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The Meaning of Law in the Book of Job

By HERBERT FINGARETTE*

THE LAW, its themes, concepts, images, and language, permeates the *Book of Job*.¹ Moreover, the *Book of Job* is unique among the Hebrew-Christian canonical texts in the manner of its concern with law. Other canonical texts are dogmatic: they promulgate substantive law, God's particular laws or commands; or they make eloquent but relatively brief and cryptic assertions as to the nature of God's law for us.² *Job*, however, is analytical, philosophical. Even in so legalistic a culture as that of ancient Israel, *Job* is the only canonical work devoted to an extended, radically critical exploration of such fundamental concepts as law, justice, and retribution in relation to the human context, the divine context, and the way in which these two contexts interpenetrate one another. What is surprising is that in the commentaries on *Job* we find very little systematic analysis directed to the conception of law as central to the argument of the Book.³

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1. See the discussions of *Job*, chapters 4-6, 8-9, 13-16, 19, 23 & 31, in S.R. DRIVER & G.B. GRAY, A CRITICAL AND EXEGETICAL COMMENTARY ON THE BOOK OF JOB (1921) [hereinafter cited as DRIVER & GRAY]; JOB (M.H. Pope ed. & trans. 1965) [hereinafter cited as Pope]; THE BOOK OF JOB (N.C. Habel ed. 1975) [hereinafter cited as Habel]. See text accompanying note 30 *infra*.

2. E.g., *Deuteronomy* 12-25 (specific laws stated); *Isaiah* 42:6 (God's reasons for giving His law to the Chosen People of Israel).

3. I have not seen any work that takes up the theme of law in *Job* and subjects the Book's treatment of that theme to any extended analysis, or that investigates how the legal perspective bears in any specific, internally related way to the other themes

Yet, provocatively, although the *Book of Job* is explicitly cast in the concepts, language, and imagery of the law; it is presented in the mode of a dramatic poem rather than in the mode of philosophical argument or in the form of a legal brief. The poetic dramatic mode is no mere façade; this work is widely acknowledged as surpassingly great in the history of literature. The *Book of Job* towers among the great sacred texts.⁴ It is intense, it is grand, it is ruthless in its scorn for falsehood and sham. The medium of the message is itself part of the message: the *Book of Job* is antilegalist. The poem teaches, instead, a passionate personal integrity as the ground essential to achieving an ultimate wisdom and salvation that reveal law as an essentially human, not divine, enterprise.

As a corollary, the book teaches candid awe and humility before the inexhaustible mysteries, marvels, and terrors revealed when, on occasion, the tempests of our mortal crises rip the veil from before our soul and reality thunders forth and shakes us. Then, as in terrible flashes of lightning, we see with the eye of our own illuminated consciousness; then we divine existence, even though we do not understand it. In this book, God speaks to us through suffering, through dreams and visions and songs in the night. Revelation, not litigation, is the way to reconciliation with the ultimate reality of our world. But this idea we see only after having pressed to the limit, along with *Job*, that familiar, even orthodox vision of existence as ultimately law-like, of God as ultimate lawgiver.

of *Job* or to the essential structure of the work. Yet many commentators have explicitly noted the frequent and continuing use of law images and terms throughout the Book. The major commentaries on *Job* go no farther in an analytical direction than to remark briefly to the effect that *Job* talks in terms of bringing God to court, or of forcing God to acquit him, and that *Job* eventually realizes the impossibility of this approach. Many commentaries do take up the doctrine of retribution and the theme of punishment and reward but only to report that *Job* learns the falseness of this doctrine. Little or no analysis is offered. But see note 59 *infra*.

4. "It will be almost universally agreed that in the *Book of Job* we have the supreme literary masterpiece of the Hebrew genius." T.H. ROBINSON, *THE POETRY OF THE OLD TESTAMENT* 67 (1947). Robinson alludes to it as possibly being "second to none in all the range of human writing." *Id.* Pope says that "A modern man reflecting on the Book of Job from the vantage point of two millenia of human experience must marvel at the religious insights to be found therein." Pope, *supra* note 1, at lxxvii. Gordis characterizes the *Book of Job* as "the crowning masterpiece" of the Bible, R. GORDIS, *THE BOOK OF GOD AND MAN* 1 (1965) [hereinafter cited as GORDIS], and in his discussion of its status speaks of "untold readers and scholars who have recognized in it one of the supreme human masterpieces." *Id.* at 3. Such tributes are readily found elsewhere in the literature.

Old Testament religion is one of the great sources of the idea that a primary mode, perhaps *the* primary mode, of our relation to God is that of responsibility to His law. According to this view, God's Will is our Law;⁵ the authority even of human law lies in its claim to express, or at least to implement, God's Will. The idea of the pious man who suffers is found in Babylonian⁶ and other Near Eastern⁷ religions, and in this regard the story of Job—without the theme of law—was of a familiar pattern far beyond Israelite culture. But the life and culture of the Israelites became increasingly permeated by priestly legalism.⁸ From the *Genesis* story of the very first human beings, which centers on disobedience to God's Will and the punishment that results, to the Commandments and many auxiliary laws and regulations elaborated upon by the Lord in the course of Old Testament history, there is a widening, deepening, and intensifying consciousness of the human relation to God as one that is defined and embodied in His Will as our law. Israel itself is bound by a covenant:⁹ Yahweh set out His laws for Israel, and Israel undertakes to live "righteously," that is, to live according to God's Law. Keeping the covenant assures God's blessings, whereas failing to do so assures His retribution. This orthodoxy, though at first defined with reference to the nation, later comes to be interpreted as referring to the individual as well.¹⁰

The idea of existence as framed by God's Law also emerges in the doctrines of great Christian thinkers, both Catholic and Protestant.¹¹ It still permeates Jewish and Christian folk attitudes today.

A perennially troublesome issue for this view has arisen specifically in connection with the concept of retribution, the concept that we are to be punished for unlawful ways and rewarded for uprightness. To many people the doctrine of retribution has seemed a self-evident corollary of the belief in God the Lawgiver, just as it has seemed a

5. See C.J. FRIEDRICH, *THE PHILOSOPHY OF LAW IN HISTORICAL PERSPECTIVE* ch. 2 (1963) [hereinafter cited as FRIEDRICH].

6. One of the best known texts is that of the so-called "*Babylonian Job*," also known as *The Poem of the Righteous Sufferer*, or *I Will Praise The Lord of Wisdom*. J.B. PRITCHARD, *THE ANCIENT NEAR EAST* 596-600 (Supp. Lambert trans. 1969).

7. Pope, *supra* note 1, at l-lxiv; GORDIS, *supra* note 4, ch. 5; N.H. SNAITH, *THE BOOK OF JOB, ITS ORIGIN AND PURPOSE* ch. 2 (1968) [hereinafter cited as SNAITH].

8. See FRIEDRICH, *supra* note 5, at 8.

9. See *Exodus* 19-24 (the "Book of the Covenant").

10. See E. DHORME, *A COMMENTARY ON THE BOOK OF JOB* cxxviii-cxxx (1967) [hereinafter cited as DHORME]; GORDIS, *supra* note 4, ch. 12; Pope, *supra* note 1, at lxxiii.

11. Cf. FRIEDRICH, *supra* note 5, ch. 6 (on Aquinas), ch. 2 at 9 (on Calvinism).

corollary of human law.¹² But even before Job, true believers had raised the piercing query: why, then, do the wicked seem to prosper? And why do the righteous seem to suffer?¹³

Unbelievers may be inclined to stand aside, bemused by what seems to them a specious and unnecessary dilemma in the first place, because God Almighty, the Lawgiver, is to them either an unnecessary or positively misguided assumption. But it turns out that things, even so, are not that simple. *Job* has things to say to the unbeliever, too.

Certainly Job's three "comforters" insist that our life here on earth is ruled by God's law and His justice and that as a consequence He makes the righteous to prosper and the unrighteous to perish.¹⁴ Job, too, has always believed this, and indeed this belief is what eventually motivates his challenges to God in the course of the dialogues.¹⁵ The centrality throughout the debate of this belief in inevitable reward or retributive punishment may weaken the philosophical persuasiveness of it for readers in so irreligious, or at least so unorthodox, an age as ours. I believe we need to learn to appreciate the intellectual power of the friends' and Job's view; we need to see that it has an aspect of profound and necessary truth. I aim to show in this Article that the doctrine of retribution is not an archaic naïveté or a magical view of existence.¹⁶

12. See Presidential Address, *Punishment and Suffering* by H. Fingarette to the American Philosophical Association (March 26, 1977).

13. See note 7 *supra*.

14. Eliphaz: "What innocent man has ever perished? . . . Those who plough mischief and sow trouble reap as they have sown; they perish at the blast of God . . ." *Job* 4:7-9 (New English Bible). Bildad: "If you are innocent and upright, then indeed will he watch over you and see your just intent fulfilled . . . your end will be great. . . . The godless man's life-thread breaks off. . . . God will not spurn the blameless man, nor will he grasp the hand of the wrongdoer." *Id.* 8:6-20. Zophar: "If you have wrongdoing in hand, thrust it away; let no iniquity make its home with you . . . sure of protection you will lie down in confidence. Blindness will fall on the wicked; the ways of escape are closed to them, and their hope is despair." *Id.* 11:14-20.

15. "O that the grounds for my resentment might be weighed, and my misfortunes set with them on the scales." *Job* 6:2-3 (New English Bible). "So now I bid you, turn and look at me: Am I likely to lie in your face? . . . Let me have no more injustice . . . for my integrity is in question. Do I ever give voice to injustice?" *Id.* 6:28-30. "Leave me to speak my mind. . . . I will . . . take my life in my hands. If he would slay me I would not hesitate; I should still argue my cause to his face. This at least assures my success, that no godless man may appear before him. . . . Be sure of this: Once I have stated my case I know that I shall be acquitted." *Id.* 13:13-18.

16. Good has stressed this idea: "We could say that the book shows Job's movement from a position of magical dogmatism [i.e., that man can by his excellence re-

On the other hand, we also need to learn to appreciate the inadequacy of this orthodoxy as an ultimate perspective on law, or on the divine. We need to understand the thundering challenge with which, in the end, the Lord addresses Job: "Who is this that darkeneth counsel by words without knowledge?"¹⁷

But here I have been talking of final things, and it is the voyage that gives sense and significance to the end. We must go back to the beginning, because the *Book of Job* is fraught with paradox. The logic of the entire affair is easily obscured. The very text itself is "probably more corrupt than that of any other biblical book."¹⁸ So let us return to the beginning and pursue the case from the first moment when "the satan," the prosecutor,¹⁹ accuses Job before Yahweh's court.

The book begins by setting the ultimate issue for us. That issue must remain unknown to Job and his friends if the prosecutor is to develop the evidence. Therefore the ultimate issue is defined in secret; that is, it is defined in a context that is sharply separated from the context of Job's ordeal. The book begins with a prologue.

The prologue,²⁰ based on folk legend, swiftly explains, in a self-consciously folk-tale style, that once upon a time there was a great and prosperous and pious man of Uz, named Job, who was mentioned as a very model by the Lord Yahweh himself, to his assembled court in heaven. Yahweh challenges the satan, His prosecutor, and asks him, "Have you considered my servant Job? You will find no one like him on earth, a man of blameless and upright life, who fears God

quire God to save and accept him or by his unworthiness require God to damn and reject him] to his ultimate stance in faith." E.M. GOOD, *IRONY IN THE OLD TESTAMENT* 197-98 (1965) [hereinafter cited as Good]. For a critique of Good's thesis that what is at issue is a belief in magic, see note 59 *infra*.

17. *Job* 38:2 (King James).

18. Habel, *supra* note 1, at 11. See DRIVER & GRAY, *supra* note 1, introduction, § 7; DHORME, *supra* note 10, introduction, chs. 7 & 12; *JOB*, 8-18 (H.H. Rowley ed. 1970) [hereinafter cited as Rowley]. Pope, in discussing textual problems, states, "The Book of Job is textually the most vexed in the Old Testament, rivaled only by Hosea which has the advantage of being much shorter." Pope, *supra* note 1, at xxxix. As Pope later adds, the *Book of Job* "presents formidable linguistic and philological problems." *Id.* at xlii.

19. Habel summarizes the consensus among commentators in his commentary on *Job* 1:66-67: "Satan is not a proper name but a title meaning 'the adversary.' Here Satan is not equivalent to the devil of later Christian theology, but functions like a prosecuting attorney in a court of law (*cp.* Zech. 3:1-2). He also seems to be engaged in espionage activities, ranging the entire earth to check on the lives of men (*cp.* Zech. 1:10-11)." Habel, *supra* note 1, at 17. See also *Psalms* 109:6.

20. *Job* chs. 1-2.

and sets his face against wrongdoing." The satan takes up the challenge, puts a new twist on the facts, and accuses: "Has not Job good reason to be God-fearing?" He then points out how God has protected Job from all dangers, piled up his possessions, and showered him with honor, good fortune, and great family.²¹ It is no more than rational self-interest to follow God's law under the circumstances. The evidence that this behavior is motivated by self-interest and not genuine piety is easily obtainable, says the satan: "Only take away all these good things from Job, and I'll stand pledge if Job doesn't end up cursing you, my Lord."²² "Make him ache and suffer in his very bones and flesh and skin! You'll see, I swear!"²³

The issue, in short, is this: true perfection before God, blameless following of His law, should be selfless. It should be done simply out of commitment in good faith to the Lord:

What then O Israel, does the Lord your God ask of you? — Only to fear the Lord your God, to conform to all his ways, to love him and to serve him with all your heart and soul. This you will do

21. *Job* 1:8-11a.

22. *Job* 1:11. It has commonly been said that the satan challenges Yahweh and that in *Job* 1:12 Yahweh accepts the challenge, the two of them thus making, in effect, a *wager*. The present author also thought as much until Professor Good called to his attention the colloquy between Good and Professor David Robertson. Robertson, *The Book of Job: A Literary Study*, 56 SOUNDINGS 446 (1973) [hereinafter cited as Robertson]; Good, *Job and the Literary Task: A Response*, 56 SOUNDINGS 470 (1973). In that discussion, Professor Robertson pointed out that Job is uttering a formal oath in his final defense, *Job* 29 to 31. Robertson, *supra*, at 460-61. This fact led Professor Good to remark that the satan, in *Job* ch. 1, is also using an incomplete form of such an oath. Good, *supra*, at 475. The full form is one in which one calls down dire consequences upon oneself (as Job does in *Job* 31) if one's words are not true. This form is the form the satan uses but with the specific consequences left unstated. Thus, if this reading is correct (and I accept it as such, and as revealing), the satan and Yahweh are not laying a wager at poor Job's expense; instead the satan is solemnly carrying out his "legal" duty, charging under oath — in what may be a characteristically routine, officially abbreviated form — that Job is a fraud. This charge is a proper way to institute proceedings for which the satan is "professionally" responsible. And so it is proper, under God's justice, for God then to authorize commencing the ordeal or trial. However, I see no good reason to over stress the power of the satan's oath and to say that the magic of such oaths forces God's hand, as both Good and Robertson claim. Later we will realize that God's purposes transcend mere justice, and we will then recall that it was Yahweh, not the satan, who initiated the entire affair by citing Job specifically to the satan, thereby challenging the latter. In short, All-seeing Yahweh wanted Job to be tried, which, as we will see, was ultimately for Job's good, and ours, in a way that explicitly transcends questions of justice.

23. *Job* 2:4-5.

by keeping the commandments of the Lord and his statutes . . . which I give you this day for your good.²⁴

Thus said the Lord; but the satan has now presented a radical challenge to the entire enterprise. It is one thing to shower blessings on those who are truly devoted to one; it is quite another to buy pretended devotion by promising rewards and long life to people who are essentially concerned only for their own pleasures and their own skins. It is thereupon agreed that Job will be tested. But the issue is really bigger than that. Job is declared by Yahweh to be a model of human piety. So it is really Yahweh's entire enterprise that the satan's counterchallenge puts on trial, though of course Yahweh, in His wisdom, initiated the affair. If the model Job is a fraud, Yahweh's relation to the people has failed. If Job is vindicated, we shall have seen the difference between rational self-interest and true love and fear of God.

It should be remarked, before going further, that the issue from this heavenly perspective is *not* one that centers on law. It is acknowledged on all sides, and indeed certified by Yahweh himself, that Job is a man blameless and upright in his *conduct*; the question raised by the satan concerns Job's *motives*. The issue is thus sharply defined in terms of the state of the soul rather than, as in law, the outer man. We, the audience, witnesses to the heavenly deliberations, are allowed at once to see the great issue at trial.²⁵

Yahweh authorizes the satan to deprive Job of every possible external good in life except his very life and consciousness. Family, possessions, honor, physical health—all are destroyed, except that Job still lives and is still conscious of himself as one who was upright and true to his God. This formerly great chieftain is now, both literally and symbolically, on the garbage heap beyond the borders of the community.

In the folk-tale prologue, Job—"patient Job"—endures and prays:

Naked I came from the womb.
Naked I shall return whence I came.
The Lord gives and the Lord takes away.
Blessed be the name of the Lord.²⁶

24. *Deuteronomy* 10:12-13 (New English Bible).

25. But this issue has commonly been overlooked, in part for the reasons discussed in the text accompanying note 27 *infra*.

26. *Job* 1:21 (New English Bible).

So we have our answer. Job's faith and devotion to the Lord did not depend on rewards. But this answer, true enough in its way, does not give us the kind of answer we want and need. We now know from his behavior that Job's motives were not self-interested and that his worship of God has its own integrity and was not the result of ulterior motives. But the point of the test was to shift attention from behavior to motives, which is to say that we want to understand Job, not merely to observe him. Why does Job still bless God? What are his motives? What is the issue as he sees it? How can he bring himself to such acceptance, given that life under such a God now must seem so arbitrary and mean a thing? Is Job just a thoughtless, blind worshipper? Or did he have inward struggles? Did he come to terms with the truth or succeed in running away from it or in camouflaging it? How does a model man live through such a crisis inwardly able to bless God rather than curse Him? What rational questions, what inner debates, what emotions, what impulse to rebel, and what grounds for final acquiescence play a role in such an ordeal?

We need insight to see with our own inner eye of the soul the reality of this truth. Only if we, too, go through Job's ordeal, at least vicariously, can we be with him at the end when, as he says, he at last *sees* with the eye of religious vision what he had formerly only heard second hand. Only then will *we* see. So far, we have only been told about the bare fact.

And so now the folk-tale characters leave the stage, and the painted backdrop is raised to reveal suddenly the inner world of Job's agony. There is a radical shift from one literary mode to another, from pseudo-primitivist folk-tale to intensely dramatic and passionate poetry, from swift-moving narrative to elaborately reflective and many-sided examination of the issues, from the language of naiveté to the language of heart's agony and blasphemy, and from myth time to the burning present. This shift, and the gap it establishes, serves to induce a kind of aesthetic repression of the prologue, a repression that reinforces the story line: Job and his friends are utterly absorbed in the ordeal as they experience and understand it; no suspicion of the real "cause of action" and the ultimate issue can arise to distort the results of the test.

And so, too, by virtue of the aesthetic repression effect, is the reader's consciousness dominated by Job's and the friends' understanding of the events. Any shadow of consciousness that this scenario is a test of Job's disinterested good faith before the heavenly court would fatally corrupt the experiential validity of the test. For

the test has become to see, to live through, vicariously so far as the reader is concerned, the movement from total despair and misery to complete acceptance. Indeed it may be just because the poem-drama so fascinates and dominates attention that many commentators have mistakenly taken the central issue to be that which is defined *within* the poem, the issue as defined by Job and his friends, and have ignored or underestimated the truly central issue, as defined in heaven, and on which the whole book turns.²⁷

27. Most of the commentators have in effect taken the main theme of the entire book to be as understood, more or less, by the participants in the poetic dialogue. See, e.g., Pope, *supra* note 1, at lxviii-lxxv: "It has been generally assumed that the purpose of the book is to give an answer to the issue with which it deals, the problem of divine justice or theodicy," that is, the question "raised inevitably by any and every instance of seemingly unmerited or purposeless suffering, and especially the suffering of the righteous man." Pope himself says that "either the book ends in magnificent anticlimax, or we must see the highlight in the divine speeches The content of the divine answer is . . . on the face of it, a disappointment. The issue as Job had posed it is completely ignored. . . . The complete evasion of the issue as Job had posed it must be the poet's oblique way of admitting that there is no satisfactory answer available to man, apart from faith." DHORME, *supra* note 10, at cl-cli, ultimately sees the *Book of Job* as "an important stage" on the road from the earlier Israelite doctrine of "immediate retribution" to the "final solution" of Christianity in which "future retribution" on the Day of Judgment will vindicate good over evil. Rowley, *supra* note 18, at 19, says that "we can hardly suppose that the principal aim of the book was realized in the Prologue." "It is equally wrong to think that its purpose was to solve the problem of suffering." Instead, says Rowley, "When God speaks to Job from the whirlwind, he does not reveal to him why he is suffering. . . . He reminds Job that there are mysteries in nature beyond his solving, and . . . the mystery of suffering is one of these. . . . It is of the essence of the message that God found Job in his suffering. . . . To sufferers in all ages the Book of Job declares that less important than fathoming the intellectual problem of the mystery of suffering is the appropriation of its spiritual enrichment through the fellowship of God." *Id.* at 20-21. Driver says, "The problem with which [the *Book of Job*] deals is this: '[w]hy do the righteous suffer?' and its principal aim is to controvert the theory . . . 'that suffering is a sign of the Divine displeasure, and presupposes sin on the part of the sufferer.'" S.R. DRIVER, AN INTRODUCTION TO THE LITERATURE OF THE OLD TESTAMENT 409 (1956) [hereinafter cited as DRIVER]. Driver reports that the 19th century scholar Bude saw the question in the Prologue as being whether egoism is the root of piety. Bude, however, held that the deeper and broader question in the book is the one raised in the dialogues about the meaning of the suffering of the righteous. *Id.* at 430. Gordis believes that the *Book of Job* is single-mindedly devoted to the theme of the operation of the divine law of justice in the life of the individual, and the doctrine of reward and punishment. GORDIS, *supra* note 4, at 149. Note that in each case the commentators see the question as revolving around suffering, the issue in the dialogues. Perhaps an exception is the ambiguous statement of the matter in DRIVER & GRAY, *supra* note 1, at liii-lxiii. Driver and Gray clearly raise the issue of Job's integrity and make the point that Job's conduct in the ordeal proves the satan wrong; they point out that Job never demands the restoration of his goods but, something very different, the vindication of his character. Nevertheless, they speak of the writer of *Job* as one

So now the poem proper begins. Despair, anger, bitterness, fierce attitudes, awful challenges, and radical, tough-minded thought are the stuff of this ordeal. False piety, meekness, or lip service to religious platitudes will not do for Job. In the beginning, it is Job's sheer despair that shatters the silence.

Job's reaction to disaster is to curse the day he was born.²⁸ But suicidal attitudes, whether retrospective fantasies or prospective actualities, are evasions. The three friends who have come to comfort him will not let him settle for such attitudes. They begin, early on, to insist that he, who has been so strong in regard to the ordeals of others, must be strong enough to face the issues in his own case.²⁹ Whereupon they define the issues in terms of God's justice, the legalistic terms familiar in the Israelite thought of the epoch:³⁰ If we walk in His way, observe His law, then of course we prosper; if we stray, however, He makes us suffer, and we perish.³¹ Therefore, Job's suffering may not be viewed merely as misery; it must be viewed as punish-

who, although he emphasizes that Job does not suffer as the result of any sins he has committed, has no positive theory of suffering to propound. All this theorizing adds up, after taking into account the hesitations and difficulties announced by the authors, to a primary emphasis on vindication of Job's integrity rather than on the problem of suffering. But Driver and Gray fail to bring out the internal connections among the issues. Terrien stands out as one who says definitely that the theme of the *Book of Job* is not the "problem of suffering." To recognize this notion is to open the way to seeing Yahweh's speeches out of the whirlwind as climactic to the argument of the book rather than as a monumental irrelevance or put-down, as most commentators must take it. Terrien, *The Yahweh Speeches and Job's Responses*, 68 REVIEW AND EXPOSITION 497 (1971) [hereinafter cited as Terrien].

28. *Job* ch. 3.

29. Eliphaz says, "Think how once you encouraged those who faltered But now that adversity comes upon you, you lose patience . . . and you are unmanned." *Job* 4:3-5 (New English Bible). "For my part, I would make my petition to God and lay my cause before him. . . . Do not reject the discipline of the Almighty." *Job* 4:8, 17 (New English Bible).

30. E.g., *Job* 4:8, 17. Eliphaz says, "Can mortal man be more righteous than God?" The word "righteous" in the Hebrew text connotes "on the right side of the law" or "having the law on one's side." Dhorme, commenting on *Job* 9:15, says, "The verb . . . 'to be righteous' . . . has equally the sense of 'to be in the right' in a debate or a lawsuit." DHORME, *supra* note 10, at 145. It may be significant, however, that it is in Job's speeches that we find richness and quantity of legal imagery and language, far more so than in the speeches of the friends. He presses and sharpens the issues, while the friends leave the issues confused and cryptic.

31. Although, as remarked *supra* in note 30, the friends do not stress the imagery and language of law per se, they do unambiguously, emphatically, and persistently put forward the doctrine of retribution and reward. See note 14 *supra*. It is Job who treats this doctrine as a matter of law, of a covenant between God and man, rather than, for example, as a mere matter of God's pleasure.

ment. Job must have failed to act righteously, that is, according to law.³² And until Job does so view his suffering, confesses his guilt, accepts his punishment as such, and repents, he is compounding his guilt, and even more punishment will accrue.³³ For after all, perjury or even evasive silence are in themselves contempt of the injunction that we shall fear and love God and that we shall stand witness in full truth and loyalty toward Him. These precepts, as Job's friends remind him, the wise ancients taught us.³⁴ They persistently press Job: be honest; confess and repent.³⁵

This perspective does indeed arouse Job, even provoke him, out of his blindly suicidal despair. Though intermittently still uttering despairing groans, Job ever more emphatically and outspokenly picks up the challenge. But his response to this challenge is not quite what was expected. He does accept the challenge to face the truth, and he also accepts the legitimacy of the presupposed framework within which the truth is to be understood—the framework of God's law, of His justice, and of consequent human guilt and punishment, or righteousness and reward. But the conclusion that Job reaches is not at all what was intended by the friends.

"O if only my miseries would be weighed in the scales of justice!" he cries, they would outweigh anything wrong I could have done.³⁶ It is incomprehensible, but God is persecuting me.³⁷ Why was I ever born? Why does He not finish the job and mercifully put me to death?³⁸ What have I done to deserve this? You, my friends have betrayed me: you spout words and theories and chop logic.³⁹ I can recognize truth from falsehood, right from wrong. You have put my integrity in question. This quality you may not take from me; no one can do that.⁴⁰ How can you look at my suffering and blithely say I deserved this? You don't face realities; you just talk old platitudes that in this case are lies.⁴¹

32. *Job* 4:17-19; 5:17; 8:2-7; 22:21-26.

33. *Job* 15:4-6.

34. *Job* 8:8; 15:10.

35. *Job* 5:8, 17-18; 8:5; 11:13-15; 22:21-30.

36. *Job* 6:2-3. In later passages, Job further expresses his faith that if he could indeed bring his cause to trial and present his defense, God would surely acquit him. *Job* 19:25-27; 23:2-7; 31:2-6; 31:35-37.

37. *Job* 6:4; 7:13-21; 9:16-20; 19:6-12.

38. *Job* ch. 3; 7:15-16.

39. *Job* 6:14-27.

40. *Job* 6:28-30; 13:15; 27:2-6; ch. 31.

41. *Job* 13:1-12.

The friends insist. And, because in their view God does necessarily reward the righteous and punish the wicked, they charge Job with blasphemy for maintaining that the law is on his side as against God! They even accuse Job of specific sins, with no evidence, in order to defend their theory.⁴²

Instead of acquiescing, Job presses his understanding of the facts, but with ever increasing explicitness and elaboration of the implications. Indeed Job increasingly commits himself to the proposition that he is not alone in his unfair suffering. In this world we see it all around us, he alleges: it is the wicked who prosper, and it is the innocent, whom they exploit, who suffer.⁴³ God, the Almighty Ruler, is unjust generally, not merely in Job's case.

Throughout, as we see, Job never really questions the underlying premises of his complaint, the premises he shares with the friends. The world can only be understood in terms of God's law for us, and thus, he believes, in terms of rewarding the righteous and punishing the wicked. And yet, incomprehensibly, the facts show that the rule of law has gone awry. God acts unjustly. Obviously the dilemma arises because he is still assessing the matter in terms of law and the principle of necessary retribution and reward.

Job's premises can lead logically in only one direction: go to law. And Job is the very man to pursue the truth as he sees it in the way that logic requires. Yet he despairs: even if a man would try to appeal his fate and argue his case, God will not answer! How could one summon Him to law?⁴⁴ How could one force Him to answer one's charges? Why does He not state His case against me openly, draw up an indictment? I would proudly respond to the indictment. I would present my defense in full, nothing more nor less than the

42. *Job* 22:5-9.

43. *Job* 21:7-17. In *Job* 24:2-17, there is an eloquent portrait of the exploitation of the poor and innocent by the wicked. That the problem, as defined by Job and his friends, is the problem of the meaning of suffering has now become evident. This problem is the problem that most commentators, too, take as central to this work. But this view is mistaken. See note 27 & accompanying text *supra*.

44. *Job* 9:3 (New English Bible) (alternatively: "Man cannot answer God."); *Job* 9:19 (New English Bible: "Who can compel him to give me a hearing?") (King James: "[W]ho shall set me a time to plead?"). According to Dhorme, the language used here "assumes a juridical implication, 'summon,' 'cite,' before a court of law." DHORME, *supra* note 10, at 138.

record of my entire life.⁴⁵ He, who knows all, should be my witness in my defense.⁴⁶ And yet, even if He were to appear, how could I choose the proper arguments and answer His questions, when I am terrified by His awfulness and stand here crushed by His power?⁴⁷ If only there could be an arbitrator who could assume authority over us both and hear the case!⁴⁸ Or if only I had someone strong and free to serve as my advocate!⁴⁹ I have been on the right side of the law all my life, and I charge that the Judge has turned not merely prosecutor but unjust persecutor!⁵⁰

There is courage here, but there is incoherence and blasphemy too. Job's legalistic logic, as he himself sees, leads to its own *reductio ad absurdum*; his integrity, given his beliefs, leads to a kind of moral delirium. And it is his utter truthfulness before God that leads to blasphemy.

It is absolutely essential to be aware that in all this Job is not an inherently presumptuous man before God. "Why do You follow me," he calls to the Lord, "and catch me out in every little thing? I am Your creature, made by You and totally in Your power to the

45. "[T]ell me the ground of thy complaint against me." *Job* 10:2-7 (New English Bible). "[L]et me know my offences." *Job* 13:22-23 (New English Bible). "If my accuser had written out his indictment . . . I would plead the whole record of my life and present that in court as my defence." *Job* 31:35-37 (New English Bible).

46. *Job* 16:19.

47. "How much less shall I answer him, and choose out my words to reason with him?" *Job* 9:14 (King James). Dhorme says that the choice of the Hebrew term "to choose words" indicates concern for "the words which the accused would use before a tribunal." DHORME, *supra* note 10, at 135. Pope, who translates the term as "match my words," also says the Hebrew word "is often used as a juridical term." Pope, *supra* note 1, at 70. Another legalistic phrase, "[i]f I summoned and he responded," appears in *Job* 9:16a (New English Bible).

48. "For he is not a man, as I am, that I should answer him, and we should come together in judgment. Neither is there any daysman betwixt us, that might lay his hand upon us both." *Job* 9:32-33 (King James). The term used in the New English Bible and by Dhorme is "arbitrator"; Pope uses "umpire." The custom was that by laying hands on the shoulders of the parties, the arbitrator or judge assumed jurisdiction over the case. See DHORME, *supra* note 10, at 144.

49. "For in my heart I know that my vindicator lives." *Job* 19:25 (New English Bible). The Hebrew word translated as "vindicator" is *goel*. The *goel* is an avenger, redeemer, or ransom, originally the nearest kinsman who acts to avenge or ransom a member of the family.

50. The concluding verses of Job's great oath in chapter 31 of the *Book of Job* are an eloquent summation of this attitude, with final and ringing confidence in the justice of the claim, along with the background of despair that God will ever answer this appeal and acknowledge its justice. See note 61 *infra*.

end. Why should You torment Your own creature this way?"⁵¹ He has no false modesty, but neither does he have false pride. Job asks, "What is man that thou makest much of him?"⁵² The echo of the psalm⁵³ whose language he borrows serves as background to Job's humility. The psalm praised God for making His insignificant creatures to be almost as angels in dignity. Job uses the same language but turns it around to challenge God for taking such insignificant creatures as worthy to be targets of His wrath. Although Job apparently rejects the teaching of the psalm, nonetheless the poet, in having Job speak so, has tacitly framed Job's ordeal within the perspective of that psalm and has thereby highlighted the issue of dignity, of the near-divine dignity that God's poor vulnerable creatures can have. And it is this dignity which radiates from Job in his ordeal, the dignity that his integrity affords him, even sitting on the dung-heap, a poor, miserable, intellectually confused, morally disarrayed, physically pustulant, and repellent old man.

The basic conditions that generate Job's dilemma should be summarized in an analytical way so that we will be able to exhibit both the full force of it and the meaning of the resolution. There are, specifically, four conditions that conspire to place him in this dilemma.

First, as we have seen, Job claims complete integrity before the Lord. The Lord's attitude and behavior may be puzzling, but Job's good faith commitment to the Lord is total and unconditional. He will be true to the Lord, and ultimately he will be vindicated before the Lord, Judge of all. He insists on this eventuality, again and again.

Second, we must understand that Job is correct in insisting on his past and present integrity. We know that he is certified at the very outset, by Yahweh Himself, as a blameless servant. But even aside from this, Job's words ring with truth and sincerity. Furthermore, and most central to the meaning of his ordeal, were Job not utterly and truly convinced the law was on his side, he would have every reason to follow an easier line. He could follow his friends' advice, confess to the most likely sin, repent, beg forgiveness, and, having now

51. *Job* 10:8-18.

52. *Job* 7:17 (New English Bible).

53. "What is man that thou art mindful of him? And the son of man that thou visitest him? For thou hast made him a little lower than the angels, and hast crowned him with glory and honour." *Psalms* 8:4-5 (King James). Cf. *Job* 7:17-18 (King James): "What is man that thou shouldst magnify him? and that thou shouldst set thine heart upon him? And that thou shouldst visit him every morning, and try him every moment?"

taken a certain amount of punishment, be released from further suffering. After all, Job's fear of the Almighty's wrath and his belief in the Almighty's immeasurable powers to reward far surpasses any other motives Job might have, except where these conflict with the demands of his rocklike integrity before God.

The third element of his predicament follows from the firm belief, held by Job as well as his friends, that life on God's earth is life under law, that those who obey God's laws are to be rewarded, and those who transgress are to be punished. It follows logically that there must be a mistake. No, not even a mistake, for inasmuch as God is almighty and all-knowing, this punishment must be willful injustice. This seems especially so when we take into account the more general observation by a candid Job that he is not the only upright person to suffer. He presses the question: have we not all seen wicked people prosper? No wonder that Job, being forced to contemplate God as unjust, feels his dilemma to be unbearable!

Fourth, because the framework of existence is one of law, Job instinctively appeals in the language of law for a personal hearing from the Lord, a hearing at which Job or his advocate could receive the indictment, plead his case, call witnesses, and demonstrate to the Lord the error and injustice in what the Lord has caused to happen. The more this self-incriminating blasphemy is elaborated, the more it also seems sheer madness.

It is the combination of these circumstances that gives power and dignity and necessity to Job's spiritual crisis. But to what extent is Job's dilemma real for us? To what extent can we share, even vicariously, in his ideal? Is there not a quaint archaicism about the notion that God makes the wicked, and only the wicked, to suffer; and that He rewards only the virtuous? Once we readers, by an act of aesthetic suspension of belief, grant to Job and his friends their naive credulity, the dilemmas it creates can elicit our sympathy. But can we truly have empathy, can we participate even vicariously? For many modern readers, the whirlwind at the end of *Job* can seem more like a tempest in a teapot. Have not even theists in modern times got beyond such primitive notions? Can we take seriously the idea that God's law for us implies inevitable rewards and punishments? And, if not, can even the believer really take the Book of Job seriously?

My own belief is that we are wrong if we are patronizing or condescending to Job and his friends. We should not confuse their

technological and scientific primitiveness with spiritual primitiveness. The doctrine that under God's law, He punishes the disobedient and rewards those obedient to His law is not merely an archaic popular belief, a belief in magic, or a tenet of some special theological doctrine. One is tempted to assert that disinterested obedience to law should suffice in itself, at least ideally. Why are Job and his friends so convinced that this is not enough and that rewards and punishments are a necessary corollary of law, even of God's law?

Up to this point I have purposely stated the problem without differentiating such notions as piety, integrity, righteousness, uprightness and obedience. Now, however, I want to press what I consider to be the fundamental issue: the nature of obedience. I propose to restate the Old Testament theme that we are given God's commandments and that our love and fear of God with all our heart and soul is realized in "keeping the commandments of the Lord and his statutes."⁵⁴ That demand can be restated in this way: our central spiritual task results from God's laying upon us the requirement that our will shall be in conformity to His Will.

This task is not necessarily a moral task. It has a moral dimension if God's Will is conceived of as a good will. And in the Old Testament, there surely is a moral significance to God's Will; but what needs emphasis here is that whatever the moral status of God's Will, God rules through His Will, that is, the dominion of His Will over ours. The question of reward and punishment has generally been thought to be linked to the moral aspect of the situation, but I think this analysis is in error. We need to recognize the phenomenon of the dominion of one will over another as a distinctive and much more general relationship. Even if it be an evil will that dominates another will, the relation of one will dominating another remains constant. Even more general is the concept of human will being subordinate, whether subject to a dominant personal will or to some other suitable force such as, for example, law or custom. In any case, I want to bring out how and why punishment and reward are inextricably linked to dominion over human will⁵⁵ and, more specifically, why it is that the assumption that God is Almighty, far from allowing God to forego punishment and reward to achieve His Will, instead makes the link all the more indis-

54. *Deuteronomy* 10:11-13.

55. See Presidential Address, *Punishment and Suffering*, by H. Fingarette to the American Philosophical Association (March 26, 1977).

soluble. And I can only allude here to the fact that what we discover to be true of dominion over will is *a fortiori* true of all systems of government.⁵⁶

The concept of dominion over the will and the phenomenon to which it refers are very familiar to us. When one examines the concept, however, a number of paradoxical implications quickly emerge. When the dominion over human will is exercised by an Almighty Will the paradox intensifies. But inasmuch as the basic paradoxes are quite general, we can develop them in more homely and less controversial contexts than that of the Divine Commands and subsequently apply the results of our analysis in the latter context.

Suppose, for instance, that your will is subject to my will. I am, perhaps, your superior officer in the military, your supervisor on the job, or a judge issuing an order to you. The first thing to notice is that I am exercising power over your will, not your body. The difference is this: if I grab you and hold you, I am exercising power over your body, but if I give you an order, the immediate object of my power is your will. Instead of being subject to bodily force, you are to act of your own will as I order you to act. If I give you an order, this act presupposes that you have the power to act on it of your own will. But this act also necessarily presupposes that you have the power to disobey me, to exert your will in a way contrary to what I command. In short, the first paradox of exercising power over someone's will is the presupposition that the subject has the power to disobey.

This paradox necessarily holds true of God's laws, too. God may command us to act in certain ways. In doing so He exercises His dominion over our will. But this exercise of dominion, if it is to make any sense, implies that He does not physically compel us. He requires that our will conform to His Will. And this requirement in turn only makes sense if he leaves us the power to act of our own will, that is, the power to obey or to disobey.

So it is that the central drama of Old Testament history, from the forbidden tree in Eden to the last of the prophets and chroniclers, springs out of this paradox of the dominion over will. It is the drama of the disobedient children of God. But this is a drama inherent in

56. *Id.*

any relationship that turns on exercising dominion over the will rather than over behavior directly.

Now we have to go farther into the paradoxes of dominion over the will because, depending on whether the subordinate will obeys or defies the dominant will, new and differing paradoxes arise. Suppose, first, that you do not comply with my order as your commanding officer. What remains to be done? If I do nothing then my order turns out to have had no force, no power at all over your will. I said, "Do so and so." But you do not do it. Because I do nothing about it subsequently, there is neither constraint of your power at the time of the act nor any constraining consequence for your future power. So the verbal form of what I said may have been that of a command, but apparently it was not seriously meant as an order, or perhaps I changed my mind after giving it and decided it should not be enforced. In any case, although I say you must do it, your power to do as you willed is at no point curbed. But then I do not dominate your will, I do not really exercise power over it; I only talk as if I did.

There is only one way out of this paradox if there is to be such a thing as a command or law having force as such, and it is the universal, age-old way: I must in some way constrain, curb, or humble your will because of your disobedient act. It must be a constraint on your will subsequent to the act because it is essential that you have the power of will at the time the act.

To constrain, humble, or crush the will is, of course, the very core of what is classically meant by suffering. To suffer is to endure that over which our will has no power, that which is against our will. To suffer is to be the patient, not the agent. "Behold, we count them happy which endure. Ye have heard of the patience of Job . . ." ⁵⁷

How does one humble a person's will and make a person suffer? Among the universally effective forms of humbling the will are the infliction of physical pain and the deprivation of access to loved ones or home, of liberty, and of honor or property. These acts are ubiquitous forms of punishment because they are generally contrary to what human beings will. If people generally willed these things, they would not be thought of as suffering. You do not really punish masochists by imposing the kind of pain they relish. Exile would not punish one who longed to shake the home dust from his feet. It is

57. *James* 5:11 (King James).

because most of us would will not to be in pain that the infliction of pain is institutionalized as reliably punitive, and so, too, for exile, close confinement, loss of property, and public disgrace.

So the second paradox of dominion over the will is that the dominator's hand is forced; the logic of the enterprise dominates the dominator. There is no meaningful alternative to punishing the disobedient, making them suffer for their disobedience. It is not that punishment necessarily deters future disobedience; it is that the idea of laying down a law, order, or command loses its significance if not conjoined with the idea that the consequence of disobedience will be punishment, humbling of the will.

This paradox intensifies when we assume that God's central relation to us is expressed in terms of His Will or Law. Then even the Almighty is bound by this necessity intrinsic to law. He has no option. He must punish us by making us suffer for disobedience. It becomes empty verbiage if I say that God exercises dominion over my will, that He commands me, if I also acknowledge that I have the power of my own will to act contrary to what God enjoins and if I aver that, if and when I exercise my own will, he does not intend to impose constraints over my will as a consequence. This situation amounts to saying that He leaves me free to do as I will.

The third and largest paradox of dominion over the will is that, because the dominator is dominated by the necessity of imposing punishment, the subordinate will ultimately gains a certain crucial element of control over the dominator, even if the dominator is God. If I will to disobey the Lord, I compel him to punish me. In the case of fallible and finite lawgivers, the element of their fallibility enters, and this element weakens my power. A human lawgiver must, in general at least, attempt to punish, but any of a number of eventualities may intervene to prevent the punishment. But for an all-powerful God who cannot be turned from His purpose, who carries out what He decides,⁵⁸ there are no such alternatives once He has decided what His Will is. God then has no choice but to punish me if I disobey. And whether or not I disobey is of course up to me. To suppose otherwise makes the concept of issuing commands incoherent and unintelligible.

A fourth and final result, more interesting yet, is that if I choose to comply with the Lord's Will, He must not punish me; He must not

58. *Job* 23:13-14.

make me suffer as a consequence. He must, in effect, reward me. This idea needs a brief further explanation. Imagine that a professor says to the student: "You are required to turn in a term paper by next week; if you fail to do so, you get an F. On the other hand, if you do turn it in on time, you also get an F." Now what possible sense can be made of that statement? It is an absurd, bizzare way of talking. But if the professor is serious, what we must take it to mean is that the term paper is irrelevant. The professor merely talks as if the F were in some way a consequence of the paper. But what the student is in effect being told is that regardless of whether the paper is turned in, the professor has resolved, for reasons as yet unexplained, that he will give that student an F. The true meaning of the statement is that the paper will have no effect on the grade. By contrast, if one really means to impose a demand upon a person's will, to require a term paper for example, one must be understood to intend to act subsequently in such a way that it will make a difference whether there is obedience; otherwise the command loses its sense.

So, too, even if it is the Lord commanding us how to act, our compliance or noncompliance has to make a difference. Noncompliance must have undesirable consequences; otherwise we are really being left free. But if it is to make a difference whether we comply, it must be the case that the consequence of compliance is that we are not made to suffer, that our will is not constrained. But to say my will is in some respect not constrained, curbed, frustrated, or humbled, amounts to saying that my will is in that regard accomplished or that I achieve what I will. That proposition amounts to saying that as a consequence of obedience I am rewarded for my obedience. For, after all, reward is but the complement of suffering. Reward is the fulfillment rather than the frustration of will in some respect, or it is not reward at all from the subject's standpoint.

It may seem at first that one could escape this logic by distinguishing between moral law, with the consequent moral character of a particular deed, and enforced law, which implies that empirical consequences are visited upon us for our deed. In this view God's will merely establishes the objective norms by which to evaluate conduct. But we still face the fact that if no consequences eventuate, then whatever the right or wrong labels mean, they do not reflect any will on God's part as to how we shall act in this regard. It is unintelligible to say that God, or anyone, wills that someone should will rightly and, then, to assert further that the subordinate will is left the full power

to act rightly or wrongly and that it is understood that nothing is ever to be done subsequently by God to affect the will of the subject favorably or unfavorably, depending on how the subject acted. So the proposition that God's commands are to be taken as moral norms but not as enforced by punishment and reward amounts to the odd proposition that God has in reality no will one way or another as to whether the subject shall act rightly or wrongly! If He does not have any will in this regard, why should we? We are left with nonsense.

So, I repeat, the oddity about the Lord's exercise of dominion over our will is that ultimately it puts Him in bond to us. We can, by our conduct, of our own will, manipulate and control His response. This irony is the logic of law, the inner meaning of dominion over a will. If I choose to disobey, I compel Him to punish; and, far more appealing, if I choose to obey, He is foreclosed from making me suffer for it. That is, He must gratify my will by rewarding me. This logic is not God's grace but His necessity. It is not the necessity of magic.⁵⁹

59. Professor Edwin M. Good has remarked on the manipulative power that human beings have over God by virtue of the reward-punishment feature of the Divine Will. Professor Good, however, asserts that Job's belief that we have such a power is a belief in magic. He sees the *Book of Job* as a protest against such "magical dogmatism," the belief "that in the last analysis man has the upper hand over God." Good, *supra* note 16, at 197. So the sticking of pins into the image of an enemy is in this respect no different from the "pursuit of moral or theological excellence," for both are equally magical in that the aim is man's self-fulfillment by methods that purport to produce inevitably the desired effect. Good sees Job as moving "from a position of magical dogmatism to his ultimate stance in faith." *Id.* at 197-98. Although I agree and have emphasized that the belief in the necessity of retribution and reward is in effect a belief in our power over God, I disagree with Good's account in two respects. First, and most important, I have tried to show that the belief in the inevitability of retribution and reward is not a primitive, naive, irrational, or magical belief; on the contrary, it reflects insight into a genuine and central logical necessity in that it is unintelligible to assert God has commanded us to act in certain ways and at the same time to deny that He inevitably punishes the disobedient and rewards the obedient. Second, I find Good's account of Job's transformation ambiguously stated in regard to a crucial issue: Good says that Job's sin is his readiness to dethrone God in the interests of his own personal fate. *Id.* at 238. But in truth Job is not, in his conduct, attitudes, and motives, a man who is committed to self-fulfillment or who is trying to use his moral excellence merely as a device to win benefits for himself; he is a person of true and complete "faith" (to use Good's term here). The honor and wealth with which the pious are to be rewarded are for him the signs of God's good will, not ends in themselves. That lesson is what the whole story is designed to show us: what a truly pious man is and how wrong the satan was in alleging that Job is self-oriented and manipulative. On the other hand Professor Good is right insofar as his claim pertains to Job's beliefs. Though Job was motivated by faith and not by the desire for reward, he did hold the belief, as did his three friends, that God's will and attitude toward man is expressed through reward to the righteous and punishment of the

It is the necessity internal to the concept of the force of law. Because the Old Testament view is that God's all-powerful, all-seeing Will is at the very center of our existence as His creatures, and because the fear of God and the eschewing of evil as defined by His law is what gives ultimate meaning to that existence, it follows that, if I choose to keep my will in conformity with His commands, my will will be unconstrained or fulfilled. Therefore, I will in all significant ways prosper by being rewarded for obedience to His Will.

I am not, of course, saying that Job and his friends had developed precisely the analysis that I have been presenting. I have given an explicit analysis of what I believe was intuitively perceived by these thoughtful and religious men and by so many other religious persons in the Judeo-Christian tradition.⁶⁰ It is a truth that is readily blinked at by those who would at one and the same time hold to belief in God as just lawgiver and judge, and yet remain skeptical about the inevitable triumph of virtue over vice.

Given this insight, then, Job is inevitably driven to the highest pitch of moral despair and confusion. He feels that, if this is a world of law, then his suffering must signify either his guilt or God's failure justly to enforce the law. What does not yet enter Job's mind is the more profound logical possibility suggested by the observation that not only he, but other innocents, suffer in this world, and that the wicked often prosper. On the analysis that I have given, that observation implies that the concept of God-as-Lawgiver is incoherent and inapplicable to the reality of existence. Given lack of symmetry between righteousness and reward, and between wickedness and punishment, the concept of God's injustice loses sense along with the concept of God's justice, because these concepts can only make sense in the context of law, and that concept becomes incoherent where there is no such symmetry in a world ruled by the Almighty. It is this logically implied truth—the irrelevance of the concept of law in

wicked. It is when the facts of life shake this belief that Job is thrown into moral perplexity and despair. For, although his faith in God never wavers, he no longer understands its meaning. Given the realities that he candidly confronts, Job's belief provides no acceptable interpretation of what life devoted to God can mean; yet the ultimate reality, now intellectually inexplicable to him but nevertheless actual, is his true faith in God, regardless of rewards or theories.

60. This insight is also central to two great strains of Chinese thought, the teachings of Confucius and of Lao Tzu. See H. Fingarette, *Evans-Wentz Lectures in Oriental Religion* (Stanford University, April 1977).

relation to God—that Job will eventually see as an experiential revelation.

But we had left Job in that strange abyss of despair in which he charges God with injustice, and yet paradoxically claims confidence that his case will be judged, and judged justly. His faith in God remains, and so does his loyalty, though his logic is hopelessly against him. He has pressed the issues to the limit; the friends, far from succeeding in their aims, have only succeeded in prodding and provoking him into this explicit allegation against God and defense of his own integrity.

It is important to note that by this point Job has ceased to address God directly⁶¹ and has lost hope of a direct response. His efforts on his own have failed, and he has recognized this personal failure. Nevertheless, he maintains his integrity.

Suddenly there appears on the scene a young man, Elihu, unannounced, who was never mentioned prior to this time. He is bursting with the message and succor he brings. He charges Job with presumptuousness: Job, a mere man, accuses the Lord of purposely perverting Justice! What a positive thirst for irreverence!⁶² Of course we and Job have already recognized this much. Job's agony occurs in part precisely because "though I am in the right, I am condemned out of my own mouth for saying so!"⁶³

But Elihu is a transitional figure. Although he expresses many of the now familiar arguments and attitudes, he also introduces important new ones that are not necessarily consistent with the old. In a number of instances he reasserts familiar views and attitudes, but he puts them in a new perspective. Elihu insists that God is just,⁶⁴ but his insistence takes on a different color when he takes up a rhetorical question that Job had earlier raised: "If I have sinned, how do I injure Thee?"⁶⁵ Elihu repeats this question with a new context and

61. Good brings this fact out and says the Job directly addresses God only twice after chapter 14, very briefly once in 17:3-4 and again in the midst of his final summation in 30:20-23. Good interprets this fact to mean that, although Job can "hope against hope," he basically has given up hope that God will render justice and sees no point in addressing himself to God. Good, *supra* note 16, at 231-32.

62. Job 34:5-7.

63. Job 9:20.

64. "The truth is, God does no wrong, and the Almighty does not pervert justice." Job 34:12 (New English Bible).

65. Job 7:20 (New English Bible).

emphasis: "Look up at the sky and then consider, observe the rain-clouds towering above you: How does it touch Him if you have sinned? However many your misdeeds, what does it mean to Him? If you do right what good do you bring Him, or what does He gain from you?" And then Elihu gives a flat answer: "Your wickedness touches only men, such as you are; the right that you do affects none but mortal man."⁶⁶ So God's justice, or whatever it is, is not a matter of law, because human obedience or disobedience does not touch Him but only human beings.

Elihu, the young man, also announces that wisdom comes in suffering,⁶⁷ which not only is a strange thing for a young man to say but contrasts sharply with the idea that suffering signifies guilt. Elihu says we must reach the depths of suffering, hopelessness, and helplessness before God may send a being to intercede or to ransom us for a new life.⁶⁸

This idea, again, is a new twist on an old idea. Job himself had earlier expressed the faith that he would be vindicated by a *goel*, an avenger or ransomer.⁶⁹ But Elihu shifts the emphasis, and the transaction takes on a new meaning. Now the suffering is portrayed not as mere grievance to be avenged or righted; it is instead the very holy medium through which God transmits His teaching, and it is only when all hope is abandoned that the message can be effective and the *goel* at last appear.

This teaching raises a puzzle that we must pause to examine. The teaching that we become wise through suffering, and the teaching that we need an intercessor, are familiar enough. But we need to understand how and why this is so. It will not suffice to view these requirements as arbitrary, even sadistic, rules of the game. There is here an intelligible internal necessity, a necessity and a meaning that are again linked to the concept of the will. What is central in the notion that we become wise through suffering is the truth that suffering is, as has been said earlier, the humbling of the will. To suffer

66. Job 35:5-8 (New English Bible).

67. "[M]an learns his lesson on a bed of pain . . ." Job 33:19 (New English Bible).

68. "[H]is soul draws near to the pit, his life to the ministers of death. Yet if an angel, one of thousands, stands by him, a mediator between him and God . . . if he speaks in the man's favour . . . then that man will grow sturdier than he was in youth." Job 33:22-25 (New English Bible).

69. See note 49 *supra*.

is to be compelled to endure, undergo, and experience the humbled will, rather than to be able to act and to accomplish one's will.

The wisdom taught by suffering is the wisdom learned in living, not in books; it is the experience of the finitude and fallibility of the personal will, and also, in the perspective of human mortality, of its ultimate impotence and defeat. The message of suffering is thus implicit in suffering itself; it is not a lesson only contingently associated with and conveyed through suffering. The experience gives wisdom when we see the fact for what it is, when we experience the humbled will and see at last the will as humble, inherently finite, and fallible, and when we accept this truth in our very bones and not merely in theory. We can obscure the truth of suffering by inventing false theories to explain away the humbling of the will. We explain it away as a contingent affair, an error, or a failure on our part that can be corrected and obviated by some further appropriate act of our own will.

This wisdom is basic to teachings other than that of the Old Testament *Book of Job*; it is at the core of the wisdom of the Bhagavad-Gita, Buddhism, Lao Tzu, Confucius, and the teaching of Jesus as well.⁷⁰ It is especially relevant to Old Testament theology because of the role of God as Lawgiver. For, as I have pointed out, a deeper implication of this notion is that we human beings have a way of subjecting God to our will and thus infallibly achieving our will. All we need to do is obey His law; by so doing we compel Him to make us prosper.

Elihu does not explain all this, but he announces it. God's message comes in suffering; an appreciation of the meaning of the message comes only when we despair of our own powers, thus accepting the inevitability of the humbled human will and accepting suffering as intrinsic to our mortal existence. The implication of the message is that salvation and reconciliation with creation can not be accomplished by depending fundamentally on our own personal will. There must be a *goel* or an intercession from outside. No *goel* can save us, however, until we have learned the essential wisdom that consists in abandoning hope in our personal power to make things as we will them to be.

70. See H. Fingarette, *Evans-Wentz Lectures in Oriental Religion* (Stanford University, April 1977).

This teaching may seem to be grim and despairing. But it is only grim to one who has placed all hope, consciously or unconsciously, in a happiness that relies on the fulfillment of the personal will, and, more specifically, the hope that we can impose our will on existence because our existence is essentially lawlike and because we can manipulate existence through knowledge of its laws. Loss of such hope is "despair" in the literal meaning of that word, without hope; it has this meaning only in regard to the deceptive hope of imposing one's will on life. To surrender that hope, is by no means to surrender all hope. As we shall see, that concept is the truth that the *Book of Job* teaches.

Elihu also puts another idea in a new way. Eliphaz, Job's friend, had earlier alluded to nightmares that he had had, in which the horror of the idea that a puny man should presume to put himself in the right as against God was revealed to him.⁷¹ And Job, too, had had nightmares that he viewed as visitations or persecution from the Lord.⁷² Elihu also says that God speaks to man in dreams, not to announce His own superiority over man, nor to persecute but to teach a great lesson about man's false pride in hoping to master life on his own terms.⁷³

This lesson of the night, in dreams, visions, and suffering, is not a lesson that demeans, weakens, or darkens. On the contrary, if correctly attended, it inspires true and ultimate strength, the eternal lifting up of song rather than the precarious mortal security of law.⁷⁴

71. *Job* 4:12-21.

72. *Job* 7:13-14.

73. "In dreams, in visions of the night, when deepest sleep falls upon men . . . God makes them listen . . . strikes them with terror . . . to check the pride of mortal man." *Job* 33:15-17 (New English Bible).

74. There is debate among authorities on the Hebrew text of the *Book of Job* as to whether *Job* 35:10 should read, as in the New English Bible, "But none of them asks, Where is God my Maker, who gives protection by night[?]" Or, as in the King James version, "But none saith, Where is God my maker, who giveth songs in the night[?]" The problem arises because there are two very similar root-forms, one meaning to "make music," and the other meaning "strong," "protect," "mighty." Compare the commentaries on this passage of DHORME, *supra* note 10; DRIVER & GRAY, *supra* note 1; GORDIS, *supra* note 4, and Rowley, *supra* note 18, with that of Pope, *supra* note 1. I see no reason why the ambiguity evident to these scholars should not also have registered in the mind of the poet himself even as he wrote. Regardless of whether he had "song" or "support" uppermost in his mind, the two senses reenforce each other wonderfully in this context where suffering, visions, dreams, and angelic intercession are so prominent and where strength is what is needed. It is song and vision

God speaks to us in songs, not law, says Elihu. Once the false hope that our puny will can keep life neatly law-abiding is dashed, our vision is opened to a more magnificent hope in creation, a valid hope.

Listen to the songs in the night, says Elihu, behold the visions of night. Suffer, be passive and open, and endure instead of trying to win your case in life as a matter of rights and fairness. Accept your own ultimate finitude and dependence; accept me, says Elihu, as one who will intercede; surrender your will and instead exalt God and His creation, this life. Be lifted up not by logic but by song; listen, and I will sing.

And then Elihu does sing. At last, and for the remainder of the Book⁷⁵ we are free of argument and legalistic pleadings, and we move into a totally new mode of engagement. Elihu breaks out into a song of the seasons. This fact seems quite irrelevant to those scholars who want to continue to argue the issues! Indeed Biblical scholars have said that the text of Elihu is an interpolation that interrupts the story. And in a way they are right, but in the way they mean it they are so wrong.⁷⁶ Of course it is an interruption, almost overdue one might say, of the legalistic approach to life which has dominated the dialogues.

rather than physical might or legal reasoning that are here the media for receiving God's strength. Accordingly, I have tried to word my paraphrase in the text in a way that retains the ambiguity.

75. *Job 36:26 et seq.* It is true that the New English Bible reads the hortatory phrase of Elihu at 37:14 as "Listen, Job, to this argument . . ." But all other versions merely have "Listen," or "hear." The insertion of the word "argument" in the New English Bible seems to be an interpretative elaboration which, if I am right, is misleading; it reflects the inclination to insist that we are to continue reading the Book as an argument, the very inclination which is fatal to a correct understanding of the Book from this point onward.

76. There has been extensive dispute about the textual status of the Elihu speeches. The views of the commentators range from the claim that the speeches are a very alien interpolation by a later scribe who intended to undercut or oppose themes in the original text to the claim that they are by the same poet who wrote all the rest of the *Book of Job*, though possibly written and interpolated at a date later than that in which the dialogues were written. Certainly the Elihu speeches are in some important sense an interpolation. Elihu appears out of nowhere and disappears into nowhere so far as the rest of the text is concerned. He alludes to things said in the dialogues and adumbrates some of the speeches of Yahweh out of the whirlwind. But no one else ever alludes to him or to what he has said. I do not aspire to enter the debate about the historical origin of these Elihu speeches. But I view the appearance and the utterances of Elihu as integral to the aesthetic and religious meaning of the *Book of Job*. In Elihu we have just the link that is proper and essential to move Job and us from the deadend of Job's beliefs and logic to a new stance, rooted in suffering, song, and visions, towards our life, our existence, and the Divine.

There is a story, which I cannot help digressing to tell, that most of the newly deceased, as they arrive at the pearly gates, are greeted by the attending angel and directed to a broad avenue that will lead them to the Divine Presence; but on the occasional arrival of a professor of philosophy or theology, the angel obligingly points out, instead, a different path leading to an auditorium where there is a lecture on God. I often think of this story as I see how earnestly and ingeniously many commentators on *Job* persist in weaving their logical webs of argument as they move into the Elihu and whirlwind passages in the *Book of Job*. Such readers do not and will not register the fundamental transformation that takes place, the shift to song that transports us and takes us to a profoundly different realm where at last we are granted the manifestation of the Divine. Many readers complain that with the Elihu and the whirlwind passages no new argument is introduced. Such readers are, of course, quite right. What is new, and absolutely central to the Book, is the shift from argument as a mode of teaching to direct revelation through poetry. It is incredible but true that there are still commentators who would strip away the poetic quality of the text, as if it were a decorative veneer rather than a mode of communication, and examine only the words.⁷⁷ Instead of listening to the music of song and poem and opening the self to what the poet does—in short, instead of suffering—such a reader insists on continuing to act or to impose on the text the old categories and modes of inquiry. From this standpoint God's words can be characterized as a "complete evasion of the issue as Job posed it . . ."⁷⁸ Indeed it has been argued that the Lord so patently fails to refute Job's arguments as to warrant our concluding that the poet's real intention was to make Yahweh the butt of the reader's ridicule!⁷⁹

77. A revealing example of the way in which the content of the Book is distorted as a result of this fallacy of taking the "poetry" to be mere "emotional" coloring is the approach of J. Kahn, who attempts a psychiatric analysis of Job's suffering. Kahn says, "It is not our chosen task to comment on the poetic quality of Job's speeches. The language is appropriate to the intensity of the emotion which is being experienced. It is our purpose to draw conclusions about these experiences using the kind of reasoning which would be available to a clinician . . ." This approach, says Kahn, will provide us with a "modern perspective" in which we will "deal with Job's experiences and feelings as being the equivalent of symptoms." J. KAHN, *JOB'S ILLNESS: LOSS, GRIEF, AND INTEGRATION* 24 (1975).

78. Pope, *supra* note 1, at lxxv. Pope says this "must be the poet's oblique way of admitting that there is no satisfactory answer available to man, apart from faith." See note 27 *supra*.

79. Robertson, *supra* note 22, at 468. Robertson also says, "It is clear that in these two speeches [by Yahweh, out of the whirlwind] God is trying to convince Job

Elihu sings⁸⁰ of rains and storms that herald the winter, of the snow, ice, and hail that lead all creatures to withdraw into their dens, and then of the dazzling sun and hot winds of summer. Thus, abandoning the mode of argument, and suiting his actions to his former words, Elihu sings climactically of the radiant light streaming from the northern sky and of the splendor of God.

Suddenly, without warning, and out of nowhere, there is a thundering, shaking, shattering, cataclysmic tempest. The King James translation says that God "answered Job out of the whirlwind."⁸¹ The Hebrew word refers to a rare but terrible tempest of thunder and lightning, great blasts of wind, clouds, and earthquakes, associated in Hebrew literature with the appearance of God.⁸² Elihu entirely disappears from the scene as abruptly and mysteriously as he arrived.⁸³ It is the Voice of Existence that thunders, not a voice in the midst of a thunderstorm, but the self-revealing voice of existence.

Existence does not argue, debate, reason, or adjudicate. It makes no contracts. It issues no commands and promises nothing.

and us of his innocence, that is, of the fact that he is a wise and just ruler of his world." *Id.* at 462. I would have said that, to the contrary, it is clear that God is not trying to do this. What Yahweh says, as well as the mode of His speech, speaks eloquently to the irrelevance of the issue of justice as it is raised by Job. Surely the fact that Yahweh does not offer arguments designed to meet Job's case head-on ought to lead to the hypothesis that, for reasons we need to try to understand, God takes Job's charges to be irrelevant. Robertson's hypothesis is, in my view, a fantastic hypothesis. It is utterly incongruous, in the face of the magnificent poetry of the whirlwind speeches, that the poet intends Yahweh to be the butt of our ridicule!

80. "Remember then to sing the praises of his work." *Job* 36:24 (New English Bible).

81. *Job* 38:1.

82. See *Psalms* 18; *Habakkuk* 3; *Nahum* 1:3; *Zechariah* 9:14; *Ezekiel* 1:4. See also Terrien, *supra* note 27, at 500 n.4.

83. From the standpoint of textual analysis, this fact, along with Elihu's totally unexpected appearance on the scene, tends to support the thesis that the Elihu speeches are an interpolation. See note 76 *supra*. This fact is in no way inconsistent with the thesis that, from an aesthetic and religious standpoint, the interpolation is supremely apt. It certainly fits the view that he is a transitional figure, one who appears only after all hope is lost and who comes to intercede. He does intercede, both by making cryptically illuminating remarks to Job and by singing the praises and wonders of the Lord (rather than by arguing a case or challenging the Lord); and his song, like the small fire that sets a forest ablaze, is swallowed up in the storm it has evoked. It is common for such intermediaries in religious and spiritual crises to appear from outside, perform their role, and disappear again, not being interested parties in the particular crisis. This role is well-established in a number of traditions, from that of the psychoanalytic therapist to that of the bodhisattva in Mahayana Buddhism. See H. FINGARETTE, *THE SELF IN TRANSFORMATION* ch. 6 (1963).

Of course, if we read the words of this Voice as if we were reading an argument or debate, we quickly get the impression, as many readers do, that we are now hearing from a blustering potentate, bullying Job into submission in a display of brute power.⁸⁴

But the Voice out of the whirlwind, whose words constitute one of the great poems of literature,⁸⁵ reveals to us, not by second hand description, but in direct poetic revelation, the glories, the wonders, the powers, the mysteries, the order, the harmonies, the wildness, and the frightening and amazing multifariousness of untamable existence, and its inexhaustible and indomitable powers and creativity. The *Book of Job* shatters, by a combination of challenge and ridicule and ultimately by direct experiential demonstration, the idea that the law known to human beings reflects law rooted in the divine or ultimate nature of being, and the idea that the divine or ultimate nature of being is in its essence lawlike. The absurd and fantastic extremes to which Job's belief in a Divine Lawgiver have led him are explicitly taken up by the Voice in the biting rhetorical challenges to Job, ironically echoing Job's challenges to God. If the absurdity into which Job's challenges have tragically led him have not already warned us, the Voice now explicitly reveals that life can be saved

84. Robertson's views along this line have already been discussed. See note 79 *supra*. Archibald MacLeish also portrays Job as the moral victor over a tyrant god: "I will not duck my head again to thunder — that bullwhip crashing at my ears. . . . Neither the Yes in ignorance . . . the No in spite . . . neither of them!" A. MACLEISH, J.B., *A PLAY IN VERSE* 106-07 (1956). Jung took a similar view of Yahweh as the amoral bully-tyrant. C.G. JUNG, *ANSWER TO JOB* ch. 2 (1960). And Kallen concludes that in the *Book of Job* God's "justice is his wisdom, and this again is nothing else than power, force, the go and potency, generative and disintegrative, in things. It possesses nothing of the moral or the human . . ." H. KALLEN, *THE BOOK OF JOB AS A GREEK TRAGEDY* 71 (1959).

85. See note 4 *supra*. It is a notable fact about the literature on *Job* that even though the magnificence of its poetry, and especially of the Yahweh passages from the heart of the tempest, has been so widely acknowledged, there is so slight attention paid to it as a poetic statement. It is treated as if its ideas could be extracted for logical analysis, while the poetic decorativeness and the emotion it conveys can be set aside. This naive approach to the way in which poetry communicates, and to its content, is crippling in reading a work such as *Job*. The poet presents not arguments but images. I choose at random two out of innumerable amazing ones: "Canst thou bind the sweet influences of Pleiades, or loose the bands of Orion? *Job* 38:31 (King James). "Canst thou send lightnings, that they may go, and say unto thee, Here we are?" *Job* 38:35 (King James). The commentators betray what is communicated in these passages by stripping off the decorative language and taking the message to be: "Are you as powerful or knowledgeable as I am? No!" One might as well discuss the meaning of Shakespeare on the basis of plot summaries.

from trivialization and futility only if we shift to a radically different understanding than that of Job and his counselors as to the meaning of our existence and the nature of the Divine.

The marvel of the *Book of Job* is that in the end it does not offer an abstract logical or legalistic argument or a mere assertion of raw, neutral power but instead, and with enormous genius, presents to us a dramatic and poetic vision. In the way that poetry, music, and art present an experience and a vision, and in a way that argument and theory cannot, the poet reveals. The whirlwind passages are not a would-be lecture about the Divine; they are a poem of the Divine.

The truth that is revealed has several dimensions that are especially appropriate to single out here. We are allowed a vision of existence as inexhaustibly rich in creative energies. We see life and death, harmonies and discords, joys and terrors,⁸⁶ grace and monsters, the domestic and the wild. We are nothing as measured against the whole; we are puny, vulnerable, and transient. As mere beings we can only be humble. But as beings who are conscious of this miracle, who participate however humbly in it, we are transcendently elevated and exhilarated. We are like unto the angels. The corollary of this vision is not simple minded obedience to some set of rules but integrity. It is consciousness of the wonder of existence, not logic, that induces reverence; and authentic reverence compels utter truthfulness in one's stance toward what is revered. This fusion of authentic reverence and truth in which Job has taken his stand constitutes his integrity. Only now it is lifted to a new and transcendent level.

"I abhor myself, and repent."⁸⁷ So read Job's words in the King James text at the end of the whirlwind passages. Indeed, after such stubbornness and such revelation, Job might well feel he has been a blind fool. Nevertheless this translation takes the harshest line, and so far as the Hebrew text goes, the harshness is unnecessary. The original Hebrew may be read as saying something more just and true to the situation: "I melt away, and I repudiate my words."⁸⁸

86. Terrien remarks on the significance of Behemoth and Leviathan as "symbols of cosmic evil." Terrien, *supra* note 27, at 504. He also speaks of the attitude of "self-loss which opens itself to the infinite wonder of holiness." *Id.* at 499.

87. *Job* 42:6 (King James).

88. The New English Bible reads, "I melt away; I repent. . . ." There are differences as to how to render this passage, the idea of "melting away" or "sinking away" being one possible rendering, favored for example by DHORME, *supra* note 10. The rendering "abhor" is common. It is important to note that in several of the principal

The point is that Job does achieve humility; the self-assertive "I" has dissolved. But this humility is the very opposite of humiliation. Humiliation presupposes an "I" which exists and is assertive even in its impotence, an "I" that is coerced and self-denigrating. This suffering is what we ordinarily recognize as suffering; it is misery. But authentic humility reflects neither impotence nor self-deprecation; it is as if the self-assertive "I" had been a cloud over the soul that has dissipated. We can see an analogous loss of the self-assertive "I" in contexts other than the religious. For example, it would be absurd if the authentic humility we feel before the sublime late quartets of Beethoven were confused with the humiliation we feel when put down by someone more powerful or ingenious than we. Authentic humility is never associated with being put down, but on the contrary it is an aspect of the transcendent elevation of consciousness. When Opus 130 speaks to us, the "I" has melted away and is not.

This total openness to the music, undistracted by self-assertiveness, is also suffering, but suffering in a significantly new sense, and of course it is not misery. Here is the ultimate wisdom in suffering, a truth that is transforming because this suffering is not the suffering of the oppressed will but will-less suffering. So the ultimate wisdom in suffering is neither the grimness nor the despair that it seems to one who is still in the grip of the will-full self. Where the personal will is at last absent, suffering is simply transparency to reality, whether this be the reality of Opus 130 or even the reality of pain. All reality, joy or terror, appears not as an object of our will but as a consciousness, a gift, the marvel of self-conscious life.

Job's life is now newly and transcendently enriched. I say "enriched"—a cliché. But what words can we use to describe this deep transformation? We have none. Rather, we must revert to naive

early texts the verb has no object, the word "myself" being an interpretative elaboration added in the translations or later versions. Pope, in a commentary on this passage, says the verb in question is not used in terms of self-loathing and that the object of the verb is not "myself" but "my words." He translates therefore as "Recant." What seems most plain is that there is recantation or repentance; what is most doubtful is that there is self-abhorrence. Terrien translates as "I lose myself into nothing" and stresses that the Hebrew word used here, which is usually translated as repent, has the meaning of intense pain at the thought of displeasing another. Terrien, *supra* note 27, at 505. Terrien says that the idea expressed is, specifically, that of "dying to his old self" and later refers to the "evocation of self-death" in *Job* 40:6. Terrien, *supra* note 27, at 507. See also note 86 *supra*.

metaphor. And that, of course, is how the *Job* story ends, with an epilogue in which we return to the simple language of the folk tale.

Now we can comfortably turn back to the sophisticatedly simple folk tale in which we had left Job, patient, enduring, and unwavering in his acceptance and reverence before Divine Creation. Now we understand who and what he is, and so the folk tale is transformed from a naive tale into a potent and self-conscious myth, a symbol for what is otherwise inexpressible.

Job, we are told,⁸⁹ is now graced with redoubled prosperity, realized in completely traditional form. God gives him twice the cattle he had previously owned, twice the number of sons,⁹⁰ twice the number of years of life; and as a thoughtful touch, God does not give him twice the number of daughters, which would merely have doubled his burden, but instead bestows the same number of daughters Job had originally had. Each daughter now is gifted, however, and most helpfully, with surpassing beauty and a very substantial dowry.

The *Book of Job* is thus not an argument but a book of transformed perspectives. As T. S. Eliot wrote, "Everything is true, but in a different sense."⁹¹ Yahweh had said Job was an upright and blameless man, and the satan took this statement to be a measure of Job's beliefs and conduct but not his basic motives. On the contrary, we eventually see that, in God's eyes, Job's beliefs and his obedience were not the core of the matter. Job's blamelessness before God lay in Job's ultimate integrity in spite of his all-too-human stubbornness and constricted view of existence. The satan saw Job as deeply concerned with the good things of life; and the satan was right, as is evidenced by Job's glorying in the memories of his days of prosperity and his groaning over his loss of wealth, status, family, and health. But what the satan did not realize was that the importance all such things had for Job becomes the very measure of his integrity before God, because, when that integrity is at issue, all else, important as it had been, becomes to Job as nothing. Job is unwaver-

89. *Job* 42:7 *et seq.*

90. Although most translations give Job seven sons, the New English Bible allows a variant reading to the effect that Job has fourteen sons at the end of the story, double the number he had at the outset. The form of the numeral used in the original text is unusual and permits this alternative reading.

91. T.S. ELIOT, *THE FAMILY REUNION*, Part 2, Scene 2, *reprinted in* COMPLETE POEMS AND PLAYS 275 (1952).

ing in his refusal to sell out his integrity for the sake of getting back prosperity. Now the good things of life are revealed as having a very different kind of importance for Job. They are, as he thinks, the signs that he has been true to God and God to him, and it is as signs that he mourns them.

"Everything is true but in a different sense." Job had cried out for God to appear and lamented his inability to force God's hand. Job was right in thinking he could not force God's hand, but when he recognizes this fact fully and resigns hope of imposing his will, God does appear. Job says he could never answer one in a thousand of God's questions if God did appear, and how right he was! But he never suspected the nature of the questions nor the topic. Job was awed by God's power and felt he would be struck dumb and terrorized; and he was right in that attitude, too, for the Revelation is a revelation of awesome and fearful powers and beings. There is no blinking the untamed and monstrous in existence, no more than there should be blindness to the wonders and harmonies. But the surprising effect of seeing all this is that in the end God's oppressive hand is taken off Job's shoulder, as Job had pleaded it should be, and Job is elevated to a new level of existence and consciousness.

The Voice at the outset speaks of Job as one whose "ignorant words cloud my design in darkness," as indeed was true. Job had conceived and spoken of God's creation as merely human law writ large. So had the friends, those wise men of the day.⁹² But, paradoxically, at the end of the folk tale Yahweh says Job has spoken cor-

92. "Wisdom" was a fairly specific school or tendency of thought, identifying a certain kind of teacher in the Near East. There were "wise men" not only in the southern Mediterranean countries but also in Greece — the Sophists. The wise men taught young men, generally the more well-to-do, giving them what purported to be some practical intellectual skills and practical principles of life. Generally the wisdom teachers were concerned with the pragmatic and naturalistic lessons to be learned from life. They did, however, also teach more metaphysical, even religious beliefs. The poem to Wisdom, chapter 28 in the *Book of Job*, is one of the great utterances in this tradition. Socrates can be viewed as a more philosophical and spiritually concerned sophist, a sophist who in truth represented a profound attack on the general run of worldly sophistic thinking. The three friends of Job are presumably wise men of the more prosaic kind. Job, one may suspect, was thoroughly acquainted with the Wisdom thought as well as the legalistic thought, that permeated intellectual and upper class circles in the Hebrew world. But he, too, represents a profound attack on these current intellectual fashions. See the discussion of the Wisdom movement in GORDIS, *supra* note 4, Chapter 4.

rectly; the friends have not.⁹³ And this also is so and is the deepest truth of the book. For Job, unlike the friends, had addressed the Divine in the correct way, with utterly selfless commitment to truth. The friends had addressed the Divine in the wrong way, in that they had been smugly self-satisfied in their assumption that they already possessed all the truth and so could invent realities to fit their theory. They showed neither integrity nor humility in this regard. They were in bad faith before God.

If we turn back now for a last look at what the *Book of Job* teaches concerning law, we find that it is not all negative. The *Book of Job* moves from a central concern with rules and laws and their consequent punishments and rewards to a concern with integrity, reverence for creation, awareness of the radical vulnerability of human beings, and, as corollary and complement, an awareness of the dignity, only a little lower than the angels, that such consciousness gives even to a Job on the garbage heap.

If we accept this teaching of the *Book of Job*, what status remains for law? The simplest part of the message is that law is a matter of concern to humanity and not, in any ultimate way, to God. Or, to put this thesis in less theological terms, human existence cannot be

93. *Job* 42:8-9. Although I do not think the issue rests on the exact words used in the text, I do think it worth noting that my interpretation of this statement of Yahweh's, which he repeats, is not what the words of most translations suggest. The common translation is to the effect that Yahweh charges the friends with not speaking the truth about him, while asserting on the other hand that Job did. However, I have read the passage to mean that the Lord wrathfully accuses Eliphaz and the two friends of failing to address themselves to Him correctly, as Job did. The usual translation thus emphasizes the truth content of what Job's friends say *about* God; my translation emphasizes the manner in which they address themselves to God. In the text I explain why the latter is to me more plausible. I found, on inquiring into the linguistic aspects of the matter after reaching this view, that there are indeed grounds, based on textual scholarship, for the reading I prefer. It was actually proposed long ago by Bude. See DRIVER & GRAY, *supra* note 1, vol. 1, at 374, vol. 2, at 348. The word translated as "truth" or "rightly" has the basic meaning of "correct," and this meaning includes the relevant ambiguity at issue here. There are differences among the classical textual sources as to the exact word and grammar, and the differences bear on just this ambiguity. See Habel, *supra* note 1, who notes that there are versions that do in fact use language more akin to my interpretation. DHORME, *supra* note 10, at 648, is illuminating as to the extent to which the passage is ambiguous in respect to this issue. My own feeling is that we probably have to do with an idiomatic use that overlaps with several similar English idioms; we, for example, speak to a question; we address the question. That is to say, we concern ourselves with the issue, as the friends and Job were concerned with God. This concern is to be talking about God, but also to be talking to Him, before Him and not merely about Him, as of an absent party.

encompassingly understood in terms of law and justice, because these things, grand and important as they may indeed be for human beings, are far transcended by the mysteries and many-sidedness of the creative forces that work through us and upon us. We need not diminish the importance of law; we need to magnify human existence.

But if the book teaches negatively that law cannot possibly suffice as our ultimate perspective, it also teaches positively three theses of fundamental significance to law: the near god-like dignity of the individual, the awful vulnerability of the individual, and the need for reverence and awe before this world in which we exist. Surely these three tenets must be at the foundation of any system of law if it is to abide in the spirit of the teaching of the *Book of Job*.

Taken as a whole, this teaching leaves open the specific nature of law. The particular system with its procedures, statutes, and other paraphernalia will be related to specific local cultural conditions and will reflect the kind of creativity of legal thinking and practice that emerges under those conditions. In this way, it seems to me, the *Book of Job* leaves us a desirable freedom; it serves as an intellectual and spiritual weapon with which to fight off dogmatic imposition of specific laws or systems of law presented under the guise that they are divinely inspired, either literally or metaphorically.

On the other hand the lesson of *Job* is by no means one of pure relativism or positivism. It does not leave the law without roots in the foundations of our existence.⁹⁴ True, we have no specific guidelines as to what, in particular, constitutes respect for human dignity, reverence for the wonder of human existence, and compassion and concern for our profound vulnerability. But then who could expect such things to be set out explicitly in abstract terms? Certainly the poet of *Job* saw the futility of such a hope, for he saw that these three foundations arise out of revelations, human wisdom, and suffering, not out of mere reason. No constitutional provision can guarantee against governors and legislators who have shut out these realities of human existence. Nevertheless, it is no less urgent and fundamental that the law, whatever its local form, must have, as its primary

94. There is expressed in the text above a conception having interesting affinities to the view of Hart as to what he calls the "minimum content of natural law;" H.L.A. HART, *THE CONCEPT OF LAW* 189 (1961), especially when this view is taken in conjunction with his theses about respect for the individual as central to our notion of justice. See H.L.A. HART, *PUNISHMENT AND RESPONSIBILITY* 49 (1968).

wisdom and inspiration, the consciousness of the mystery, and dignity, and vulnerability of human existence.

Such a thesis may seem so vague and so intangibly spiritual as to lack any genuine, concrete usefulness for the practice of law. And yet this is not the case. It is a preconstitutional thesis that sets the context of deepest principle, as is found in such a basic document as our Declaration of Independence; and it can have a profound political and legal vitality. Such principles, and the spirit they embody, have moved nations, but only when this spirit is alive in the people. It is vision, not legalistic argument, that is the inspiration. Those who think doctrine and administrative structure constitute law fail to understand that when such vision ceases to inspire the people, the best legal institutions become corrupted. Such a threat is not so far away from us today that this prospect should be difficult to see.

Truly, this book must be seen in a context suggested by the poet's own words, a context in which tension is maintained by contrast. Job had said "What is man, that thou shouldest magnify him . . . and that thou shouldest visit him every morning, and try him every moment?"⁹⁵ These words mirror and are answered by the words of the Psalmist, "What is man, that thou art mindful of him? And the son of man, that thou visitest him? For thou has made him a little lower than the angels, and hast crowned him with glory and honour."⁹⁶

95. *Job* 7:17-18 (King James).

96. *Psalms* 8:4-5 (King James).

