



An artist's depiction of Moses with the Ten Commandments.

## The Law of Moses

The first five books of the Bible are Genesis, Exodus, Leviticus, Numbers, and Deuteronomy. They are known as the Books of Moses, because according to Jewish tradition, Moses was their author. Jews call this part of the Bible the Torah (meaning the “law” or “direction”). It is the source of Jewish law.

The most important part of the Torah contains the Ten Commandments. (See the list of the commandments on the opposite page.)

According to the Bible, Moses climbed Mount Sinai, and God gave him the commandments carved in stone. The Ten Commandments are written in three places in the Torah. One version is in Exodus 20, and slightly different versions are in Exodus 34 and Deuteronomy 5.

The commandments did not contain the punishments for violating them. The punishments are found elsewhere in the Torah. But one commandment suggested that many would suffer if people did not follow the commandments:

I the Lord your God am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generation of those who hate me, but showing steadfast love to those who love me and keep my commandments.

The first four commandments dealt with religious practice. God is the only God. No one should worship idols or use profanity. No one should work on the Sabbath. “Six days you shall labor and do all your work, but the seventh day is a sabbath to the Lord your God; in it you shall not do any work, you, or your son, or your daughter, your manservant, or your maidservant, or your cattle, or the sojourner who is within your gates . . . .”

Although these four commandments dealt with religious practice, they had significance in the law. Violating the first two was punished by stoning to death. On the Sabbath day, all Jewish businesses were closed.

A.D. 135, after the second Jewish revolt, Rome banned Jews from returning to Jerusalem.

Their homeland was lost. Jews dispersed throughout the Mediterranean, Europe, and eventually the world.

What is remarkable is that they kept their identity as a people. Without a homeland and scattered throughout the world, they maintained their culture and religion even through periods of persecution.

World War II saw the worst persecution of all. More than 6 million Jews died in the Nazi genocide.

In the aftermath of the war, the Jewish state of Israel was established. Many Jews from throughout the world returned to the new state.

### For Discussion

1. What is the main source of ancient Jewish history? How do you think historians might check the accuracy of this history?
2. What do you think were the most important events in Jewish history? Why?

The Fifth Commandment was to honor one's father and mother. The family was very important to the Jewish people. Exodus 21:15-17 stated that anyone who strikes or curses "his father or mother shall be put to death."

The next four commandments dealt with criminal conduct. The Sixth Commandment banned killing. It did not say "murder," but that seems the meaning. Jewish law eventually developed rules on homicide, dividing it into three types. One was a deliberate murder. Another was killing someone in the heat of passion, what we today call "voluntary manslaughter." The third was an accidental killing, today's "involuntary manslaughter."

The Torah gave the basis for treating the types of killing differently. Exodus 21:12 stated: "Whoever strikes a man so that he dies shall be put to death." But it added that if the person "did not lie in wait for him," God would give him "a place to which he may flee." These places were known as cities of refuge. There were three of them. A person who killed someone accidentally or perhaps in the heat of passion could flee to one of them. No one seeking revenge could enter them. The person had to remain in the city of refuge until the high priest died.

The Seventh Commandment was against adultery. This was usually punished only if committed by the wife. But if the husband committed it with a married woman, both the man and woman were put to death.

The Eighth Commandment prohibited stealing. Jewish law eventually made distinctions between different types of stealing. The types had a basis in the Torah. One type was theft. It was treated like a private dispute. The thief had to pay back in kind or be sold into slavery. Exodus 22:1 stated:

If a man steals an ox or a sheep, and kills it or sells it, he shall pay five oxen for an ox, and four sheep for a sheep . . . if he has nothing, then he shall be sold for his theft. If the stolen beast is found alive in his possession . . . he shall pay double.

## The Ten Commandments

1. I am the Lord your God, who brought you out of the land of Egypt, out of the house of bondage. You shall have no other gods before me.
2. You shall not make for yourself a graven image . . . . You shall not bow down to them or serve them . . . .
3. You shall not take the name of the Lord your God in vain . . . .
4. Remember the sabbath day, to keep it holy.
5. Honor your father and your mother . . . .
6. You shall not kill.
7. You shall not commit adultery.
8. You shall not steal.
9. You shall not bear false witness against your neighbor.
10. You shall not covet . . . .

This is abridged from Exodus 20:1-17.

Different versions alter the numbering of the commandments.

A burglary was more serious. Exodus 22:2-4 stated: "If a thief is found breaking in, and is struck so that he dies, there shall be no bloodguilt for him; but if the sun has risen upon him, there shall be bloodguilt for him." In other words, a person was justified in killing a burglar breaking in at night, but not in killing one during the day. The distinction was probably that the person at night posed more danger to the family.

The Ninth Commandment was against bearing false witness. This is today known as the crime of perjury. Exodus 23:1-2 explained: "You shall not utter a false report. . . . nor shall you bear witness in a suit . . . so as to pervert justice." A person convicted of giving false testimony was punished severely.

The Tenth Commandment was a moral rule against coveting, or craving another's possessions. The commandment listed a number of possessions: "neighbor's house," "neighbor's wife," "his manservant," "his maidservant," "his ox," "or anything that is your neighbor's." Such a rule involves a state of mind only. Modern laws usually require an act in addition to a state of mind. Other parts of Jewish law also required an act. For example, murder required the act of killing in addition to the state of mind of intending to kill.

### For Discussion

1. What is the source of Jewish law?
2. Which of the Ten Commandments deal with religious matters?
3. Which of the commandments deal with criminal matters? What were the different types of homicide and stealing in Jewish law? Do these distinctions make sense? Explain.
4. Which commandments do not deal with either religious or criminal matters?
5. Why do you think that most modern criminal laws require both an act and a state of mind (such as carelessness or intent to do the act)?

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## ACTIVITY

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### Should the Ten Commandments Be Posted in Public-School Classrooms?

Today, some people are urging that the Ten Commandments be posted in every public-school classroom. This proposal is not new. In 1978, the Kentucky state legislature passed a law requiring it. The stated purpose of this law was to honor a fundamental legal code of Western civilization. The law was challenged in court as violating the First Amendment of the U.S. Constitution, which states that no law can be made "respecting an establishment of religion."

The challengers argued that the Ten Commandments are held sacred by the Jewish and Christian religions. They pointed out that although some of the commandments concern secular matters such as murder, adultery, and stealing, other commandments relate to religious matters such as worshiping no other god, shunning idolatry, not using the Lord's name in vain, and observing the Sabbath. They argued that the law was an attempt by the state government to officially favor these religious beliefs.

Supporters of the law argued that the stated purpose of the law was not religious. They pointed out that our system of laws is based on these commandments and that it is important for students to learn about them. They argued that the law neither advances nor curbs any religion or religious group.

In this activity, students role play the Supreme Court in deciding whether a law is constitutional that mandates the display of the Ten Commandments in every public-school classroom.

### Instructions for Activity

Each group should:

1. Review the article, the Ten Commandments, and the First Amendment.
2. Examine the arguments for and against the law.
3. Discuss whether the law requiring the posting of the Ten Commandments advances or curbs any religion or religious group.
4. Decide whether the law is constitutional.
5. Prepare to report its decision and the reasons for it to the class. (If the decision is not unanimous, there should be a majority and dissenting report.)