierce Butler

Georgia

- William Few
- Abr Baldwin

New Hampshire

- John Langdon
- Nicholas Gilman

Massachusetts

- Nathaniel Gorham
- rufus King

Connecticut

- Wm. Saml. Johnson
- Roger Sherman

New York

- Alexander Hamilton

New Jersey

- Wil: Livingston
- David Brearley
- Wm. Paterson
- Jona: Dayton

Pennsylvania

- B Franklin
- Thomas Mifflin
- Robt. Morris
- Geo. Clymer
- Thos. FitzSimons
- Jared Ingersoll
- James Wilson
- Gouv Morris

Attest William Jackson, *Secretary*

Amendment I Essays »

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II Essays »

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III Essays »

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV Essays »

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V Essays »

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI Essays »

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment VII Essays »

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII Essays »

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX Essays »

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X Essays »

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Amendment XI Essays »

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Amendment XII Essays »

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing

the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President. — The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Amendment XIII Essays »

Section 1

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2

Congress shall have power to enforce this article by appropriate legislation.

Amendment XIV Essays »

Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United

States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave: but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Amendment XV Essays »

Section 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude —

Section 2

The Congress shall have the power to enforce this article by appropriate legislation.

Amendment XVI Essays »

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

Amendment XVII Essays »

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Amendment XVIII Essays »

Section 1

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Amendment XIX Essays »

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

Amendment XX Essays »

Section 1

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and

for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Amendment XXI Essays »

Section 1

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2

The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Amendment XXII Essays »

Section 1

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

Amendment XXIII Essays »

Section 1

The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXIV Essays »

Section 1

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXV Essays »

Section 1

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3

Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Amendment XXVI Essays »

Section 1

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXVII Essays »

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of representatives shall have intervened.

Preamble

Articles

1. 1. Legislative
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Basic Law proposal: Israel as the Nation-State of the Jewish People

From Wikipedia, the free encyclopedia

Basic Law proposal: Israel as the Nation-State of the Jewish People (Hebrew: הצעת חוק יסוד: ישראל - מדינת הלאום של העם היהודי) is an Israeli bill which seeks to determine the nature of the state of Israel as the nation state of the Jewish people.

The bill was submitted by MK Avi Dichter of the Kadima party and received the support of 39 other Knesset members, from both the coalition and the opposition. The bill has not passed a preliminary reading.

Contents

- 1 Overview
 - 1.1 The bill's clauses
- 2 Public debate
- 3 See also
- 4 References
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Overview

On 3 August 2011, Dichter filed, together with another 39 Knesset members, the proposed Basic Law proposal: Israel as the Nation-State of the Jewish People^[1] which seeks to determine the nature of the state of Israel as the Jewish people, and as such it interprets the term "Jewish and democratic state" which appears in the Israeli basic laws Basic Law: Freedom of Occupation and Basic Law: Human Dignity and Liberty. According to the proposal, Israel will be defined as the nation state of the Jewish people, and in order to prevent Israel from becoming a binational state, the proposal says that the right to self-determination in Israel would be unique to the Jewish people. The proposal also states that the state of Israel should establish ethnic communities where every resident can preserve their culture and heritage, that the Hebrew language would be considered the only official language of the state of Israel (while the Arabic language would be of a special status), that the Hebrew calendar would become the official calendar of the state of Israel, and that the Hebrew law would serve as an inspiration to Israeli legislators. The bill is currently in early legislative stages and still has not passed a preliminary reading.

The bill's clauses

- Sections 1–2 of the bill detail the principles for which the law was established: "Israel is the homeland of the Jewish people in which the Jewish people fulfill their ambition to self-determination according to their cultural and historical legacy."

- Section 3 regulates the state's symbols – the flag, the anthem and the Emblem of Israel.
- Section 4 stipulates that Hebrew is the only official language of the state of Israel while the Arabic language would be of a "special status".
- Section 5 establishes the Law of Return as part of Israel's Basic Laws.
- Sections 6–7 deal with the relations between the state of Israel and the Jewish diaspora as well as Israel's responsibility for in-gathering world Jewry.
- Sections 8–9 deal with the state's obligation to preserve the Jewish heritage.
- Sections 10–12 regulate the Hebrew calendar, holidays and memorial days.
- Section 13 provides that in a case of a laconic phrase in the Israeli law, the Israeli court system would use the Jewish law as a source of inspiration.
- Section 14 deals with the state's obligation to protect the holy places of all faiths located within the territory of Israel.

Public debate

The law proposal caused a lot of controversy in the Israeli public and media. An editorial in the Haaretz newspaper claimed that this law proposal would severely harm the Israeli democracy and the rights of the minorities.^[2] The proposal was criticized by various Israeli political figures and academic figures, especially on the left of the political spectrum, such as Professor Amnon Rubinstein and the Speaker of the Israeli Labor party MK Shelly Yachimovich.

Yachimovich published a response letter to Dichter in July 2011 in which she wrote that she identifies with most of Dichter's proposal which she considers to be in the consensus among the Israeli public, because half of the bill's clauses "are anchored in one way or another in the existing legislation" and the clauses whom are not who do not, constitute "social conventions and cultural whom have a consensus amongst the "Zionist camp": The flag, the emblem, the anthem, the Law of Return, the Protection law of the Holy Places, the Hebrew language, the Jewish calendar, the Israeli Independence Day and the Israeli Memorial Day, the Declaration of Independence and the like. However, Yachimovich opposed the timing of the proposal's submission, opposed the essential idea that if Israel would be better defined as a Jewish state in its laws it would help legitimize Israel as such internationally, opposed the proposal's section 9 (the state's obligation to preserve the Jewish heritage) and 13 (Jewish law). Therefore, she wrote that "although as noted above I identify with many of the components of the proposal, I can not support it".^[3]

The proposal has been criticized even by people affiliated with the Israeli Right, such as the Minister and Likud Party MK Benny Begin.^[4] Critics have argued that the proposed law raises difficult questions concerning the definition of Israel as a Jewish and democratic state, and it may upset the delicate balance between the state's Jewish character and state's democratic character.

On 20 November 2011 a special discussion was held on the matter at the "Roundtable Forum in memory of George P. Shultz" (פורום השולחן העגול ע"ש ג'ורג' שולץ) which was sponsored by the Israeli Democracy Institute, and was attended by Avi Dichter and various Israeli public figures and prominent academic figures.^{[5][6]}

On the other hand, the Israeli researchers Dovi Hellman and Adi Arbel from the Institute for Zionist Strategies research institution published a position paper in which they expressed their support in the proposal.^[7] Professor Abraham Diskin also expressed a similar opinion.^[8]

Prime Minister of Israel, Benjamin Netanyahu, ardently defended his draft of the Nation-State bill on November 26, 2014. Netanyahu declared Israel to be “The nation-state of the Jewish people and the Jewish people alone.”^[9] He also clarified “I want a state of one nation: the Jewish nation-state, which includes non-Jews with equal rights.”^[10] Being the land of the Jewish people, the PM is of the opinion that Israel is thus entitled to principles that combine the nation and the state of the Jewish people and grant “equal rights for all its citizens, without discrimination against religion, race or sex.”^[11]

Dr. Aviad Bakshi, who was also a member in the IZS constitution team, published an article in which he stated that in practice Arabic is not the official language in Israel nowadays, and therefore the argument that the proposal would harm the status of the Arabic language is not valid.^[12]

Israeli MK Dr. Einat Wilf from the Independence party published an article supporting the proposal which argued the advantages as a "correct and balanced" proposal because the state of Israel was established for one purpose only and that is - to be the national home of the Jewish people. This is the essence and *raison d'être*.

Senior Fellow at Kohelet Policy Forum, Professor Eugene Kontorovich, published an article on the legitimacy of Israel's nation-state bill in which he compares the bill proposition to that of other EU states, and declares Israel's bill to have “nothing racist, or even unusual, about having national or religious character reflected in constitutional commitments.” Professor Kontorovich proves that “Seven EU states have constitutional ‘nationhood’ provisions, which typically speak of the state as being the national home and locus of self-determination for the country's majority ethnic group.” To that end, he muses, “it is hard to understand why what works for them should be so widely denounced when it comes to Israel.”^[13]

In response to the criticism Dichter stated that "the law proposal was created and designed for a year and a half, and that from the start the Jewish and democratic character of the state were balanced appropriately, and for this reason the proposal has gained the support from the entire political spectrum in Israel. 40 MKs have so far expressed their support in the bill proposal. Taking into account that 40 other MKs are ministers and deputy ministers can not express at this point their support of the bill proposal, this means that half of the Knesset members support the proposal. Moreover, after the bill proposal was submitted to the Knesset yesterday, additional lawmakers sought to express their support of the bill proposal".

In response raised by MK Benjamin Ben-Eliezer and various other political regarding the declaration of the Hebrew language as the sole official language of the state, Dichter stated that the law enshrines the existing situation. Israel's official languages were defined by the British in 1922 - back then the official languages were French, Arabic and Hebrew, in that order. Court rulings deal constantly with the permanent status of the language: the Hebrew language is defined as a language with a higher status than the Arabic language, and as the state's official language. Arabic on the other hand suffers from constant blurring of its status and lack of clarity about its accessibility to the native speakers of the language. According to the bill proposal the Arabic language would receive a special status which would require the state to enable accessibility to all native speakers of the language".^[14]

See also

- Basic Laws of Israel
- Constitution of Israel
- Ethnic democracy
- Halachic state
- Homeland for the Jewish people
- Israeli nationality law
- Jewish and democratic state
- Jewish state
- Law of Return

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External links

- Basic Law: Israel as the Nation-State of the Jewish People (http://index.justice.gov.il/StateIdentity/InformationInEnglish/Documents/Basic%20Law%20110911%20(1).pdf) (English), full text on the Israeli Ministry of Justice website
- Hebrew page (http://index.justice.gov.il/StateIdentity/ProposedBasicLaws/Pages/NationalState.aspx) on the Israeli Ministry of Justice website
- Israel's proposed Nation-State law: FAQ (https://web.archive.org/web/20150924205403/http://kohelet.org.il/uploads/file/nation-state%20FAQ2(1).pdf)

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Detail - Israel's Pseudo Bill of Rights

Goto Source for this Table - [essay on Zionist efforts to create a Zionist democracy.](#)

In the early 1990's, the Knesset passed two Basic Laws which protected a range of civil rights for Israeli citizens, and which had built into them the power to be used for judicial review of subsequent laws passed by the Knesset (as per section 8 of the *Basic Law: Human Dignity and Liberty* (1992), and section 4 of the *Basic Law: Freedom of Vocation* (1992), wherein they both say, "there shall be no violation of (these freedoms) except by a law befitting the values of the State of Israel, enacted for a proper purpose, and to an extent no greater than is required" (Jabareen, 1998; State of Israel Official Website, 1998)).

The rights defined and protected in these two Basic Laws are:

- *Basic Law: Human Dignity and Liberty* (1992) (this section is actually reprinted in Appendix III) -
 - freedom from violation of life, body, dignity, or property
 - right to protection of their life, body or dignity
 - freedom from imprisonment, arrest, extradition or otherwise
 - freedom to leave and reenter Israel
 - right to protection of privacy and intimacy
 - right to protection from entry into, or search of property without permission
 - right to confidentiality of conversation, writings, and records
 - *Basic Law: Freedom of Occupation* (1992) --
 - freedom of choice over one's occupation (State of Israel Official Website, 1998).
-

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Right to exist

In 2008, the State of Israel celebrated its 60th anniversary. Although it is still the only fully democratic country in the Middle East, Israel's right to exist as a Jewish state is not only still questioned but this sentiment has proliferated. This is due to incitement among the large Islamic Diaspora where Muslims greatly outnumber Jewish populations in most Western countries.

The liberal free press has greatly contributed to this new wave of de-legitimization both overtly and insidiously in the way that middle-East is reported and commented upon.

Israel's intervention in Gaza to protect its border towns has created a new surge of anti-Israel hatred providing new excuses for its de-legitimization.

Israel's right to exist as a Jewish state in peace, security, stability and prosperity is not a sine-qua non among many of the world's population especially, but not only, among developing nations.

For Jews around the world, the State of Israel is a special place. Israel's well-being is central to Jewish life.

Jews around the world are proud of Israel's achievements over the last 60 years and support those who continue to build and defend Israel.

Like every other legitimate state, Israel has a right to defend itself against any acts of aggression that threaten its citizens.

VIDEOS



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DOCUMENTS

- Press Briefing by Israel Navy Deputy Commander (https://wjc-org-website.s3.amazonaws.com/production/doc
MFA - Video from Israeli Navy (https://wjc-org-website.s3.amazonaws.com/production/doc
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The World Jewish Community must try to activate the prodigious wealth of Jewish talent in the field of public relations to counter adverse images of Israel and its people, in the media, on the internet, and by articulate spokespersons who attack it.

Israel's international relations

Israel is not treated like any other state. It does not have diplomatic relations with a number of states and is often singled out for criticism by international organisations such as the UN.

Governments must apply the same standards to Israel when judging its actions compared with those of other countries.

Israel should not be singled out for criticism by countries which do not themselves adhere to the principles of democracy, human rights and the rule of law.

Israel needs to be treated fairly in international organisations, especially in United Nations bodies such as the Human Rights Council.

All countries should recognize Israel's right to exist, and be open to developing diplomatic ties with Israel.

Peace Process

Launching the Annapolis process in November 2007, US president George Bush expressed hope that a settlement between Israelis and Palestinians could be reached by the end of 2008. However, the takeover of the Gaza Strip by Hamas and the continued instability in the Palestinian Authority-controlled territories has complicated peace talks.

A negotiated settlement between Israel and the Palestinians based on a two-state solution is the only legitimate and just way to provide for a lasting peace.

The nascent Palestinian state should respect the principles of democracy, human rights and the rule of law. A Palestinian state can only be founded if it respects Israel's right to exist in security.

Initiatives that help to enable the Palestinians to advance economically and socially should also be supported as a means of stabilising the peace process.

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NEWS



</en/news/lauder-welcomes-ban-ki-moons-long-awaited-admission-of-un-bias-against-israel-12-1-2016>

Mon, 19 Dec 2016

Lauder welcomes Ban Ki-moon's 'long-awaited' admission of UN bias against Israel (</en/news/lauder-welcomes-ban-ki-moons-long-awaited-admission-of-un-bias-against-israel-12-1-2016>)

WJC President Ronald Lauder welcomed Secretary General Ban Ki-Moon's recognition of the United Nations' disproportionate stance on Israel and his demand that Hamas renounce the use of violence and recognize Israel's right to exist. (</en/news/lauder-welcomes-ban-ki-moons-long-awaited-admission-of-un-bias-against-israel-12-1-2016>)

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Gaza Operation.

December 2008 - January 2009.

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Suspension of Construction in Judea and Samaria (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

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PM Netanyahu's speech at the Herzliya Conference (<http://switch3.castup.net/cunet/gm.asp?ClipMediaID=4939737&ak=null&st=00:22:20>)

PM Netanyahu's address at the Conference of Presidents of Major American Jewish Organizations (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

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Fri, 16 Dec 2016

UN chief recognizes UN bias against Israel in last UNSC speech - Jerusalem Post (<http://www.jpost.com/Israel-News/UN-chief-urges-Israeli-lawmakers-to-reconsider-settlement-bill-475617>)

(<http://www.jpost.com/Israel-News/UN-chief-urges-Israeli-lawmakers-to-reconsider-settlement-bill-475617>)

"The Secretary General admitted the clear truth, the UN's hypocrisy towards Israel has broken records over the past decade," Israel's ambassador to the UN said in response. (<http://www.jpost.com/Israel-News/UN-chief-urges-Israeli-lawmakers-to-reconsider-settlement-bill-475617>)

READ MORE ([HTTP://WWW.JPOST.COM/ISRAEL-NEWS/UN-CHIEF-URGES-ISRAELI-LAWMAKERS-TO-RECONSIDER-SETTLEMENT-BILL-475617](http://www.jpost.com/Israel-News/UN-chief-urges-Israeli-lawmakers-to-reconsider-settlement-bill-475617))



Fri, 16 Dec 2016

Trump chooses David Friedman as ambassador to Israel - JTA (<http://www.jta.org/2016/12/15/news-opinion/politics/trump-nominates-david-friedman-as-ambassador-to-israel-where-he-will-work-from-jerusalem>)

(<http://www.jta.org/2016/12/15/news-opinion/politics/trump-nominates-david-friedman-as-ambassador-to-israel-where-he-will-work-from-jerusalem>)

Statement from Trump's transition team says he looks forward to doing the job "from the U.S. embassy in Israel's etemal capital, Jerusalem." (<http://www.jta.org/2016/12/15/news-opinion/politics/trump-nominates-david-friedman-as-ambassador-to-israel-where-he-will-work-from-jerusalem>)

READ MORE ([HTTP://WWW.JTA.ORG/2016/12/15/NEWS-OPINION/POLITICS/TRUMP-NOMINATES-DAVID-FRIEDMAN-AS-AMBASSADOR-TO-ISRAEL-WHERE-HE-WILL-WORK-FROM-JERUSALEM](http://www.jta.org/2016/12/15/news-opinion/politics/trump-nominates-david-friedman-as-ambassador-to-israel-where-he-will-work-from-jerusalem))



Tue, 06 Dec 2016

World Jewish Congress welcomes initiatives by Google, internet giants to curb terror, anti-Semitism online ([/en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016](http://en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016))

([/en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016](http://en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016))

'Viral hate content must be eradicated like any viral disease,' says WJC President Ronald S. Lauder. ([/en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016](http://en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016))

READ MORE ([/EN/NEWS/WORLD-JEWISH-CONGRESS-WELCOMES-INITIATIVES-BY-GOOGLE-INTERNET-GIANTS-TO-CURB-TERROR-ANTI-SEMITISM-ONLINE-12-2-2016](http://en/news/world-jewish-congress-welcomes-initiatives-by-google-internet-giants-to-curb-terror-anti-semitism-online-12-2-2016))

President Peres meets with UN Special Coordinator Serry (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Statement from Prime Minister Netanyahu's Bureau (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Remarks by PM Benjamin Netanyahu at the weekly Cabinet meeting (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

'On Al-Aqsa TV, Hamas Deputy Minister of Religious Calls for Jews to be Annihilated' - MEMRI (<http://www.memri.org/report/en/0/0/0/0/0/0/>)

Press Conference with Avigdor Liberman Baroness Catherine Ashton in Jerusalem (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

President Peres meets with UN Secretary-General Ban Ki-moon (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Cabinet communique at the weekly Cabinet meeting (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Address by Prime Minister Benjamin Netanyahu at AIPAC (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Candidly Speaking: Down from the fence - Isi leibler - Jeruslaem Post (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

President Peres meets with French Prime Minister Fillon (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

'George Stephanopoulos' One-on-One with Benjamin Netanyahu' - ABC News (<http://abcnews.go.com/GMA/transcript-george-stephanopoulos-interviews-israeli-prime-minister-benjamin/story?id=10409599>)



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2	/en/issues/supporting-israel?gclid=CjwKEAiA7ejCBRDlp8uF6ezPnjoSJAAPED7MvdaeWHiBvHJA_RA0L2bZ388Ckuk73Zzb1ruQgAYGRoCy_zw_wcB&page=2
3	/en/issues/supporting-israel?gclid=CjwKEAiA7ejCBRDlp8uF6ezPnjoSJAAPED7MvdaeWHiBvHJA_RA0L2bZ388Ckuk73Zzb1ruQgAYGRoCy_zw_wcB&page=3
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Last »	/en/issues/supporting-israel?gclid=CjwKEAiA7ejCBRDlp8uF6ezPnjoSJAAPED7MvdaeWHiBvHJA_RA0L2bZ388Ckuk73Zzb1ruQgAYGRoCy_zw_wcB&page=233

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"Hizbullah's scuds are only the tip of the iceberg" (Communicated by the IDF Spokesperson) <https://www.wjc.org/website.s3.amazonaws.com/production/doc>

Q&A With Daniel Ayalon on Israeli Foreign Policy <https://www.wjc.org/website.s3.amazonaws.com/production/doc/q-a-with-daniel-ayalon-on-israeli-foreign-policy>

PM Netanyahu welcomes beginning of proximity talks (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

President Peres represents Israel in Moscow marking victory over Nazis (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Easing restrictions for Palestinians in the West Bank (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

'Israel allows building materials to enter Gaza for UNRWA' (<http://www.paltelegraph.com/pale-strip/6128-israel-allows-building-materials-to-enter-gaza-for-unrwa>)

OQR Welcomes Israeli Announcement of Measures to Ease Movement and Access (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

MFA legal expert Sarah Weiss Maudi on the legal aspects of Gaza aid (<http://www.mfa.gov.il/MFA/HumanitarianAid/May-2010.htm>)

Who is behind the Gaza flotilla? (http://www.terrorism-info.org.il/malam_multimedia/English/eng_n)

Statement by Government of Israel on the Middle East Resolution passed at the NPT Review Conference (<https://wjc-org-website.s3.amazonaws.com/production/doc>)

Gaza flotilla: Excerpts from press conference with DM Barak, CoS Ashkenazi