

Matters of Conscience I: The religious obligation to obey  
(Genesis 3: 1-24; Deuteronomy 29:9-14)

I was a congregational rabbi in Alameda in 1994 when the Major League Baseball strike began and kept on going. As the Oakland Coliseum remained empty, ideas for how to use the space flew around like wild pitches. One of the wackier ones was a baseball game pitting the priests against the rabbis. The clergy, with histories of playing Little League and fantasies of playing in the big leagues, loved the idea. It was scarcely an even playing field—the priests brought in some young ringers—athletes from local Catholic high schools, and as you can imagine—the middle-aged rabbis lost in a rout. However, the way we figured it, we won the moral victory—first, we had a woman rabbi on our team—something the priests couldn't claim, and second, we had a uniform. One of the rabbis' congregants was an executive at Hebrew National. He donated tee-shirts and caps to the tribe. The rabbis took the field against the priests with six memorable words emblazoned on their chests and heads—“We answer to a higher authority.”

“We answer to a higher authority.” Hebrew National's slogan is probably one of the most recognizable in the history of advertising. Still strong going into its fifth decade, it may account for the fact that 75% of Hebrew National's kosher hot dogs are sold to people who don't keep kosher. Whatever our dietary restrictions, we find it appealing to answer to a higher authority—we associate it with integrity, quality, purity. Not only in what we eat, but also in how we live.

We want to answer to a higher authority, to tie ourselves to something larger than we are, to court cosmic approval, to obey, when obedience suggests not subservience, but loftiness.

Educator Parker Palmer tells the story of a man grappling with answering to a higher authority during a retreat he led for federal government officials. Among them was a farmer from northeastern Iowa. For 25 years, he had worked the land before spending a decade working at a desk in the U.S. Department of Agriculture. Although his body was at the retreat, his mind was elsewhere—he was troubled by a decision he had to make. He was reviewing a

proposal for preserving Midwestern topsoil, which was being depleted by agribusiness practices that prioritized short-term profits over the well-being of the earth. His “farmer's heart,” he kept saying, knew how the proposal should be handled. But his political instincts warned him that following his farmers’s heart would result in serious trouble, especially with his immediate superior.

On the last morning of the gathering, the man from Agriculture, looking bleary-eyed, told the attendees that it had become clear to him during a sleepless night that he needed to return to his office and follow his farmer's heart.

After a thoughtful silence, someone asked him, “How will you deal with your boss, given his opposition to what you intend to do?”

“It won't be easy,” replied the farmer-turned-bureaucrat. “But during this retreat, I've remembered something important: I don't report to my boss. I report to the land.”<sup>ii</sup>

At a retreat, during a sleepless night, this man’s conscience guided him to report to the land, to heed his inner wisdom, to answer to a higher authority. Religious texts and traditions are often a source for higher authority and inner wisdom. Yet, paradoxically, the word, “conscience” does not appear in Hebrew Scriptures. Perhaps this is because the concept is easier to illustrate than to translate. The text that Karen just read points to Adam and Eve’s pangs of conscience after they ate the fruit that was forbidden to them. “Their eyes were opened...I heard the sound of You in the garden and I was afraid because I was naked, so I hid.” Like children, Adam and Eve knew what they did was wrong. Their attempts to ignore their conscience is familiar to us. They felt unmasked. They justified their disobedience. They passed the buck. They hid from God. To no avail. It is as if God’s presence, God’s questioning, “Who told you that you were naked? Did you eat of the tree from which I had forbidden you to eat?” was an external soundtrack to the questions they were hearing in their own minds. God wasn’t looking for information; God knew what they had done. God was seeking responsibility. God desired that Adam and Eve heed their conscience, a possibility that, paradoxically, only existed because they ate from the tree, because they exercised free will, because they disobeyed the one and only request made of them, which enabled them to know good and evil.

Throughout the Bible, there are physical manifestations of troubled consciences, and, like our farmer, it is the heart, not the head that is the site of

those troubled consciences. For example, after King David sent the husband of his lover Batsheva to his death in the battlefield, we read, “David’s heart smote him.”

In Modern Hebrew, there **is** a word for conscience—*matzpan*. Hebrew is comprised of three letter roots, which create a family of meanings. The root meaning of *matzpan* is “hidden”. The same root appears during the Passover Seder, in the ritual that ends the Seder, when children search for a piece of broken Matzah that the leader of the Seder has hidden. Once they find it, the adults negotiate with the children to redeem this special Matzah so that the Seder may conclude. My friend Rabbi David Zeller once commented about the wisdom of this ritual, “Children return the lost parts of ourselves to us.” Similarly, Modern Hebrew coined another word in the same family of roots—*matzpen*—meaning “compass”. As Rabbi Harold Schulweis notes, “conscience may be understood as the hidden inner compass that guides our lives and must be searched for and recovered repeatedly.”<sup>ii</sup>

Let me say that again. “conscience may be understood as the hidden inner compass that guides our lives and must be searched for and recovered repeatedly.”

Conscience is hidden, sometimes even from ourselves. And when it is revealed, it is not uncovered once and for all. It is as if we play peek-a-boo with our conscience. Obedience is not straightforward. Obedience to whom? Under what circumstances? Calling forth which consequences? Like the man with the farmer’s heart, obeying our conscience may clash with obeying rules or norms or conventions.

When I was fifteen, I participated in “JFTY Mitzvah Corps,” a summer program that changed the direction of my life. I lived with a group of Jewish teens under the leadership of a rabbinic student and his wife. We worked in the inner city by day and studied Jewish texts by night. It was in one of those night study sessions that I first learned of Professor Stanley Milgram’s 1961 social science experiment exploring obedience to authority. Professor Milgram designed a protocol where subjects, who were cast as teachers, were instructed by researchers to deliver electric shocks to learners each time the learners gave incorrect answers to the teacher’s questions. The teachers asked the questions and the students, who were confederates of the research study—that is they did not actually receive electric shocks—sometimes answered correctly and sometimes didn’t. When they were wrong, the teachers pushed buttons, which

they believed caused the students to receive increasingly strong shocks. The learners, playing their role as instructed, moaned and screamed as the shocks grew in intensity. Nonetheless, almost two-thirds of the subjects in their role as teachers obeyed the commands of the laboratory clad researchers to continue the questioning, even as they believed they were hurting, perhaps seriously, the students. The calm, reassuring, authoritative presence of the researchers silenced the consciences of the teacher/subjects.

Professor Milgram wrote, “The essence of obedience consists in the fact that a person comes to view himself as the instrument for carrying out another person’s wishes, and he therefore no longer regards himself as responsible for his actions.”<sup>iii</sup>

This kind of obedience comes at the expense of outsourcing our own conscience. As C. P. Snow once observed, “When you think of the long and gloomy history of man, you will find more heinous crimes have been committed in the name of obedience than ever have been committed in the name of rebellion.” If the higher authority we are being asked to answer to, is shortsighted, misguided or corrupt, what are we to do?

A fourteen-year old boy slipped across the border. It was the final leg of a hasty journey. His father was imprisoned. His brother had fled the country and was now securely across that same border. For his safety, his mother had put him on a train. He met up with two other kids. A man who claimed to know a route across the border took their money, led them to a clearing where the river tapered off into a narrow easily passible stream and said, “Okay, there’s the border. Now you can go to the other side.” They waded through knee-high water and, moving soundlessly, followed a foot-path into an open field. They breathed a sigh of relief—until barking dogs pierced the silence, tipping off the guards, who promptly sent the kids back. The next night, the boy tried again, fording the river a second time, this time with the help of two guides who distracted the border guards. They spirited him to a secluded bungalow and drove him to a refuge. The next day an official appeared, dressed in a crisp police uniform. The boy would not soon forget the man, because, after interrogating him for several minutes and taking stock of his options, the officer told him that he could stay.

No, this is not the story of a child crossing the Rio Grande on our southern border, hoping for asylum and safety, though the parallels are unmistakable. It was not in my lifetime or even in many of yours. This was the story of a young Austrian Jew escaping into Switzerland in 1938 just after Kristallnacht, “the

Night of Broken Glass”, when in Austria and Germany, a thousand synagogues were burned, thousands of Jewish shops were ransacked and scores of injuries and deaths took place. It was also just after the chiefs of police in Switzerland, a country that had long prided itself on hospitality to strangers, were told that anyone who crossed the border without proper papers, especially any Jews who crossed the border, was to be denied entry. No exceptions.

Yet Paul Gruninger, the commander of the state police in northeast Switzerland, the officer who appeared dressed in a crisp police uniform deciding the fate of that frightened fourteen year old made an exception. Thousands of exceptions, actually. Chief Gruninger was not a rebel. He was not political. He was not especially religious. His daughter described him over and over again to a researcher as “normal.” So why did he, a conservative officer of the law, who swore to uphold it defy the orders he received? His daughter said, “He saw what condition the people were in when they arrived and he knew all too well what would happen if he sent them back. He would always say, ‘I could do nothing else.’” Unlike the other police chiefs, who delegated responsibility to others, who hid behind their bureaucracy, who made it a point not to experience the repercussions of their policy, Gruninger did not separate himself from the people and from the reality of his decisions. “Refugees came up to him, sometimes on their knees and asked for help.” And when they did so, he gave it. Paul Gruninger was obeying his conscience, but not only that. As he defied an inhumane law in order to obey a higher authority, he did so as a patriot. He believed with all his heart that his was an enlightened nation. He upheld an ideal—the proud tradition of his country serving as a refuge, a safe haven. He did the opposite of the subjects of Milgram’s experiment, who outsourced their conscience to someone higher than themselves.

Paul Gruninger’s story does not end well. He did not waltz into the sunset serving as a beacon to others. At least, not in his lifetime. He was convicted of official misconduct and fined. He lost his job. He lived his entire life and ultimately died in poverty and disrepute. Even after the war, when his bravery might have been appreciated, it instead served to remind his compatriots of their own lack of courage and complicity. It was only in the 1990s—decades after his death and half a century after his humanitarian acts—that his country issued a statement of gratitude and respect and then exonerated him of “criminal fraud for backdating records and falsifying papers in order to save people’s lives.”<sup>iv</sup>

It may take time for conventional wisdom or the conscience of a nation or the evolution of humanity to catch up to the idealists, the courageous, the obedient (to a higher authority) among us.

In our news every day are stories of children trying to cross the border. We think of ours as an enlightened nation. We, too, have a proud tradition of our country serving as a place of refuge, a safe haven. Where are the Paul Gruninger's among us? Where are those who will not protect themselves with layers of bureaucracy, who will not refuse to see, who will not turn away when someone comes to them seeking help? How long will it be before we, as a nation, honor those who obey their conscience?

One might argue, perhaps we are not in a position to make such decisions. Then, what are the times in our own lives when we are asked to answer to a higher authority? To whom or to what do we obey? Is our conscience hidden or have we searched for and recovered our own compass? Can we be the ones who refuse to relinquish the best ideals we hold? Are we willing to accept the cost of being misunderstood, ahead of our time, or worse?

In Deuteronomy we read, “You stand this day, all of you, before the Eternal your God—your tribal heads, your elders and your officials, all the men of Israel, your children, your wives, even the stranger within your camp, from the woodchopper to water drawer—to enter into the covenant of the Eternal your God which the Eternal your God is concluding with you this day...”

Whatever our position, whether we be children, elders, officials, strangers, laborers, each of us has been endowed with a conscience, with a covenant and with a connection. We stand together in our religious obligation—to answer to a higher authority, to affirm our common humanity. May all of our decisions and all of our acts reflect that knowledge. May we always live so that our conscience is revealed, and that our compasses help us to find our Northstar. So may this be the will of the Eternal.

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<sup>i</sup> Parker Palmer, *A Hidden Wholeness*

<sup>ii</sup> Rabbi Harold Schulweis, *Conscience*, p. 5

<sup>iii</sup> Schulweis, p. 106-7

<sup>iv</sup> Eyal Press, *Beautiful Souls*, “Disobeying the Law” p. 11-46