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Howard Lesnick

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RELIGIOUS PARTICULARITY, RELIGIOUS METAPHOR, AND RELIGIOUS TRUTH: LISTENING TO TOM SHAFFER

Howard Lesnick*

I have met Tom Shaffer no more than two or three times in my life. Nonetheless, we have for several years been carrying on a conversation that has been of central and growing importance to me and to my work. He has spoken to me through his writing, about professional responsibility, about teaching, and about religion and law. Except for the ways in which he has influenced my teaching,¹ I have responded mostly in my head. It is a unique opportunity to be able to acknowledge to him and others the gift of his work; I am proud to participate in this collective appreciation. I am grateful too for the chance to engage in this forum with some of what his writings have said to me.

To select, for a brief reflection, from a bibliography of Shafferiana that extends well up into the three-digit range is a daunting task. I have chosen two themes that have special salience for me: first, he celebrates the "particularity" of specific religious communities, while linking Judaism and Christianity to a common "Hebraic tradition"; second, he calls on those attracted to the use of "religious metaphors" to be clear about what beliefs underlie that use. I have found the first liberating and affirming, and the second profoundly challenging.

I need to begin, however, not with Tom but with me, and will try to put in as few words as I can the course of my interaction with

* Jefferson B. Fordham Professor of Law, University of Pennsylvania. This essay is based on an informal talk delivered on a panel honoring the work of Professor Thomas L. Shaffer at the Sixth Annual Symposium on Law, Religion, and Ethics held at Hamline University School of Law, October 14-15, 1993. The acknowledgment of my debt to Professor Shaffer is a major purpose of the paper, but I want especially to express my appreciation to him for encouraging me to prepare it in written form. Some of my ongoing debt to Carolyn Schodt will be evident on a reading of the text. I am also grateful to Emily Fowler Hartigan and Rabbi Marcia Prager for much relevant wisdom, challenge and insight. I appreciate the responses of Milner Ball, Robert Burt, Jack Himmelstein, Alice Lesnick, and Howard Vogel to a draft of this essay.

1. For an acknowledgment, see my coursebook, *Being a Lawyer: Individual Choice and Responsibility in the Practice of Law* vii (West, 1992). See also the opening excerpt of the book of readings that Elizabeth Dvorkin, Jack Himmelstein, and I prepared, *Becoming a Lawyer: A Humanistic Perspective on Legal Education and Professionalism* 5 (West, 1981) (hereinafter *Becoming a Lawyer*).

religion, out of which the salience of what Shaffer has written arises.

I.

I am a Jew, born in 1931. I grew up in the shadow of the Great Depression and the Third Reich. When I was 10 years old, my father found work that enabled us to return to New York City, and I soon became a conventionally religious practitioner of the mild variety of Conservative Judaism that our local synagogue observed. After my first year of college, I broke with that practice, and began a long period of alienation from Judaism. To the extent that change was not produced by intrapsychic factors now beyond my capacity to disinter, it had two sources: first, I understood religious "faith" as the acceptance of the truth of a set of propositions about the nature of reality, of the variety, "The Earth is supported on the back of a giant elephant, which in turn stands on four enormous turtles." While I was attracted to the Jewish version of that for a while, I had to acknowledge, suddenly, that I just did not believe it. There never was a Garden, or a Flood, and neither the appearance of a ram on Mount Moriah nor a set of Tablets at Sinai was the willed act of a transcendent force to choose to enter the world of time and space. That disavowal acknowledged, I found it hypocritical to continue to observe Jewish rituals for cultural or social reasons. One either accepted the tenets of a religion or one didn't. I rather scornfully asserted; and if one didn't accept them, it was unworthy to go to a synagogue to wear suits, to make friends or meet girls, or because one was more comfortable in the company of fellow Jews or liked chicken soup and potato pancakes.

Beyond that, I grew increasingly unable to ignore the ways in which Judaism was parochial and triumphalist. Reading the Scriptures was a painful exercise. I found in them little more than a series of stories of the slaughter, in the name of God, of one tribe after another. I was attracted in college to Tom Paine's observation that the Jews never prayed except for victory in battle. Christianity, of course, was a far more dismal chronicle of crimes committed, against Jews and against millions of others as well, but it was only by reason of the good fortune of the Jews to have been deprived of temporal power for two millennia that Judaism could appear less malign. For too many Jews, an enduring legacy of anti-semitism was the adoption of an insular disdain for anything "goy-

ish," which I could not accommodate to the post-War universalism that I had embraced.

So matters stood for a generation. A secular interaction with the world — implicitly grounded in a vision of the peaceable expansion throughout the world of an improved version of Western liberal democracy — seemed wholly able to meet my needs, spiritual no less than intellectual or political.

The change began in ways that I was not even aware of. The foundations were probably laid by the undermining of any easy optimism about liberal democracy and its expansion, which for me as for so many accompanied the wrenching events of the '60s: the Viet Nam war, the assassinations of Martin Luther King and Bobby Kennedy, and the rapid evaporation of the egalitarian impulse that was the Nation's first reaction to the Southern response to the Civil Rights Movement. In the late '70s, I began to work with a group of law teachers who were interested in trying to make our work more expressive of our values and aspirations. Focussing explicitly on values, on becoming aware of our own subjective experience, and on the importance and difficulty of acknowledging the need to search for meaning in our work, was an opening to the spiritual, notwithstanding the fact that neither I nor my colleagues would have put it that way at the time and that the content of our work was avowedly secular.²

Around the same time, my wife, Carolyn Schodt, and I started to attend Quaker Meeting. The emphasis on listening, on receptivity, was a breath of fresh air, and the idea that "God," rather than being a transcendent personage, was to be found within each of us moved the focus away from externally imposed beliefs, which one was compelled to accept, or to reject, as a matter of authority, to the "authority" of (as the Friends like to put it) one's Inner Guide. The Meetinghouse that we first attended had on one of its walls an exhortation attributed to the 17th Century Quaker martyr, James Nayler, which affected me noticeably: "Turn inward, turn inward, I beseech thee; there ye need Christ, and there ye shall find Him."

A few years later, mostly by accident, we spent a summer vacation at a Zen Buddhist farm near the Pacific Ocean in California. We have returned nearly every summer since. Although Quaker-

2. For published fruits of this work, see *Reassessing Law Schooling: the Sterling Forest Group*, 53 NYU L. Rev 561 (1978), a symposium of essays by attendees at an early meeting (the occasion of my first meeting Tom Shaffer); *Becoming a Lawyer* (cited in note 1).

ism rejects all "outward forms," and Buddhism pays meticulous attention to an endlessly structured set of forms, although one is closely linked with Christian modes of understanding reality and the other is not theistic at all, both are much alike, in their pursuit of a spiritual practice emphasizing silence as an aid to receptivity, and meditation as an opening to awareness of self and compassion for others. My attraction to both, despite their plainly observable differences, began to loosen the hold on me of the association of religion with sectarian claims to exclusive possession of the truth, and to enable me to see the common ground of practice and aspiration underlying credal diversity.

Carolyn was raised Catholic, and has always been a deeply spiritual person. She had left the Church, in sorrow and anger, as a young adult, remaining keenly aware of the loss attendant to that decision, compelled though it was. There was something, which even now I cannot fully articulate, about marrying into her family that was part of what drew me back to religion. Observing Christianity, through Carolyn's parents, as it appeared from "inside" helped in a non-cognitive way to complement the impact on my outlook of the radical changes that followed the Second Vatican Council, to open for me a window on Catholicism that I did not find in the Church of my childhood—the Church of the Pope of Silence, Pius XII, of the Legion of Decency, Cardinal Spellman, and Bing Crosby. When our son, Caleb, was born in 1977, he was baptized in the Roman Catholic Church, and circumcised in the Covenant of Abraham, not as the compromise action of an inter-married couple, but as a claiming and celebration of the richness of his heritage.³ We saw that claim as more than simply cultural or ethnic, difficult though it remained to give expression to its religious content.

In recent years, Carolyn has been willing again to enter a church, and we have begun attending Mass at Christmas and Easter. I have found myself able to experience it without being dominated by the two-millennia overlay of which any Jew must remain conscious. It has a depth and power that is palpable for me. When the priest recites the words, "Do this in remembrance of me," I am neither a participant nor a spectator. I can experience something of what several Catholic and Episcopalian friends meant

3. "[M]y servant Caleb showed a different spirit; he followed me with his whole heart." *Numbers* 14:24.

when they have said to me that the Mass is about transcendent love, in a way that does not put in issue the difference between the meaning of the Eucharist for them and for me. When we attended Mass as a family for the first time with Carolyn's parents, and I suddenly felt the need to say something explanatory to our children when their grandparents rose to join most of the others present, but not us, at the Communion rail, I was able—because I gave the question no prior thought at all—simply to say, "Catholics believe that, at the moment that they take the cracker and the wine, they come into contact with God." I immediately thought to myself, is *this* the doctrine that has for centuries been so profound a source of alienation and rancor, so tragic a source of oppression and death?

My consciousness stirred by the realization that I had seemed able to become open to every religion but my own, I would go from time to time to synagogue. I would find myself again drawn powerfully by the liturgy, which I would read silently before the service began, hearing in my mind the traditional melodies with which it was chanted, and moved by meditations added to the prayer book that I had never seen before, only to find myself quickly repelled by a ritualized service that seemed arid and lifeless, except as a cultural rite.

In the last two or three years, however, this last barrier too has crumbled. Encouraged by Carolyn to seek further, we have found practitioners of a Jewish spirituality that is free of the qualities that had for so long alienated me from my own religion. I am becoming, first, willing to let go of the belief that accepting Judaism means going back to the elephant and the turtles, accepting certain assertions about a God who created the world and rules and intervenes in human history, who chooses whether to make the rain fall and the wind blow, and a lot of metaphysics that I just do not believe. It has been a slow process of recognizing that that does not have to be what the stories mean.

That process has been aided by my exposure to the vast well of learning and practice that is the rabbinic tradition. I am learning from that tradition (among much else) a way of learning, which finds in its stories a truth that depends not on their narrative historicity but on their capacity to open a channel of understanding and

insight⁴. I have also experienced the variousness of Jewish spirituality, and the profound commonalities that it shares with the Christian mystical tradition, Catholic and Quaker; with creation spirituality and the religion of Native peoples; and with Buddhism. In a way that may sound paradoxical, but which I do not experience that way, this process has for the first time settled the question of my religious identity: I will live as I was born, a Jew.⁵ As a Jew, I enter into the language, and with it the experience, of Judaism, and also of other faiths and their communicants. I experience that latter entry both empathically, and in a way that is more than merely empathic; in both ways, however, it enhances rather than undermines or draws in question my Jewish spirituality.

II.

With a religious consciousness, then, that I would call Jewish but not sectarian, not sectarian but not non-sectarian,⁶ I read Tom Shaffer identifying "the religious tradition," specifically, what he calls "the Hebraic tradition," as "what is remembered by a particular people." What is remembered, he asserts, is Israel at the borders of Canaan and Christianity before the power of Rome.⁷ Beginning by thus conflating "Israel" and "the Church," Shaffer goes on to approach participation in "American liberal democracy" warily, as "an invitation to idolatry."⁸

In both respects, he might well raise hackles on the neck of a liberal Jew. First, his appeal to "particularity," and its hostility to Enlightenment universalism, conjures up a singularly unappealing

4. Emily Fowler Hartington writes of a "nonpropositional . . . manifestation of 'truth,' . . . that illuminates rather than 'proves'." *From Righteousness to Beauty: Reflections on Poethics and Justice in Translation*, 67 Tul L Rev 455, 458 (1992).

5. H. Richard Niebuhr says of himself: "In one sense I must call myself a Christian in the same sense that I call myself a twentieth-century man. To be a Christian is simply part of my fate . . ." *The Responsible Self* 43 (Harper & Row, 1963). Except for the connotation of the stoic acceptance of bad luck, I think that this idea captures the thought, and provides a simple escape from the notion that, to remain secure in our particular religious tradition, we must assert its exclusive or superior claim to truth.

6. Shaffer uses the word "sectarian" in a sense that differs from the way I have commonly understood it. See his *Erastian and Sectarian Arguments in Religiously Affiliated American Law Schools*, 45 Stan L Rev 1859, 1869-70 (1993). I am using it with a connotation of exclusivity or triumphalism, which, although inconsistent with Shaffer's usage, is not wholly idiosyncratic on my part. Cf. II *Oxford English Dictionary* 2703 (Compact ed 1971).

7. Thomas L. Shaffer, *The Tension between Law in America and the Religious Tradition*, in Richard John Neuhaus, ed, *Law and the Ordering of Our Life Together* 28, 29-30 (Eerdmans, 1989).

8. *Id.* at 30-31.

cast of characters, ranging from George Will, Richard John Neuhaus and Pope John Paul II down a slippery slope toward the Ayatollah Khomeini, Pat Robertson and Menachem Begin. Beyond that, as you probably are aware (and should be if you are not), few Jews feel all warm and cuddly on hearing Christians speak of the “Judeo-Christian” tradition.⁹ Yet, I find no thread of Christian exclusivity, triumphalism, or supersessionism in Shaffer’s celebration of particularity, or in his appropriation of Jewish history and theology. To Shaffer, the claim of particularity is not a boast of special moral worth, not a claim of special entitlement, but a call to action faithful to memory:

Israel *hears*, in the classic prayer of the Torah. Israel hears what God has done and what he has insisted upon; it hears in order to remember slavery in Egypt, and Exodus, and Sinai.¹⁰

Bearing witness to one’s faith, to Shaffer, is a matter of aligning one’s own life with the will of God as the believer understands it, rather than one of telling non-believers the Truth, and persuading them to act in accordance with the speaker’s beliefs. It is significant that the major example he uses to illustrate his meaning is not the decision to participate in group action seeking to deter a frightened young woman from gaining entry to an abortion clinic (although I do not doubt his views about the morality of the woman’s intended action) but the context of a business manager, or lawyer, helping her company close facilities that provide a livelihood to hundreds of workers, in the name of shareholder profit.¹¹

Faithful remembrance of the foundational teachings of our faith traditions occurs, Tom gently and tellingly reminds us here, in the concrete activities of our everyday lives. What Tom “hears”—in the Torah and the Prophets, in the Gospels and the letters of St. Paul, and in the rabbinic tradition—speaks to me, if only I listen and hear, as I carry on my daily life and work, in my family, my teaching and writing, and the development of my understanding of law and the practice of law and their implications for human life. He prompts me to return with fresh attentiveness to the meaning underlying the words of a central text of Jewish liturgy, the

9. If you want documentation for this assertion, I suggest that you ask a random sample of Jewish friends or associates. If you want an explanation of the feeling, I suggest that you “go and study” (as Rabbi Hillel said in a somewhat different context); from me, now, you will get only the bit of ‘60s wisdom to the effect that, if you don’t understand, I can’t explain it.

10. *Id* at 33-34.

11. *Id* at 45-47.

v'ahaftah: "And these words, which I command you this day, shall be in your heart; 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, when you lie down and when you rise up."¹² However we respond to this injunction in its literal dimension,¹³ plainly we are being admonished to keep always aware, as we work and think, as we come and go, moment by moment in our everyday lives.

Shaffer reads Biblical accounts for their own teaching, rather than as foretelling the coming of Jesus, explicitly recognizing the act of appropriation.¹⁴ He continually perceives commonalities, in ways that are free of traditional Christian supersessionism.¹⁵ What I hear Shaffer telling Christians is not that Judaism foretold Christ, nor that we have transcended some of it and left the rest behind, but that, as Ed Gaffney has stunningly put it, being Christians, we are also Jews.¹⁶ Bracketing two thousand years of Christianity's felt need to establish and maintain itself on a premise of anti-Judaism, Shaffer forms a link with the Jewish Christians of the Apostolic period,¹⁷ and reinforces the hope that Jews and Christians may at last go their separate ways in mutual acknowledgment and respect.

His acknowledgement of the millennia of Christian crimes against Jews and Judaism is ungrudging, and serves neither to explain away or excuse nor as a prelude to counseling Jews that there is no longer any need to harp on the subject. Indeed, it is striking to me, remembering the comment of a Jewish friend that he could not think empathically about any Christian practice or teaching because, when he saw a Cross, he saw "an instrument of torture," that when Shaffer identifies the Cross as the Christian "story" his first

12. *Deut.* 6:6-7.

13. The teaching is to be bound "as a sign" on our hands and on our foreheads, and written on the doorposts and gates of our houses. *Deut.* 6:8-9.

14. *Id.* at 33.

15. Consider his perception that Christianity appropriated from Israel the "troublesome" idea of vicarious atonement: "Moses did it first" by his fast on the mountain. *Id.* at 41. Shaffer does not attend to this account because he sees in it a foreshadowing of the Crucifixion.

16. See Edward McGlynn Gaffney, Jr., *In Praise of a Gentle Soul*, 10 *J. Law & Relig.* 287 (1993-94).

17. "The God in whom we have faith is the God of the Hebrews," "the God of Abraham, Isaac, and Jacob." The first quotation is from *Jurisprudence in the Light of the Hebrew Faith*, 1 *J. L. Ethics & Pub. Policy* 77 (1984), the second from *On Thinking Theologically about Lawyers as Counselors*, 42 *Fla. L. Rev.* 467, 471 (1990).

description of it is as "a symbol of what the nations do to Jews. . . ." ¹⁸

Most fundamentally for me, Shaffer sees, and values, in Judaism what I would most want Jews as well as Christians to see in it. Hear his description of the 1986 pastoral letter of the United States Catholic Bishops on the economy and social justice, as:

. . . based on the Hebraic understanding that human dignity is a higher value than either prosperity or individual rights, that community is a higher value than individual autonomy, and that the moral minimum for the person in a just society is not economic freedom but adequate material and personal participation in common life. ¹⁹

In all too few congregations in America today could an applicant for an appointment as Rabbi run successfully on *that* platform—nor, I am quick to note, for Bishop in Shaffer's own church today either.

Shaffer's celebration of particularity, of faithfulness to sectarian memory, has a paradoxical effect. While grounding our religious consciousness in our differing particularities, it moves theology and culture into the background—more accurately, perhaps, into the foundation—and, at least for Jews and Christians, emphasizes the ways in which, out of that particularity, we can approach one another with deep mutual respect and openness. ²⁰ When Shaffer reads the admonition of Torah, "Hear, O Israel," ²¹ he feels himself addressed, and he hears. He engenders in me, first, pride in my heritage, then, chagrin at the ways in which he has listened to its teaching more faithfully than I have. In both aspects, he has been an agent of my own *t'shuvah*. I am happy to acknowledge my gratitude.

He also aids my receptivity to the teachings of *his* particularity. When Christianity speaks to me—whether through Jesus, through Thomas Merton, or through Thomas Shaffer—I can listen, acknowledging that it *does* speak to me, in powerfully important ways; that those ways are and can remain different for me than

18. Id at 30.

19. Id at 32.

20. It would be interesting to hear Shaffer come to grips with the very different challenge of the particularity of Islam, the religion of those descendants of Abraham who are neither Jewish nor Christian. Would the temporal relation, by which Islam is to Christianity as Christianity is to Judaism, be too facile a way of stating the central issue that he would encounter?

21. *Matt.* 16:24.

they are for a Christian; and that therefore my own particularity as a Jew is not put in question by my continuing to listen. Jesus' call, "Follow me,"²² sounds through the ages. It does not call to me in the same way as it does to Tom, nor even in the way that Tom feels the call of Deuteronomy to "hear."²³ But call to me it does, unmistakably and undeniably. Discerning the content which that call has for me, and what my response can be, is a daunting enterprise. Reading Tom's own response aids the process of discernment and, again, I am grateful.

III.

I have ended the first aspect of this portion of a conversation with Tom Shaffer on a theme highly pertinent to the second. In a review of *Two Jewish Justices*, Robert Burt's study of Justices Brandeis and Frankfurter,²⁴ Professor Shaffer poses a question to Burt that strikes home to me. Burt examines the relation of those Justices' consciousness to their having been Jewish, and (in Shaffer's words) "invoke[s] Judaism as the culture of aliens and prophets."²⁵ Shaffer finds this troubling, not because of quarrels with Burt's perception of Judaism, but because "Burt uses religious metaphor . . . without wanting to surrender—or even to significantly erode—an agnostic jurisprudence." Shaffer finds this "confusing":

We cannot tell if those who use religious symbols mean to use as well the theology that is behind the symbols. . . . [W]hen a writer uses metaphors from the religious tradition [the question] is whether he is attentive to the religious narrative he uses. A writer . . . may have tapped into the religious tradition in a merely verbal way. [I would] ask the writer not to desist from using religious language, but to say what he means when he uses religious language. . . . A writer could, of course, make use of religious metaphor as one for whom the religious traditions, such as the stories of Israel and of the Cross, carry truth and give meaning to human suffering . . . , but this is an issue Burt does not resolve; . . . we who work from the religious tradition in social and professional ethics would like to know what he is up

22. *Deut.* 6:4.

23. Ed Gaffney has expressed the point with simple eloquence and profound insight, in noting that, although Christians should "understand that they are Jews, [they] may not expect all Jews to answer the Jesus question in a way that would make them Christians." Gaffney, 10 *J Law & Relig* at 287 (cited in note 16).

24. Thomas L. Shaffer, *Judges as Prophets*, 67 *Tex L Rev* 1327 (1989).

25. *Id.* at 1337.

to. If he were to ask us why we make such a demand on his scholarship, I would answer that coherence requires it. . . .²⁶

I think you will understand, if you have read this far, why I take this set of questions very much to heart. (Indeed, I will write of them as addressed to me, rather than Burt). What *am* I up to, in finding it increasingly helpful, as I do, to ground my work and my consciousness in the religious tradition, and in finding “religious metaphors” uniquely illuminating, while remaining wary of the “theology” behind them for fear that it will turn out to be the elephant and the turtles? I can think of few questions that are at once so reasonable to ask and so difficult to answer.

Do I believe that religious metaphors “carry truth and give meaning to human suffering”? My short answer is that the capacity of religious metaphors to give meaning to human life, including its suffering, *is* the truth that they carry. I suspect that, for Tom, working “from the religious tradition” presumes quite a bit more by way of belief, and his questions crystallize a concern that has been with me for some time: lacking some avowal of such a greater level of belief in “religious narratives,” am I using them simply as a literary or rhetorical adornment?

The question has bite for me on two related grounds: First, although Shaffer is careful, respectful as he is of views that differ from his own, to assure us that he is not challenging the permissibility of a “literary” use of religious metaphors,²⁷ I am not sure that I would give myself similar permission. One need not believe in God (in the sense that Shaffer does) to believe in the sacred,²⁸ and one need not therefore believe that the Decalogue is indeed a set of “Commandments” to take very seriously its teaching that the name of God not be taken in vain. To be respectful of the sacred as perceived by others, my use of their religious images need not express their sense of the sacred, so long as it expresses mine.

My terming religious images “theirs” is symptomatic of my second concern. It arises out a long-held mindset that the religious tradition “belongs” to its orthodox branch (whatever the denomination involved), and that I am free to accept or reject, but not to appropriate to a radically revised world-view, the old-time religion. Much of the odyssey I have sketched in Part I, above, has been an

26. *Id* at 1338-39.

27. See the text partially quoted above (cited in note 26).

28. See Daniel Maguire, *The Moral Core of Judaism and Christianity* 33-34 (Fortress Press, 1993) (defining religion as “the response to the sacred”).

account of a liberation from that stricture, but I plainly am not wholly comfortable laying claim to an unimpeded right to "work with" the tradition however I may come to discern it. For the present, however, I have thought it better to allow that discomfort, rather than seek either to suppress it or to let it dominate and constrain my modes of expression.

So, I need to say, first, that I still cannot accept the truth of "religious narratives," if truth is meant the way we mean it when we say that it is true (or false) to assert that the moon rose here at 8:42 last night. I feel it important to say bluntly, albeit as respectfully as I can, that I do not believe that the central narrative of either Judaism or Christianity—the giving of the Torah on Mount Sinai, or the incarnation of divinity in the birth of Jesus—ever happened, in the usual sense of that word. I have this lack of belief because the premise of a propositional understanding of those narratives does not correspond to anything I can recognize as God.

Yet I want to be able, Tom, to continue to respond to the power that religious metaphors and religious narratives have to illuminate my path. I believe that it diminishes the ways in which those narratives do carry truth to think of them as simply metaphors. Scholars and practitioners, theologians and mystics, with far more learning and wisdom than I, have struggled to express a sense of truth that does seem possible for me to avow.²⁹ I wrote above of truth as the capacity to open a channel of understanding and insight,³⁰ and this much I can say: the story that, at Sinai, Heaven bent down to touch the earth and, as Moses crossed the boundary between time and eternity, all of us who would ever be born stood at Sinai to receive the great gift of God's grace, the Law, making possible our transformation from runaway slaves into free men and women; the story that, in Bethlehem, divinity crossed that boundary in the form of a child, born to a woman who was "a displaced person and a refugee, the daughter of an oppressed people,"³¹ an act by which humans were enabled to find a way to apprehend

29. Bibliographic references seem out of place here, but I have found Reinhold Niebuhr and Sallie McFague extremely thought-provoking in this regard. See the former's *As Deceivers, Yet True*, in *Beyond Tragedy: Essays in the Christian Interpretation of History* 3 (Scribner, 1937), and the latter's *Speaking in Parables: A Study in Metaphor and Theology* (Fortress Press, 1975).

30. See text at note 4.

31. These are the words by which the U.S. Catholic Bishops have described Mary. See *One in Christ Jesus: A Pastoral Response to the Concerns of Women for Church and Society*, para. 137 (Second Draft, April 3, 1990).

their worthiness to be loved, and their capacity to love one another; these stories carry for me a truth that illuminates my understanding of human life and its meaning, and for me their truth does not depend on my avowing that they "really happened." The letters of the Hebrew word, *olam*, which means both "world" and "forever," also form the root of the word for "that which is hidden." Religious supernatural literalism has in common with secular rationality the belief that, in the one case through reason and scientific inquiry, in the other through revelation and faith, existence can be made manifest.

The illumination that I seek can certainly be aided by, and expressed in, secular modes of thought. Yet, for me, the religious tradition has a depth and power that is unique, in a way that reflects more than merely art or rhetoric. On my office wall is a copy of a 1953 woodcut by Fritz Eichenberg, *Christ of the Breadlines*. It shows a file of ragged men and women, shabbily dressed and worn down by poverty and despair, patiently standing in a line that extends in both directions off the picture. In the center, waiting in line with the rest, is Jesus. The "holding" of that picture would take more than a sentence or two of political philosophy to express, and would hardly be improved by that clarification. But what is it doing on my wall? I am not a Christian, nor even (I continue to insist) a believer, as that term is usually used. To be "coherent," would it be more appropriate for me to replace it with the book jacket of *A Theory of Justice* or *The Grapes of Wrath*, or perhaps with the French *Declaration of the Rights of Man*? The loss in any such change would not merely be in effectiveness, in rhetorical or literary power. The woodcut says more fully and plainly what I want to say, and it says it in a way that I feel comes more from the core of me. And that fidelity is not undermined by the fact that I am not a Christian, or a believer.

There is a Talmudic story about Elijah the prophet, who was said to be immortal and to travel regularly between Heaven and earth. A rabbi asked him, "When will the Messiah come?" "Go and ask him yourself," Elijah responded, and to the rabbi's reply, "Where is he sitting, . . . and by what sign may I recognize him," the prophet said that the Messiah was sitting outside the gates of Rome, among a group of other lepers, changing his bandages.³²

32. *The Babylonian Talmud*, Order Nezikin, Tractate Sanhedrin 98a (Soncino ed 1935).

The story goes on, but the portion I have told is not unlike Eichenberg's in its propositional content. The picture it conjures up may be a bit too graphic for a place on my wall, but if I did hang it there I would not want to feel that I was thereby avowing the historicity of the event it depicts, or my belief in Elijah's post-biblical corporeal presence in human history. Nor, I hope would I simply be using a good piece of art to make a political or ethical statement.

If this be incoherence, so be it.