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# The Ten Commandments: Law and Social Ethic

RONALD CLEMENTS

*This article contests the claim that the Ten Commandments form a series of ten laws, and scholarly questions such as origin, form and date are discussed in the process. The Ten, it is then argued, are a distinctive 'commandment' form of ethical teaching inculcated primarily in the home. The article considers what the Ten Commandments, so evaluated, have to say to us about life in ancient Israel.*

IN spite of the fact that they are frequently referred to in Christian discussion of ethical issues it is helpful to recognise that the Ten Commandments are not popular in Christian and general circles. I could refer here to a measure of over-exposure to Cecil B. de Mille's epic film of the 1950s which has subsequently been rerun many times on TV to a point of saturation. It could also be significant that popular novels usually achieve their popularity more by highlighting breaches of the commandments rather than their observance. The scholastic jibe ascribed to a philosopher that they should be prefaced by a rubric to the effect that not more than four of them need be attempted, is rather less perceptive than A.H. Clough's poem from the Victorian age, where the author's skilful casuistry has found serious echoes among Christian ethical writers.<sup>1</sup>

Martin Luther's example in building them into a central place in the catechetical life of the Church, as in the Larger and the Shorter Catechism, and in incorporating them into the liturgy for the Christian Eucharist has found few followers in more recent times. The point is not simply that the general tenor of modern life finds them restrictive and obstructive, but rather that Christian teachers have, in large numbers, felt that such a compendium of terse moral and religious prohibitions is an unhelpful way of dealing with the basic issues to which they relate. Few of us have not at some stage, either consciously or unconsciously, contrasted the 'You shall not . . .' of the Ten Commandments with the 'Blessed are . . .' pronouncements of the Sermon on the Mount. The result is that, even among well educated and deeply committed Christians, the Ten Commandments are not well known and appear to stand as a monument to an over-simplistic and heavily authoritarian approach to ethical issues. There is generally among Christians rather little support for Luther's contention that they represent a high-point of the biblical conjunction of law and grace which otherwise dominate both Testaments.<sup>2</sup>

Certainly the Old Testament gives to the commandments a place of great prominence, making them the centrepiece of the revelation at Mount Sinai (Exod. 20:2-17) and subsequently repeating them in Deut. 5:6-21. In Luther's handling of the commandments each of them is treated as expressive of a fundamental issue of a moral and spiritual nature, so that they might more properly be described as Ten Principles rather than Ten Laws. However in a mainstream development of biblical scholarship, since the publication in 1934 by A. Alt of an essay on forms of law in the Old Testament,<sup>3</sup> these

commandments have been regarded as an early, distinctive, and highly significant type of ancient law, otherwise scarcely in evidence outside ancient Israel. They are claimed, in fact, to be a manifestation of apodictic law in which the sharp prohibition form, voiced as the direct speech of God himself, is of the essence of their authority.<sup>4</sup> No separate specific punishment is then spelled out, since the miscreant who defies the commandment will have offended the divine Lawgiver, forfeited his or her right to the grace and protection of the holy community, and submitted his or her person to the divine wrath, much in the manner of a person under a curse.

From the point of view of the literary, historical and ethical study of the Old Testament this thesis propounded by A. Alt has been very influential, even where it has been substantially modified by subsequent scholarly examination.<sup>5</sup> It has left a legacy which has only recently come to be seriously questioned over its central contention that the Ten Commandments represent ten laws. Furthermore it has served to bring into the forefront of discussion issues which have been no more than scholarly speculations, and which have led to a failure to appreciate the importance of these commandments, both in their distinctive form and in their relevance to an understanding of the ethical needs of the biblical community in which they originated. It is perhaps a rather bold thesis to put forward therefore, not simply that Alt was wrong in claiming that the Ten Commandments represent a distinctive apodictic form of ancient Israelite law, but that the claim that they form a series of ten laws at all is mistaken. Yet such a contention has been made by E. Gerstenberger,<sup>6</sup> and it is arguable that, even where there is room for disagreement over details, it marks an important step in understanding fundamental moral and spiritual problems which affected ancient Israel's life. Moreover the consciousness of these problems in antiquity also highlights the fact that they are not unrelated to similar problems which also appear in the present. It is also arguable that the authority, vitality, and impact of the Ten Commandments in both Jewish and Christian history has derived from the fact that they are not laws, even where they overlap with matters that are dealt with by the juridical process. They recognise rather the limitations and inadequacies of law and the importance of an internally felt spiritual authority which can augment, and reach beyond, the more external institutional authority of juridical procedures.

We may deal, first of all, with the question of the distinctive form of the commandments as direct speech of God, formulated in eight out of ten clauses in a prohibitive 'You shall not . . .' manner. This has long puzzled scholars, who have wondered why the duty of observing the sabbath day and the obligation to honour one's father and mother should be set out differently. Taken with the observation that the fourth commandment relating to the sabbath is significantly longer than all the others, with the exception of the second which prohibits idolatry, it has been suggested that the original form of the commandments has undergone subsequent expansion and alteration.<sup>7</sup> This, in any case, has appeared likely to many scholars on two counts. First of all it is noteworthy that, although closely similar in wording, the two versions contained in the Old Testament (Exod. 20 and Deut. 5) are not verbally identical. Secondly, if the commandments were originally engraved in stone, their original wording was likely to have been brief, and possibly composed of concise clauses of closely related length. Hence there has arisen a theory, eagerly embraced by several scholars who have dealt extensively with the origin

of the Ten Commandments, that they were all originally set out in the same negative prohibitory form. Such wording as 'You shall do no work on the sabbath day' and 'You shall not curse your father or your mother' has been postulated in order to accommodate all the commandments to the same prohibitory form. The fact that such changes of wording also imply significant changes of meaning and applicability has not appeared to be important. In fact, however, virtually all the attempts to deal with the commandments as a series of ten laws have contended for more changes than are suggested for these two. Certainly the tenth commandment, which prohibits coveting, cannot have been a law in its present form, for how could an appropriate punishment be determined? Similarly 'You shall not steal' calls for rather closer definition before any very precise action is taken against an offender, once he or she has been apprehended. It is noteworthy therefore that Alt himself argued that such a prohibition had been adapted from an earlier prohibition against kidnapping ('You shall not steal a man'; cf. Exod. 21:16)<sup>8</sup>

All of this adds up to a picture of scholarly research in which, in furtherance of the endeavour to show that the Ten Commandments were originally ten laws; it has been necessary to postulate an earlier shorter form of them (the German term *Urdekalog* has been used to describe this). Such theory concerning an originally more concise and uniform version of the Ten Commandments has fitted conveniently into these claims, making it possible for such scholars as Paul Volz<sup>9</sup> in Germany and H.H. Rowley<sup>10</sup> in England to argue that the original Decalogue originated with Moses in Egypt. It is only necessary to pause over the point that it is not the Ten Commandments as we now have them which are to be traced back this far, but a substantially modified version of them. This is all very well, and clearly biblical scholarship has often found it necessary to postulate, with greater or lesser degrees of probability, an original form of a biblical text. What is especially significant in this case is the extent of the changes that have to be postulated for such a claim to be made and the subsequent contention that the changes thereby introduced are not really all that important. In many cases they clearly are. If we take, for example, the tenth commandment with its prohibition of coveting, this is substantially different from a prohibition against the misappropriation of another's property, which would, in any case, then overlap with the prohibition of theft in the eighth commandment.

We can summarise a whole period of scholarship concerning the Ten Commandments, therefore, by noting how two issues have tended to dominate the discussion. These are those of form and date, with the consequence that analysis of form has worked on the assumption that the commandments are a distinctive, possibly unique, type of law.<sup>11</sup> The question of date has then been related to this with a deeply in-built desire to show, if at all possible, that the Decalogue is of Mosaic origin and represents a foundation charter for Israel as the people of God. The major difficulty for both hypotheses, that these are ten laws which originated with Moses, is that it has proved necessary to postulate substantial changes to the original wording of the commandments in order to support such claims. The supposed *Urdekalog* becomes the real decalogue which is interpreted.<sup>12</sup>

It ought to be clear that this is a dangerous scholarly proceeding in any case, but it is neither a modest scepticism about the ability of scholars to get to the origins of things, nor a dogmatic desire to hold to the final canonical form of the

Old Testament, which warns us towards greater caution. However, it is useful, before examining in greater detail the reasons for rethinking these questions, to note how almost an entire generation of scholars has found itself pursuing what must now surely be regarded as a false trail. This concerns the contention, first propounded with great persuasiveness by G.E. Mendenhall and subsequently followed up enthusiastically by a very wide variety of scholars, that the Ten Commandments represent an Israelite adaptation of the form of stipulations of ancient political treaties, best described as vassal-treaties.<sup>13</sup> These are attested extensively both from the late second millennium BC in the Hittite world, and later in the eighth and seventh centuries BC from the Assyrian sphere.

It is not the place here to go over the grounds of criticism again in rejecting this claim that either Moses himself, or possibly some later religious reformer in ancient Israel, made such a skilful adaptation of an ancient treaty form.<sup>14</sup> Once again it has been an over-concern with formal similarities, an almost obsessive preoccupation with the desire to establish a date of origin for the Ten Commandments, and a neglect of attention to how these commandments could function in a community, which encouraged the idea that they derived from such a treaty form. If there is a lesson to be learnt from the way in which this theory about the origin of the form of the Ten Commandments acquired such a following among scholars it must surely be that it can be highly misleading to allow questions of form, however distinctive, to take priority over more substantial matters of content and function.

We may return then to the more central interest regarding the content of these commandments, viewed in the light of their highly distinctive form, and their possible relationship to society, ethics and the operation of law in ancient Israel. I should like, however, at this point to deal with two further points relating to their date of origin. Both are somewhat negative in their conclusion, although this is not because the points they raise are not important. The first of these is that the question of priority between the Exodus 20 and the Deuteronomy 5 version of the commandments must be looked upon as far from settled. Demonstrably the present form in Deut. 5 should be regarded as of earlier date than that of Exod. 20, but this is essentially a literary issue. Belief that there was an earlier *Urdekalog* version of the commandments could readily be accommodated to the idea that it was this older version (usually ascribed to the Pentateuchal source E) that once stood in Exod. 20 and which has been subsequently revised.<sup>15</sup> In fact a whole history of collection, revision and modification can, and has, been postulated for the commandments.<sup>16</sup> There is, however, much to be said for accepting the simple conclusion that the Deut. 5 version of the commandments is the older of the two.<sup>17</sup> Whether it is justifiable to presume the existence of an earlier form than this can then be left aside in this context.

The second point relating to date is a rather broader one. Laws must be regarded as related to ethics and morality in a rather oblique way. They do not arise because society, or a great leader, has suddenly realised that a particular type of action should be stopped, or discouraged, but rather because it is believed that a system of law can be applied fairly and effectively to deal with a problem which, in many cases, has existed for a long time. In dealing with the question of the origin of the Ten Commandments we are not, in the first instance at least, dealing with the question as to when sabbath-breaking, murder, adultery, theft, perjury and so on were first felt to be wrong and socially

harmful. Rather we are concerned with the time when a list of ten briefly worded commandments, which could be easily learnt and readily taught to everyone, was devised as a suitable and desirable way of coping with important, and often difficult, religious and moral issues in society. Seen in this light, the Ten Commandments are indicative of a recognition, not that law is unnecessary, but that it is often weak and ineffective in dealing with matters which, nevertheless, have a high priority for the moral health and religious integrity of a community. Nor is it premature to suggest that, for so much of the history both of Judaism and Christianity, this is precisely how the Ten Commandments have functioned and why they may be recognised as of continuing importance. It is in no way intended to denigrate the law, or to suggest that communities, either ancient or modern, can actually dispense with its procedures, to claim that morality and the spiritual welfare of communities are far too important to be dealt with simply by the devising of laws. Laws have to be applied by those who believe in them, and they have to be workable in the sense that they have to be formulated so as to protect the innocent as well as punish the guilty. They have to deter, and if possible prevent, harmful actions, as well as to compensate victims and satisfy the desire for justice on the part of those who suffer from criminal and wrongful acts. They serve to prevent abuses, but have little scope for promoting virtue and instilling a love of goodness for its own sake.

We can pause to sum up certain basic conclusions regarding the origin and form of the Ten Commandments, before looking in more detail at their content. The version of Deut. 5 is the older of the two versions contained in the Old Testament, but many scholars believe that it was originally an independent composition which has been incorporated in Deut. 5<sup>18</sup> and then subsequently repeated, with modifications, in Exod. 20. Whether it was originally very much older than the time when other parts of Deut. 1-11 were composed in the seventh, and probably the sixth, centuries BC is a point which has not found any very strong consensus.<sup>19</sup> There are some indications that it was substantially older, whereas there are undoubtedly also grounds for recognising that much of its style and character is strikingly close to other features to be seen in the book of Deuteronomy. That it should have been one major item in the strategy and spiritual armoury of the Deuteronomistic movement of the seventh and sixth centuries BC seems to me to be highly probable. We must otherwise conclude that the Deuteronomists drew it from an old tradition, but found in it a convenient centrepiece for their broad goal of the spiritual and moral renewal of the nation. I should, however, wish to reiterate the point that an excessive concern with the date of origin of this series of commandments should not be confused with the question of the time when the issues dealt with were felt to be religiously and morally of great importance.

So far as its overall form is concerned it is quite possible that a short list of ten fundamental duties was a teaching device that already had a long history in the education of the young, or even in the religious cultic sphere, in ancient Israel. What is striking about the form of these commandments is precisely that they are not laws, even though some of them overlap with matters, such as theft and adultery, which are dealt with more formally in the lawcodes of the Old Testament. They are then best described as a quite distinctive 'commandment' form, and from their content they can be seen to cover matters of a religious, as well as a more broadly ethical, nature. E. Gerstenberger has pointed to the striking similarity of their form with that of the prohibition form used in the list

of family obligations of the Rechabites in Jer. 35:6-7.<sup>20</sup> It seems to me, however, that this does not prove very much beyond the fact that a list of prohibitions could be a very conveniently memorable way of teaching fundamental norms of behaviour. The question whether a prohibitory form was felt to be more authoritative than a positive command formula, must certainly be regarded as wholly subservient to the question of the matter of conduct, whether religious or social, that was being dealt with. There is little real justification therefore for the procedure, favoured by many scholars, for seeking to recast the fourth and fifth commandments into an original uniform prohibitory form. It is the issue dealt with which has determined both the wording, and the broader question whether it was regarded as a matter of such importance as to deserve inclusion in such a list of ten.

We come then to consider what these commandments have to say to us concerning life in ancient Israelite society. We can begin by noting some strikingly contrasting features about the first and the last of this list of ten. The first commandment prohibits the worship, by implication both publicly or privately and in secret, of any God beside, in addition to, or in preference to, the Lord God of Israel (Yahweh). From all that we know of the strictures of the prophets, especially Hosea and Jeremiah, as well as the almost frenetic anxiety over this issue expressed in much of the legislation and rhetoric of the book of Deuteronomy, this was a requirement that was not well observed in ancient Israel. In the book of Deuteronomy it gives rise to an aspect of its legislation which is both horrifying and extreme. Any prophet who incites people to worship any other god than Yahweh is to be put to death without mercy (Deut. 13:5). Similarly it is laid down that if any city has been misled into the worship of another god, then that entire city, with all its inhabitants including even the cattle, is to be put to the sword and the city burnt to the ground (Deut. 13:12-18; cf. further 17:2-7). No mercy, or pity, is to be shown in this fearful demand for religious uniformity. Any concept of religious toleration, even for a small minority, is completely excluded. However, as most scholars have recognised, this legislation is very idealistic and cannot have been implemented in more than a very sporadic and haphazard way. Perhaps it was almost never acted upon, for how else are we to make sense of the picture of the multiformity of loyalties in Israelite religion which are castigated so strongly in the prophecies of Jeremiah and Ezekiel. Certainly during and after the Babylonian exile there is a wealth of evidence that such rigorous religious intolerance was not enforced and was clearly unenforceable. The law is very much an ideal of a particularly zealous kind, and no more relates to actual practice than does the picture of the wholesale slaughter of Canaanites claimed in the book of Joshua.

It can hardly have been the case, therefore, that a breach of the first of the Ten Commandments was consistently dealt with as a capital offence any more in early Israel than it was in later Judaism. Undoubtedly a few felt that the legal power of the state should be applied in this ruthless fashion for religious ends, but for the most part the practicalities of politics prevented this happening. Inclusion of this demand for absolute and exclusive religious loyalty to Yahweh as God as the first of the Ten Commandments strongly points us to recognise therefore that this was a matter where the law could not normally be expected to deal with the actual situation that existed. It was given pride of place in the Ten Commandments because it was regarded as highly important, but also because it largely fell to the individual conscience to honour it. Like the cursing

of the person who makes an idol in secret and sets it up for worship (Deut. 27:15), it related to conduct that was felt to be highly undesirable but hardly within the scope of the law to deal with. A curse was consequently all that could be raised against such a person. Legal action might have been more desirable in the eyes of many, but could scarcely be regarded as effective.

When we turn to the last of the commandments, that which prohibits the coveting of one's neighbour's house, wife, male or female servants, or any other of his possessions (Exod. 20:17; Deut 5:21), then clearly the same realisation that it is a matter which extends beyond the power of the law to deal with holds good. You cannot frame a law against coveting, even if, as has been suggested, the verb denotes more than just wanting and refers to making active, and probably nefarious, plans to acquire the neighbour's property.<sup>21</sup> Once again we are faced with an attempt to deal with a type of conduct where unhealthy and undesirable attitudes could be recognised and condemned, but where it was fully understood to be beyond the scope of the law to provide an effective way of preventing abuses.

We may pause at this point to consider how this commandment points us to a recognition of the complex, and often oblique, way in which legislation is related to the moral life of society. All too little is known about the economic life and development of ancient Israel, although some recent studies have helped to make good the deficiency.<sup>22</sup> During the period of the monarchy, and in fact more or less continuously throughout the Old Testament period, Israel experienced a growing prosperity and a broadening pattern of trade. By the Hellenistic age clearly many Jews had become very wealthy and were able to use their wealth to live in relative luxury. In the process, however, much suffering, many abuses and much injustice had been felt. Few can have studied the Old Testament without hearing how passionately the prophet Amos raged against the oppression of the poor (Amos 2:6f., 4:1).<sup>23</sup> The acquisition of property, the building up of large estates and the establishment of capital for large commercial enterprises were all part of the life of Israelites and Jews, whether they found themselves threatened by Assyrians, Babylonians, Persians or Greeks as the dominant suzerain power. Accordingly such a practice as usury, which appears as a kind of economic plague throughout much of antiquity, along with debt-slavery, in which a person sold himself or his family in order to pay off debts, and bribery, employed to obtain even the highest offices of the state, became widespread. Coveting therefore could be seen to sit close to practices which stood very high indeed on the list of the evils which undermined and threatened society.

We do find in the Old Testament legislative attempts to deal with all of these ills (cf. Deut. 15:7-11; 24:14f.), but it is also clear that such legislation was never very effective. So there are clearly good reasons why the tenth commandment should have singled out coveting as a major source of social harm. This was not because it wished to set aside the legal attempts to ameliorate the consequences of debt-slavery, usury and the ever present temptation to corruption which existed, but because it recognised how ineffective they were. Set in this light the case for believing that the commandment against coveting is an adaptation of an earlier ruling against misappropriation of another's property seems to me to be mistaken. In its present form it has every claim to stand as a commandment in its own right and as indicative of an awareness that much that is most important to the health of society cannot be dealt with simply by devising new

laws. I have dealt so far only with two of the Ten Commandments. Nevertheless I hope that the examination of these two instances has been sufficient to show that Gerstenberger's claim that they can best be regarded as a distinctive form of ethical teaching, inculcated at an early stage in the home, as well as in the context of worship, must surely be essentially correct.

If all ten of the commandments are then to be seen as a form of ethical admonition, rather than constituting a set of laws of a special kind, certain questions may well arise in regard to some of them. The fourth commandment dealing with the observance of the sabbath (Exod. 20:8-11; Deut. 5:12-15) clearly fits better in a social environment where it was highly desirable to encourage the provision of rest, especially for slaves and hired workers, on the sabbath and to provide opportunity for worship, but impractical to punish offenders, even if they could be traced. This is how it has virtually always been recognised in Judaism, and in Christianity where its provisions have been felt to be important in a modified form. It is noteworthy that in the Book of Nehemiah where we have the clearest evidence for an historical attempt to deal with widespread indifference to the sabbath, the measures taken by the authorities were practical and dissuasive, rather than penal and legalistic (Neh. 13:15-22). That sabbath-breaking was ever regularly punished by death, as the Priestly legislation demands (Exod. 31:14f; 35:2; cf. Num. 15:32-36), is extremely improbable, even though there were clearly some religious leaders who were prepared to make it so.<sup>24</sup>

But what of the sixth commandment 'You shall not kill' (RSV), which the NEB translation narrows more pointedly into 'You shall not commit murder' (cf. also NIV)? This surely cannot be regarded simply as an admonition of a fundamental ethical nature, since there are several laws which deal with murder and manslaughter (cf. Exod. 21:12-14; Deut. 17:8-13). Of all forms of criminal action this must surely represent a matter with which the law could be expected to deal! Why then should a special commandment be necessary in order to reinforce an awareness that killing was wrong? Yet this commandment also fits well into the thesis that I have set out, since the translation of the Hebrew verb (*r-s-h*) has proved difficult for all modern translators. The indeterminate nature of RSV's 'You shall not kill' leaves the whole commandment in confusion, since quite evidently the Israelites neither ruled out capital punishment nor precluded killing in time of war. It is this that has motivated the NEB to make some clarification, but almost certainly in a mistaken direction. As H. Graf Reventlow has pointed out,<sup>25</sup> the verb is used, both for violent killing in murder and also for the killing of an assumed murderer by the 'avenger of blood' (cf. Num. 35:30; the whole section Num. 35:16-29 is significant for the closer meaning of the participle *roseqah*). It would seem to be most probable that it is this action of vengeance-killing that is being condemned and rejected here. The killing by the avenger of blood had an air of legality and could often command strong public approval, but it was nevertheless open to grave abuses. The sixth commandment therefore is best understood as witness to the strong concern to impose the rule of law, with its protection for the innocent and its openness to public enquiry, where previously a custom of private vengeance taking had prevailed. This commandment too then fits my broad contention that all ten of them were devised to strengthen, augment, and reach beyond a system of law, rather than to lay down a kind of minimal basis of conduct. Still less were they conceived as a set of principles around which later laws could be constructed.

It should not be difficult to see how the other commandments with which I have not dealt fit into this broad category. There are, however, some features concerning the list of commandments as a whole which are well worth fuller reflection. First among these is the observation that if, as seems to me to be historically correct, these commandments belong very closely to the whole series of homilies and injunctions that dominate Deut. 5-11, then their intended setting is made clear. They originated neither in the cultus, as Mowinckel and Alt contended, nor yet in a legal assembly, as others have proposed. The setting is the home itself, as is borne out by the admonition: 'and you shall teach them diligently to your children, and shall talk of them when you sit in your house, and when you walk by the way . . .' (Deut. 6:7). Understanding of fundamental duties, in respect of God and fellow human beings, are first and foremost to be learnt in the home, and it is made a basic responsibility of every Israelite to implement this.<sup>26</sup>

A second point is also deserving of reflection, even though it raises issues which cannot be fully resolved. There are several features of the Deuteronomistic teaching which suggest a time of social breakdown and moral confusion. This would certainly be true of the situation that we may presuppose for the Deuteronomistic age, but it could equally well fit others. The loss of family solidarity, the effects of military upheaval and foreign invasion, and subsequently the carrying-off of many people into a prolonged exile, could all have provoked a situation in which a fervent desire to reinforce fundamental standards emerged. If we combine this with the probability that systems of law enforcement and the protection of property were gravely weakened as a result of foreign intervention in ancient Israel and Judah, then such a picture of a time of social crisis could be further heightened.

Yet the issues dealt with by the Ten Commandments show themselves to have been recurrent and longstanding problems which antiquity as a whole found it very hard to deal with. In a society where the rule of law, administered through recognised state officials and built upon carefully reasoned systems of legislation, was only slowly and partially gaining acceptance, it is evident that some problems proved to be particularly hard to deal with. Perjury, theft and the various manifestations of the breakdown of family solidarity were high on such a list. So also, however, was the need to promote religious loyalty and respect in a community where a plurality of religious allegiance was commonplace, as we learn from the prophets. The idea that such allegiance and respect could be maintained by processes of legislation proved as dangerous and ill-founded in antiquity, as it has so often done since. The provision of a set of fundamental obligations, expressed as easily memorable commandments, was therefore a simple and reasonable way of seeking to extend the scope of the law. In antiquity, even more than now, the effectiveness of law was limited. In any case religion and morality were far too important to be left to the legislators alone.

There are two brief final points. In commenting upon the commandments, G. von Rad, followed more recently by Dale Patrick,<sup>27</sup> has pointed out how strikingly they seek to exert a maximum coverage in the matters with which they deal. Far from pointing to a narrow and minimalist interpretation of religious and social duty they indicate a very wide-ranging one. The second point is that, both in Jewish and for a time in Christian tradition, it is predominantly as such a religious and social ethic that the Ten Commandments have functioned.

However much theologians and philosophers have used them as a basis for enunciating principles of behaviour, their brevity, simplicity and concreteness have been of the greatest importance. If the message is to be meaningful, it has also to be communicable, and in this respect the Ten Commandments have much to commend them still.

#### Notes

- 1 A. H. Clough, 'The Latest Decalogue' (1862), *The New Oxford Book of Victorian Verse*, ed. Christopher Ricks, Oxford: OUP, 1987, pp.262-3.
- 2 Cf. especially H. Bornkamm, *Luther and the Old Testament*, Eng Tr. E.W. & R.C. Gritsch, Philadelphia: Fortress, 1969, pp.124ff. More recent discussion is to be found in A.H.J. Gunneweg, *Understanding the Old Testament*, Eng Tr. J. Bowden, London: SCM, 1978, especially pp.115ff.
- 3 A. Alt, 'The origins of Israelite Law', *Essays on Old Testament History and Religion*, Eng Tr. R.A. Wilson, Oxford: B.H. Blackwell, 1966, pp.81-132.
- 4 Cf. E.W. Nicholson, 'The Decalogue as the Direct Address of God', *VT* 27, 1977, pp.422-433.
- 5 Cf. especially J.J. Stamm and M.E. Andrew, *The Ten Commandments in Recent Research*, Studies in Biblical Theology. Second Series 2, London, SCM Press, 1967.
- 6 E. Gerstenberger, *Wesen und Herkunft der 'apodiktischen Rechts'*, WMANT 20. Neukirchen: Neukirchener Verlag, 1965, pp.40ff.
- 7 So, among others, H.H. Rowley, 'Moses and the Decalogue', *BJRL* 34, 1951-52, pp.81-118 (= *Men of God*, London: Nelson, 1963, pp.1-36). Such an idea can be found as far back as H. Ewald, *History of Israel*, Eng Tr. ed. by Russell Martineau, 4th ed. London: Longmans, Green, 1883, Vol.II, pp.158-163.
- 8 A. Alt, 'Das Verbot des Diebstahls im Dekalog', *Kleine Schriften* I, Munich: C.H. Beck, 1953, pp.333-340.
- 9 P. Volz, *Mose und seine Werk*, 2nd ed. Tübingen: J.C.B. Mohr, 1932.
- 10 H.H. Rowley, *op.cit.*; cf. also H.H. Rowley, *From Joseph to Joshua*, London: OUP, pp.158ff. and *The Faith of Israel*, London: SCM Press, 1956, pp.125f.
- 11 Cf. Dale Patrick, *Old Testament Law*, London: SCM Press, 1986, pp.35ff.
- 12 E.W. Nicholson, *op.cit.*, p.431.
- 13 G.E. Mendenhall, 'Ancient Oriental and Biblical Law', *Biblical Archaeologist* 17, 1954, pp.26-46; 'Covenant Forms in Israelite Tradition', *idem.*, pp.50-76. Cf. also W. Beyerlin, *Origins and History of the Oldest Sinaitic Traditions* Eng Tr. S. Rudman, Oxford: B.H. Blackwell, 1970, pp.3-13
- 14 A strong critique is offered by D.J. McCarthy, *Treaty and Covenant*, 2nd ed. Analecta Biblica 21A, Rome: Biblical Institute Press, 1978; cf. also his study *Old Testament Covenant*, Oxford: B.H. Blackwell, 1972.
- 15 So S.R. Driver, *The Book of Exodus*, Cambridge Bible for Schools and Colleges, Cambridge: CUP, 1911, pp.191-192; more recently Dale Patrick *op.cit.*, p.18.
- 16 H. Graf Reventlow, *Gebot und Predigt im Dekalog*, Gutersloh: Gutersloher Verlagshaus, 1962.
- 17 Cf. E. Nielsen, *The Ten Commandments in New Perspective*, Studies in Biblical Theology. Second Series 7, London: SCM Press, 1968, pp.48ff.
- 18 Cf. G. von Rad, *Deuteronomy*, Eng Tr. D. Barton, London: SCM Press, 1966, p.56.
- 19 N. Lohfink 'Die These vom 'deuteronomischen' Dekaloganfang — ein Fragwürdiges Ergebnis atomistische Sprachstatistik', *Studien zum Pentateuch. W. Kornfeld zum 60. Geburtstag*, ed. G. Braulik Wien — Freiburg — Basel: Herder Verlag, 1977, pp.99-109. Cf. further his study 'Zur Dekalogfassung von Dt.5', *Biblische Zeitschrift*, N. F. 9, 1965, pp.17-32.
- 20 E. Gerstenberger, *op.cit.*, pp.110ff.
- 21 The suggestion goes back to J. Herrmann, 'Das zehnte Gebot', *E. Sellin Festschrift*, Leipzig, 1927, pp.69-82. Cf. for further discussion Stamm & Andrew, *op.cit.*, p.102.

- 22 M. Silver, *Prophets and Markets. The Political Economy of Ancient Israel*, Boston Kluwer — Nijhoff, 1983.
- 23 The very vehemence of Amos's strictures against the oppression of the poor strongly points us to recognise the difficulty that was experienced in framing any legislation that could deal with the problems of the exploitation of the poor. For the subject cf. W. Schottroff, 'The Prophet Amos: A Socio-Historical Assessment of His Ministry', *God of the Lowly, Socio-Historical Interpretations of the Bible*, eds. W. Schottroff & W. Stegmann, Eng Tr. M.J. O'Connell, New York: Orbis Books, 1984, pp.27-46.
- 24 Cf. Dale Patrick, *op.cit.*, p.41: 'The contention, however, that each commandment is to be correlated with a specific capital crime seriously distorts interpretation'. There would appear to be ample evidence that the various aspects of conduct covered by the Ten Commandments were never subjected to any uniform pattern of punishment, and were not susceptible to being dealt with in this fashion.
- 25 H. Graf Reventlow, *op.cit.*, pp.73f.
- 26 This feature led E. Gerstenberger *op.cit.*, pp.110ff., 141f., to describe the Decalogue as a form of 'Clan wisdom' (German *Sippenweisheit*).
- 27 G. von Rad, *Old Testament Theology*, Eng Tr. D.M.G. Stalker, Edinburgh & London: Nelson, 1962, pp.192-195. Cf. also Dale Patrick, *op.cit.*, p.41: 'I propose that each commandment be read as governing a maximum range of actions'.