

Sh'ma

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The grossest sin

Despair is the name of the game. The Agnew-Nixon-Mitchell era is bleak enough. It feeds on, and fuels, the escalating rage of the young and the black. The excesses of those who have gone beyond the brink of desperation — the true desperadoes of American life — may help to usher in the very fascism which, according to William Shirer, may arrive “democratically” in America. All the alarm-viewers note this reciprocal dependency of the extremists and the repressors. But our deepest problem may be none of these. It may be despair. Despair that settles, increasingly, upon the most intelligent, sensitive and social-minded section of the American community. Despair which is immobilizing many Jews — young and old. Despair which makes it intolerable to some young person to so much as read the nightmarish newspaper or watch the body count on television. Despair which drains the will of the social action chairman, so he doesn't even bother to call the meeting. Despair which stabs the rabbi's consciousness, like a confession of failure, asking the unthinkable questions about America, American Judaism, the synagogue and the rabbinate. Despair which weighs down the person who cares so much, suddenly unsure of all the pre-

conceptions on which he grounded his life, turning away from the blacks, the Christians, the interfaith and community endeavors which now seem so eroded of hope. Despair which drives us inward upon ourselves.

Despair is a self-fulfilling prophecy. It makes likely the apocalypse on which it feeds. Judaism (as contrasted with its spokesmen) has no glib prescriptions for the torments of our age, but despair is fundamentally un-Jewish. Despair is the ultimate rejection of God and man. It is the grossest sin of our age, worse than silence or even violence (which is a way of acting it out), or the selfishness which masquerades as free enterprise. It is despair which we must challenge, defy and conquer if we are ever to energize a Jewish community, with all its brains and social imagination, to help America and the world to choose life.

Albert Vorspan

Sandy lee scheuer, zikhronah livrakhah

My grandmother used to scour all the daily papers looking for Jewish names. Sometimes she came upon names of gangsters, sometimes of Nobel laureates. She was overjoyed when she found a Jew who had done something praiseworthy; she was horrified when she found a Jewish name connected with crime or sin. And then there were, again and again, the Jewish victims: six Jews (and forty non-Jews) killed in an earthquake! Three Jews (and twenty-four others) die in plane crash! It was not that she was insensitive to gentile suffering; she was a very compassionate woman. A merciful daughter of the merciful. But her Jews belonged to her. Their death (their sin, their accomplishment, their story) was

On the other hand, there was Abbie Hoffman, himself no less sick but at least self-conscious of himself as a symptom of American-Jewish social pathology. So he can yell at his judge, "I started out where you want to end up — and I don't want to have any part of it." Abbie Hoffman, in his mindless way, senses, among other things, that a Jewish judge appointed to a high bench at this particular time (when Nixonite conservatism coincides with the new Jewish conservatism mixed of Israel-centered concerns, racist backlash, and the sensibility of the middle-class) would be extremely likely to resemble Julius Hoffman.

The upshot of such an analysis is that right now, we may well be better off without a Jewish judge on the Supreme Court: we do not need one, and we cannot afford to get the one we would be likely to get. Let's wait for better times.

A "Jewish word" can even be added about Judge Blackmun, who, at the time of writing, seems almost certain to be confirmed. In general terms he appears to be as good as we can expect to get under prevailing conditions. His record shows him to be a true conservative, always preferring the *status quo*, though not without the intelligence and benevolence to know that there are limits to its tenability. ("Strict constructionism" is, of course, simply a euphemism for the "broad constructionism" of the political conservatives at this time.) He is also not unfamiliar with where it is Jewishly "at" in this country at this time. Three relatively recent cases out of his Eighth Circuit Court of Appeals come to mind: He rejected the thesis put to his court by the St. Louis civil rights lawyer Samuel Liberman, which was eventually accepted by the Supreme Court in an epochal decision (*Jones vs. Alfred H. Mayer Co. et al.*), that

private housing is subject to existing civil rights legislation. He joined his own court in the Levy case (*U.S. vs. Ronald F. Levy*) in which the Seeger criterion for religious conscientious objection was strikingly broadened. And he dissented from his colleagues who held (*In the Matter of the Petition for Naturalization of B.B. Weitzman*) that even the last vestiges of religious requirements implied in existing naturalization regulations should be dropped. These cases are a good if fragmentary summary of where American-Jewish activists stand at present: radical extension of civil rights, of opposition to militarism, and of the elimination of religion from civil law. The legal, political, and, indeed, philosophical problems that inhere in these positions are not unintelligently, if bumblingly, reflected in Judge Blackmun's opinions.

Steven S. Schwarzschild

Ecology, the work of creation

The case for the ecological movement is beyond dispute. One point, of the many cogent ones made in the growing literature on the subject, is worth repeating here. Rene Dubos has reminded us that we still know precious little about pollution. Seventy percent of all the precipitate contaminants in urban air are still unidentified and twenty to thirty years hence those who are today below the age of three will undoubtedly show varying signs of chronic and permanent malfunction. Man is clever enough to conquer nature — and stupid enough to wreck it and thereby destroy himself.

We have a concomitant danger in the theological environment — a fall-out of silliness, if the reports of a theological conference on the subject are to be trusted. Most of the

(Protestant) divines at the Claremont symposium were "with it," from the crisp title ("Theology of Survival" — in an age when *Portnoy's Complaint* is elevated into a "Theology," why not?) to the conventional self-flagellation. After all, having written the obituary for the Diety and debunked His best-seller, what is so terrible about theologians asserting that religion is responsible for our dirty planet, and that the solution requires another one of those "major modifications" of current religious values?

The starting point for a serious consideration of the religious view of man's relations with his natural environment is the divine blessing to man in Genesis 1:28 — "be fruitful and multiply and replenish the earth and subdue it; and have dominion over the fish of the sea and over the fowl of the air and over every creeping thing that creepeth on the earth." For years the Bible had been identified as the major impediment to the progress of science. Now that science and technology are ecological villains, the blame for them is placed — on the Bible. "And subdue it" has now been proclaimed by theologians at the Claremont symposium as the source of man's insensitivity and brutality. "Dominion. . . over the fowl of the air" has been equated to the right to foul the air. What has moral masochism wrought?!

The Bible's respect for non-human nature is evident in the restraints and restrictions that follow immediately upon the "subdue" commandment: man is permitted only to *eat* herbs and greens, not to abuse the resources of nature. Meat-eating was likewise prohibited until the generation of Noah, the first carnivores. Man's commanding role in the world brings with it responsibility for the natural order. He may rule over it, but not ruin it. Adam is punished for his sin by the diminution of nature's potencies, surely a

bad thing. Cain is cursed to become a wanderer to whom the earth will refuse its bounty; again, the alienation of man from nature is considered an evil, a punishment. The destruction wrought by the flood is an evil laid at the feet of man. And in the eschatological vision of Isaiah, the restoration of man to harmony in and with nature is the prophet's most powerful metaphor for the felicity of the Messianic redemption. The talmudic tradition continues this implicit assumption of man's obligation to and responsibility for nature's integrity: Nothing that the Lord created in the world was superfluous or in vain; hence all must be sustained. God created the world by looking into the Torah as an architect into a blueprint. Creation, the Rabbis were saying, is contingent upon Torah, or, the survival of the world depends upon human acceptance of moral responsibility.

The intellectual waters were further muddled by a history professor who averred that the verse in Genesis coupled with the Judeo-Christian rejection of pagan beliefs in the divinity of nature made possible Western man's exploitation of nature "in a mood of indifference to the feeling (sic) of natural objects." But is it not extravagant to call for a return to paganism as a way of correcting a misinterpretation of the Biblical view of man in relation to his environment? Can no milder cure be found for faulty exegesis?

Nature is certainly desacralized, and man, in the Jewish interpretation of the Bible, is certainly considered a co-creator with God. In a remarkable parable, R. Akiva explained to a Roman pagan general that man's deeds are more beautiful (or useful) than God's. Holding some stalks of grain in one hand and a loaf of bread in the other, he showed that the products of technology are more suited for man than the results of natural process alone.

Technology here receives religious sanction. But the Talmud also maintains that man was last to be created so as to counter the arguments of the heretics that God did not create the world alone but did so with the assistance of a "partner." The two themes are consistent with each other. The original creation, and hence title to the world, is that of God; but the creation was left incomplete and man was bidden to finish the job by exercising his technological genius. Man may thus participate in the taming of nature, but he remains responsible to its Creator for its welfare. He may use but not abuse it, exploit it but not rape it.

Man's creative talents, in imitation of his Creator, are implied in the Bible's doctrine that man possesses the image of God, a concept which teaches as well man's discontinuity with and qualitative superiority to the rest of the natural order. But this cannot be construed as a warrant for man's right to despoil the world. First, while he is beyond the natural order, he also participates in it; he is an intersection of the natural and the divine. Man remains a creature, and the denial of his creatureliness turns his creative powers to satanic ends. The plurals in the verse "And God said, Let us make man in our image" (Gen. 1:23) is explained by R. Joseph Kimhi as including both God and nature, or earth, to whom the words are addressed. Man remains inextricably tied to nature even while he is urged to transcend it.

Second, man is responsible to God for nature and its bounty. It is not simply his to do with as he pleases. Rather, before benefiting from it, he must acknowledge God as King of the world. The earth is man's to enjoy, not to ruin. Judaism holds that man is obligated, both morally and juridically, to respect the integrity of nature. So reverent were the Rabbis of "the orders of nature,"

that, although they accepted miracles as a self-evident aspect of divine power, they looked with disdain upon one to whom a miracle occurred; the disruption of the natural process in order to save him was considered a necessary evil — but evil it was.

Respect for the inviolability of nature, as expressed in the confirmation of the separateness and non-interchangeability of its various parts, may be said to lie at the heart of some of the less rationally appreciated Pentateuchal commandments — that prohibiting the mixing of different seeds in a field, of diverse animals in common harness or in interbreeding, and of wool and linen in the same garment. Here the Torah demands a symbolic affirmation of nature's original order in defiance of man's manipulative interference. Interestingly, this law is preceded immediately by the famous commandment (Lev. 19:18) "thou shalt love thy neighbor as thyself." Reverence for the integrity of a fellow man's autonomy is associated with respect for the integrity of nature's autonomy.

Jewish law further embodies this principle, so basic for a value context for the ecological movement, in a number of ways. The Sabbath was never understood by the Halakah as merely a matter of physical refreshment and rest. It pointed primarily to the relationships between man, world, and God. By ordering man to cease his creative interference in the natural world (the Halakah's definition of "work"), it taught man respect for nature as God's possession and not as an unconditional gift to man. The same principle underlies the "Sabbath of the earth" as the Bible terms the Sabbatical and Jubilee years. The Mishnah interpreted the Psalmist's "a song for the Sabbath day" (Ps. 92) as "a song for the hereafter, for the day which will be all Sabbath." Thus, for the Rabbis the weekly renunciation of man's role as interloper and his

symbolic gesture of regard for nature was extended into a perpetual Sabbath; hence, a new insight into Jewish eschatology: not a progressively growing technology and rising GNP, but a peaceful and mutually respectful coexistence between man and his environment.

Another example of the halakhic respect for mute nature is its prohibition of any wanton destruction. The Torah (Dt. 20:19, 20) forbids the wasteful destruction of a fruit tree in a time of siege. The Halakah extends this prohibition to cover all times, whether of war or of peace. But what of the senseless waste of other natural objects, not fruit trees? Most authorities (*Tosafot* and *Sefer Yereim*) hold that the "fruit tree" is but a single instance of any kind of purposeless destruction, all of which is equally forbidden by biblical law and punishable by flogging. Maimonides (who earlier had held to the same opinion, but then changed his mind) decided that only destruction of the fruit tree is punishable according to biblical law. What of other objects? Some commentators believe that Maimonides includes them as rabbinical prohibitions. But one important commentator holds that Maimonides prescribed flogging for the fruit tree, but all other objects, while not punishable, are equally prohibited by biblical law. Thus, the Halakah clearly enjoins any brutal, wanton, senseless offense against nature — and even against human produce. It demands of us a sense of responsibility before all creativity, and a special sense of reverence before God's work.

Other illustrations may be found to prove the point. Such halakhic constructs as the banning of any public danger or causing danger to individual and certainly to collective life, are sufficient evidence of the importance of

the issue to the Jewish tradition. But there is no need to belabor the point. It is abundantly clear that not only can the Jewish tradition, which underlies so much of Western religious thinking, not be accused of tolerating the mindless devastation of the environment, but it provides a full theological rationale for getting on with the drive to restore cleanliness and purity to our air and water.

It is all the more pathetic, therefore, even irresponsible, of some theologians to suggest the rejection of the Jewish principle of the sacredness of human life as a means for undergirding ecological values. To deny human values in order to enhance nature is self-defeating; our complaint, after all, is that we are ourselves going to be the victims of our senseless vandalism towards nature. To revert, in this twentieth century, to a conceptual equivalent of the child-sacrifice to ancient nature-gods is atavistic nonsense.

Now is the Time for All Good Men to Come to the Aid of the Good Earth and, if they have time to spare, to Save the Good Book from its Official Guardians.

Norman Lamm

A seder in the sand

The main attraction of Los Angeles' Goshen Avenue is a large Ralph's Market, which sits on the edge of an even larger parking lot. The shelves of lot and market overflow with proofs of the enslavement of the local residents: their freedom is limited to the choice between Chevrolets or Plymouths, Campbell's or Heinz, blond wigs or red, Reform, Conservative, or Orthodox.