

Religious Law and the Visual Secular

Of the giving of the law at Sinai depicted in the Hebrew Bible, the history of Western art does not lack for images. Throughout early modernity, representations of religious law, in this context, commonly amounted to representations of Mosaic law [show Figs. 1-4]. A good number of the images of Moses holding the tablets of the law and breaking them assign a prominent role to the actual tablets themselves, which are variously shown with letters engraved in Hebrew, in Latin, in vernacular languages, and occasionally, with no lettering at all [show details; Figs. 5-8]. Yet perhaps the best known work of art associated with the Mosaic law in Western art—Michelangelo’s “Moses” (1515), which figures prominently on the wall tomb of Pope Julius II in the Church of San Pietro in Vincoli—[show Fig. 9] shows us next to nothing of the actual tablets and nothing whatsoever of the words engraved on them. They are tucked rather inconspicuously at the side of the lawgiver [show Fig. 10].

Given their peripheral status, it is not entirely surprising that modern viewers of this sculpture have tended to focus on the lawgiver rather than the tablets of the law and the status of the words engraved upon them in Judaism and Christianity.¹ This is especially the case for those viewers who have read Freud’s 1914 essay, “The Moses of Michelangelo.” In looking at the statue, what compels our immediate attention is the supposed inward crisis that has arisen for Moses [show Fig. 11] in the course of dealing with those to whom the law was given. The law itself figures as accoutrement, background, or prelude to that dilemma.

Moses’s crisis, in Freud’s account, does not involve any attempt to invoke the party who was ostensibly responsible for getting him into his vexing predicament in the first place (namely, God) or indeed, any recognizably “religious” issues of which we might speak. Yet Michelangelo’s Moses, for Freud, is “more than human.” He is, however, explicitly *not* the

Moses of sacred texts and religious traditions:

Michelangelo has placed a different Moses on the tomb of the Pope, one superior to the historical or traditional Moses. He has modified the theme of the broken Tables; he does not let Moses break them in his wrath, but makes him be influenced by the danger that they will be broken and makes him calm that wrath, or at any rate prevent it from becoming an act. In this way he adds something new and more than human to the figure of Moses; so that the giant frame with its tremendous physical power becomes only a concrete expression of the highest mental achievement that is possible to man, that of struggling successfully against an inward passion for the sake of a cause to which he had devoted himself.²

The praise of self-mastery achieved under pressure, of course, is scarcely limited to sacred texts associated with particular religious traditions or with religion, more generally. Nietzsche's supermen, for example, are found precisely "where the highest resistance is constantly overcome": the *Übermensch* is notable for his capacity to "organiz[e] the chaos of his passions, sublimat[e] his impulses, and giv[e] style to his character."³ According to Freud, the self-mastery shown by the sculpted Moses reflected Michelangelo's comparable achievement with respect to his own passions. The artist, he suggests, was a person of vigorous passions who "carved his Moses on the Pope's tomb...as a warning to himself, thus, in self-criticism."⁴

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Of Freud's Moses, we might be tempted to say that he is of as much as or "secular" as "religious" significance. But how do we know that? When we encounter something that we take to be "secular" in the visual arts or, more broadly, in visual experience, on what basis do we assign secularity to the person, event, or phenomenon being represented? In short: what do we look for when we look for the secular?

I am specifically interested in these questions with reference to the representation of religious law. How have various artists represented what I shall call the "visual secular" in the context of representations of religious law? What, if anything, do such representations suggest

about varied understandings of the relationship between religious and secular law?

Here, I cannot offer more than an attempt to approach these matters with reference to a few works of art. In doing so, I shall seek to open up questions about visual secularity as it pertains to law and religion. My second, indirect objective is to suggest the usefulness of works of visual art in the study of religion and law across multiple disciplines in the arts and sciences. Before pursuing these objectives, however, I shall briefly consider some broad questions about the representation of religious and secular phenomena as well as “religion” itself.

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In keeping with the oft-noted attempt to define the secular in terms of the absence of religion, one might be tempted to answer the question of “What does the secular look like with reference to the visual representation of religious law?” that “It looks like what is not religious.” For example, with reference to Michelangelo’s Moses, we might say that he is not represented in such a way as to localize the “meaning” of the sculpture within a given religious tradition or within “religion” more generally (whatever that means). For Freud, what one needs to read Moses correctly are Western ideas about the psychology of self-mastery. Although he does not note the origins of such ideas, they are both religious and secular.

Religion has variously been conceived of in the history of Western art with reference to subject matter associated with particular traditions, such as biblical figures and the like. Of the notion of “religion” as such, however, Western art lacks a wide body of images. A cursory survey of works which conspicuously concern themselves with religion (as indicated by the title, although to be sure, there other ways in which such a concern might manifest itself) suggests that “religion” is almost always imagined as a female figure, who is frequently situated in relation to something that she is not. Take, for instance, Titian’s “Religion Succored By Spain” (c. 1572-

1575). This painting [Fig. 12] was presented by Titian to King Philip II to commemorate the victory of Spain over the Turks at the Battle of Lepanto in 1571. In preparing the painting for Philip, Titian drew from a composition featuring the goddesses Minerva and Venus, Titian converted Minerva into Spain and Venus into “Religion.” The latter is shown all but naked (save for a blue cloth draped over her hips and one of her legs) and in a state of apparent distress; she is holding her hand to her breast while sitting on a rock, with her gaze cast downward. Who is “Religion” here? Our most immediate impression is that religion is defined by her rescue by Spain. She “is” to the same measure that she is in peril.

In early modern works, religion is commonly represented in explicit relation to specific others from whom it requires assistance, whether political or mythological, or in a position in which she is providing assistance (often in the form of chastisement or conquest) to others, as in Jacob Folkema’s seventeenth-century engraving, “Religion Rebuking a Naval Hero” [show Fig. 13] or Pierre Le Gros the Younger’s 1695 sculpture, “Religion Overthrowing Heresy and Hatred” [show Fig. 14]. In turning to more contemporary art, however, one finds almost no representations of religion in relation to a specific other.⁵ More frequently, one finds “religion” and “religious experience” invoked in such a way that they cannot be represented through figuration or seen in relation to anything else, unless absence or negation may be said themselves to constitute “anything else.”

One thinks, for example, of a recent painting by Dutch artist Jes Fomsgaard, entitled “No Religion” (2003) [show Fig. 15]. What do we see when we are implicitly told that religion is not present (or ought not to be) in what we are seeing? Here, we see something vaguely suggestive of a rendering of an ancient city as drawn from above. One might profitably compare the painting with a schematic plan of Pisidian Antioch [show Fig. 16 and Fig. 17], which was

decimated in the eighth century, C.E. In that plan, we see two churches, one basilica, a nymphaeum, and a temple of Augustus, reflecting various layers of the city's religious history. In the painting, there are seven temples or civic structures of some sort but it is not clear which ones (if any) serve religious functions or what those functions might be. There is one building evocative of a Roman temple; another has some features reminiscent of Aztec architecture. Lines of people cross the painting but do not meet in its center, which is empty. Of the various temple-like edifices, none is represented as being more prominent than another. We see here no single religion but perhaps several or in fact none. Where is "religion" in this? Has it been absorbed into what it is not, whatever that may be?

In the context of modern art, of course, one occasionally finds the suggestion that artistic experience is itself a mode of religious experience. For example, modern artist Mark Rothko [show image] once remarked that "I am interested in the basic human emotions—tragedy ecstasy, doom...The people who weep before my pictures are having the same religious experience I had when I painted them."⁶ In this conception, "art" as such is that which is both conceived and received in terms of religious experience. Religious experience, in turn, is associated with "weeping" and other heightened states of emotion, as well as with a sense of "higher meaning," meaning "something of more than mundane significance"—something, in Freud's terms, "more than human."⁷ But as Freud reminds us in his reading of Michelangelo's *Moses*, this "something more" may connote secular (and notably, Nietzschean) self-overcoming from within, rather than a distinctively religious encounter with a source of transcendence external to the self, from "without," as it were.

The reconceptualization of art as that which takes the place of religious experience runs flatly counter to conceptions of modern art as that which is more akin to philosophy and

especially to science than to religion. The most well-known formulation of this notion is found in art critic Clement Greenberg's highly influential essay of 1960, entitled "Modernist Painting." According to Greenberg, the essence of modern art is its capacity for self-criticism. In this, he suggests modern art is antithetical to religion. Modernism as such, in his account, has no place for the latter. One is alive; the other is dead:

Modernism includes more than art and literature. By now it covers almost the whole of what is truly alive in our culture. It happens, however, to be very much of a historical novelty. Western civilization is not the first civilization to turn around and question its own foundations, but it is the one that has gone the farthest in doing so. I identify modernism with the intensification...of this self-critical tendency that began with the philosopher Kant...The essence of Modernism lies, as I see it, in the use of characteristic methods of a discipline to criticize the discipline itself, not in order to subvert it but to entrench it more firmly in its area of competence.⁸

For Greenberg, Modernist self-criticism derives and differs from the mode of self-criticism that he takes to be characteristic of eighteenth-century Enlightenment thought. At that time, he suggests, "a more rational justification had begun to be demanded of every formal activity, and Kantian self-criticism, which had arisen in philosophy in answer to this demand in the first place, was called on eventually to meet and interpret it in areas that lay far from philosophy."

Foremost among the areas that Greenberg sees as having been constitutionally deaf to the demand for rational justification and self-criticism is religion. "We know," he confidently asserts, "what has happened to an activity like religion, which could not avail itself of Kantian, immanent, criticism in order to justify itself." What we know, apparently, is that religion has been reduced to entertainment, and entertainment to therapy. This fate, however, was warded off by the arts because in answering the demand of modernity for critical distance from itself, it demonstrated "that the kind of experience they provide was valuable in its own right and not to be obtained from any other kind of activity." The arts, in other words could still be, in Greenberg's word, "pure," with "pure" meaning, "unique" and possessed of self-definition. To

his mind, “Modernist art belongs to the same specific cultural tendency as modern science, and this,” he suggests, “is of the highest significance as a historical fact.”

A number of problems exist with Greenberg’s account of the emergence of an untainted modernism up out of the muck of an impure therapeutic culture aside, which I do not have the space to detail here.⁹ What is striking for our purposes about Greenberg’s account of Western culture is his suggestion of a movement which was not taken by religion *within* religion which would have allowed it, after the fashion of modern art, to define and justify itself *as* religion. This movement allows a given entity “to turn around and question its foundations,” to step back from itself from within itself, as it were, and become a question to itself.

In this last sentence, I have deliberately used terms borrowed from the language of questioning oneself proper to Augustinian introspection as well as a description of the crucial gesture entailed in gaining explicitly “theoretical” distance from experience or phenomena. What is entailed in the capacity to step back from a given state of mind or affairs and to gain the distance that is the condition of criticism of it or mastery over that state? Under what conditions, if any, may such a movement take place collectively? What are its sources?

For Freud, the source of Moses’s successful act of self-criticism, as well as that of Michelangelo himself, is an assertion of will on behalf of a cause to which he has devoted himself. At issue is not the cause itself but passionate devotion to the cause, which entails commitment. But Freud’s own insight into the meaning of the putative accomplishment of Moses and Michelangelo alike is ostensibly born not of an assertion of will but of an interpretation guided by psychoanalytic theory. While at one point, in his account, Freud found himself overwhelmed by the statue of Moses, he was, with the aid of his theoretical equipment, ultimately able to gain enough distance from it to see it for what it was. That was quite a feat,

Freud suggests, given the effect of this “inscrutable and wonderful” sculpture upon him:

How often have I mounted the steep steps from the unlovely Corso Cavour to the lonely piazza where the deserted church stands, and have essayed to support the angry scorn of the hero’s glance! Sometimes I have crept cautiously out of the half-gloom of the interior as though I myself belonged to the mob which can hold fast to no conviction, which has neither faith nor patience, and which rejoices when it has regained its illusory idols.¹⁰

Space unfortunately prevents us from detailing the complexity of the movement through which Freud mentally inserts himself into the “mob” of Golden Calf worshipers at Sinai and withdraws himself from them in one sentence. Having denounced them, he asks himself why it is that he still finds Michelangelo’s Moses to be inscrutable, given that “there is,” he notes, “not the slightest doubt that it represents Moses, the Lawgiver of the Jews.”¹¹ It is not, however, not the authority of the Jewish law against idolatry that informs Freud’s rejection of the mob but rather, he suggests, his “rationalistic or perhaps analytic turn of mind,” which led him to develop a theory of psychoanalysis. That theory, in turn, allows him to zero in on Moses as a heroic figure of self-mastery and to interpret that demonstration of self-mastery. The law as such is not much of an issue in his interpretation. But through it, he secures his distance from the mob of rejoicing idolaters.

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Thus far, we have taken note of three sorts of self-critical disengagement, each manifesting itself as a mode of mastery. The first is that detected by Freud in the sculpted figure of Moses; the second, that detected by Freud in Michelangelo, and the third, that of Freud himself. All three of these follow from Freud’s turn toward interpretation, as facilitated by this use of theory, and prompted by his rationalistic turn of mind. That turn of mind is the impetus for his initial attempt to disengage from received ideas (whether those of idolaters or merely of scholars who did not go far enough in interpreting the

sculpture), but theory is the means through which he maintains and expands his distance.

In pointing toward this moment of self-critical disengagement have we located what it is that we look for when we look for the secular? Is it a stance that can be recognized in any historical context, whether we encounter it in a sixteenth-century Italian sculpture or a twentieth-century scholarly essay? In commenting on this moment's origins are we in fact pointing toward the origins of the secular, at least in its capacity as a particular cast of mind? Is theory, in fact, the parent of the secular, and if so, what does that have to do with religious law?

In his last book, the late sociologist of religion Robert Bellah links the capacity for stepping back from experience to the attainment of specifically theoretical distance. In his account, the capacity to theorize arose during the first millennium BCE. "During that time, Bellah observes, "theoretic culture emerges in several places in the old world, questioning the old narratives and their mimetic bases, rejecting ritual and myth as it creates new rituals and myths, and calling all the old hierarchies into question in the name of ethical and spiritual universalism."¹² The dawn of theory, in his account, marks an "axial shift" in human evolution. In a well-known essay from 1975, Benjamin Schwartz described the characteristic gesture of this period as entailing "a kind of standing back and looking beyond—a kind of critical, reflective questioning of the actual and a new vision of what lies beyond."¹³ The movements which entail this gesture, in Schwartz's account, include "Abraham's departure from Ur and all that it represents, by the Buddha's more radical renunciation, by Confucius' search for the *jen* within, by the Lao Tse book's strain toward the nameless *Tao* and by the Greek strain toward an order beyond the Homeric gods, by the Socratic search as well as by Orphic mysteries."¹⁴

Schwartz suggests that what is common to all of these is a "strain toward transcendence."

This transcendence may be either secular or religious, but it is definitively neither. What is at stake in the act of transcending is the capacity of a given figure or tradition to stand back from and see beyond its current state by practicing or enacting critical questioning with respect to it. Transcendence does for Schwartz what theory does for Bellah. As I have noted elsewhere, Bellah treats the rise of Mosaic and Deuteronomomic law in ancient Israel as a phenomenon that fits within the shift toward theoretic culture, although he does not spell out their relationship at any length.¹⁵ Like theory, however, law entails an attempt formally to articulate (largely through formal procedural means) some distance from a given phenomenon in order to judge it. Broadly speaking, both pertain to creating space within which judgment of different sorts, whether critical or legal, may occur. Generally speaking (leaving aside for the moment the question of the boundaries between religious and secular law), law, unlike theory, tends to be attached to sanctions and a set of means, often of the institutional variety, by which those sanctions are to be implemented. It certainly the case in terms of ordinary experience that some “laws...are more like maxims or imperatives than arguments.”¹⁶ Traffic or tax laws, for example, are not presented to us in the course of ordinary experience as invitations to practice critical thinking and ask probing questions. The imperative “do this or negative consequences will ensue” is one moment in the life of the law; the carrying out of those consequences is another. But there is also a moment of an inward “stepping back” with respect to what to do about the giving or the living of law. My large question, which I cannot answer here is: in what ways has this moment been thought to figure differently in religious and secular law? We can, however, ask where in the visual arts we might we look for that moment.

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Before turning to this question, it is worth noting that we seem to have encountered a

problem in that the moment of critical distance that we singled out as a potential marker of the visual secular, upon reflection, as well as some consideration of Bellah and Schwartz, turns out to be possibly consistent with rather than antithetical to “religious” modes of transcendence.

What are we to make of this? Is not critical self-questioning and criticism the special province of modern secularism? It is not an accident that the act of critical self-questioning bears a family resemblance to what has been seen as the characteristic gesture of the secular cast of mind. The resemblance between the secular and the rational “step back” follows from the increasingly contested “presumption that...secularism is by definition the condition of critique and self-criticism, distinguished from religious orthodoxy, which is regularly assumed to be dogmatic.”¹⁷ As Wendy Brown, Judith Butler, and Saba Mahmood have noted, “The assumption that critique is secular implies that secularism enables an active critique of an object or way of thinking as well as creating the very atmosphere in which intellectual positions are open to criticism.”¹⁸

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It is not only modern criticism that may speak of and account for the putative moment in which one steps back from or walks away from a given position; this moment been canvassed in works of art as well, albeit in different terms. We have already mentioned Freud’s attempt to read Michelangelo’s Moses in this light. But the figure of Moses is seated. Given that we are talking about the representation of a mental moment sometimes envisioned in terms of the physical motion of stepping back, it may be helpful to consult a medium of figurative art other than that of sculpture, namely that of painting. I shall conclude, then, by discussing the visual secular as it has been imagined in the painted representation of religious law.

At the outset of this paper, I noted that of the giving of the written law at Sinai depicted in the Hebrew Bible, the history of Western art does not lack for images. Of the experience of

living with the other law that, according to rabbinic tradition and legend, was also given at Sinai, namely, the Oral Torah, we find few representations. This is not especially surprising; apart from Rembrandt, few major European painters were interested in representing Jewish experience.¹⁹ For an exception to this rule, we have to look slightly outside of the European tradition to a Russian painter who was deeply immersed in several strains of that tradition. To bring up Marc Chagall is to prompt the question of whether he may be considered a major artist; to the mind of the eminent critic Clement Greenberg, Chagall was, apart from his “first rank” work in etching and lithography, notable in “the history of art as a painter of at least the second rank.”²⁰

For Greenberg, after an early period of promise, Chagall’s “work [was] softened and sweetened by the practice of that cuisine of viscous oil which seems to incorporate for him the essence of French tradition—a tradition he adores as only one originally an outsider could.”²¹ In referring to him as an “outsider,” Greenberg is thinking of Chagall’s origin in a Hasidic shetl in Vitebsk, Russia. In comparing Chagall’s work to that of his near contemporary and fellow subject of the Russian Empire, Chaim Soutine, Greenberg remarked as follows:

Far away from [Soutine] is that cloying, folkish cuteness which [Chagall] cultivates in his role of lovable, fantastical Jewish genius from Vitebsk. Soutine had no truck with such self-indulgent exhibitionism. He was, if I may put it that way, too Jewish—or at least too much a Litvak to put his East European Jewishness on show as something exotic and picturesque. Yet, if such a thing as Jewishness can be made palpable in art, I find more of it in Soutine’s than in Chagall’s. Soutine is more naive and direct and absorbed, less self-conscious and more involved with his feelings than with the effect in view. He looked away from himself, and the trees, fields, flowers, animals, houses, and people he painted from are not a set of iconographic themes on which to ring variations, as his subjects are for Chagall, but so much existence to be grasped through paint.²²

Here, Jewishness in art is apparently revealed through artless absorption in the things of existence and one’s own feelings about them. If we recall that for Greenberg, what is modern in modernist art is what is self-consciously self-critical, it would seem that one cannot be a Jewish

and a modernist painter at the same time.

In any event, it is Chagall, not Soutine, who takes up the task of thinking about Jewish law in terms suggestive of what I have been calling the “visual secular,” which I have defined with reference to the articulation of distance from a given experience or set of norms that does not necessarily entail a clean departure from them. In one of Chagall’s paintings depicting the observance of religious law, the moment of articulating critical distance shows up as an imagined movement of the mind and body that does not connote the definitive rejection of religious law that he experienced in his own life.

Chagall grew up as the oldest son in a Hasidic family of nine children. Although he attended a traditional Jewish school, and acquired some knowledge of Hebrew, he stopped being an observant Jew long before adulthood. In his autobiography, he portrays himself as a thirteen-year-old boy caught between two extreme positions with regard to religious observance: “What should I do?...Pray morning and evening and everywhere I go, whatever I put in my mouth and whatever I hear, immediately say a prayer? Or flee from the synagogue and, throwing away the books, the holy vestments, roam the street towards the river?”²³ Chagall represents his rejection of Jewish practice as a series of dramatic gestures: it was not enough to figuratively walk out of the synagogue, never to return, rather he had to flee from it. Putting the books down never to pick them up again does not suffice by way of signaling the force of his rejection; the books must be thrown away, along with the holy vestments. Finally, his figurative flight from religion does not lead in a direct line towards art, but out into the street and then towards the river.

In his paintings, Chagall returns over and over to a figure I shall call “the man on his way out.” He shows up in quite a few paintings, often near one of the edges of the painting, but sometimes in the center, with his feet frequently directed out of the space of the painting, as it

were. He never quite leaves, however. In one early painting (“The Dead Man,” 1911) the man on his way out shows up simply as a pair of legs fleeing a disturbing scene on a street. He represents the choice or the need to depart from a given context. His existence is especially notable in Chagall’s paintings with explicitly Jewish themes. In one painting entitled “The Walking Village” (1921), a cluster of huts has been loosely joined into a body that is in the process of leaving the painting. Yiddish words which read “What do I need it, the transparent lucidity”²⁴ overlap with one of the houses. To cite only a few examples of many, in “Remembrance” (1915), “Over Vitebsk” (1915-1920), and “White Crucifixion” (1938) we see the man on the way out in the form of “the wandering Jew” with his sack on his back, leaving the world of the painting not because he chooses to go elsewhere, but because his existence will no longer be tolerated in the space that he occupies [show Fig. 18, 19, and 20]. In “White Crucifixion,” several Jews are seen on their “way out” in the wake of a pogrom. A man on his way out shows up as well in a painting called “The Feast of the Tabernacles”(1916) [show Fig. 21].

For our purposes, however, the figure of the “man on his way out” takes on an added level of meaning in Chagall’s “Feast Day, or Rabbi with Citron” [show Fig. 22] This painting represents a rabbi on the autumnal feast day of Sukkot, or Tabernacles. The rabbi depicted in the painting is carrying an *etrog* and *lulav*, in deference to Jewish law. Just above his head, another rabbi, also draped in a prayer shawl, plays the role of the man on his way out in miniature. In thinking of Chagall’s early depiction of the stark choice with which he was faced at religious maturity, one is struck with the more complex image that we see here of the movement of mind and will as it figures with respect to Jewish law. The miniature rabbi in this picture is not carrying the ceremonial fruit and branches of his larger counterpart. Yet he still wears the prayer shawl. He is stepping away from that which his larger, law-obeying counterpart is moving

toward. The miniature rabbi, as a figure of thought or will, has no ground to walk on other than that of the large rabbi's head, and hence no source of resistance should he wish to drag his heels. He has no option but to be drawn into the edifice before which the larger rabbi stands, should the latter enter into it. That rabbi, however, is not in motion; he is simply standing there. (Perhaps he is stuck?) He is not leaving, but some part of him is turning from the experience at hand.

Earlier in this paper, I mentioned the imperative moment in the life of the law and suggested that there is in a moment as well of an inward "stepping back" with respect to what to do about the giving and living of the law. Freud's interest in this moment as it figures in the life of Moses as lawgiver, however, all but writes the law out of the conflict altogether in favor of a drama of wayward passions and the successful rebuke of them by a superhuman will. The tablets of the law remain intact in Freud's rewriting of the biblical narrative at the cost of becoming peripheral to the scene.

For Chagall, painting his "Feast Day" in 1914, the same year that Freud published his essay on Moses, the visual secular is not a moment of more than human triumph. If the miniature rabbi suggests to us a moment of the visual secular, it is not necessarily more than a moment. Nor does it have meaning apart from the larger figure on which it rests. The external apparatus of observance (in terms of the prayer shawl and the ceremonial accoutrements) remains intact. Here, the man on his way out that in so many other paintings serves as a quintessential Jew seems to be stepping away from observance from *within* observance, and as a Jew. Relative to the larger rabbi, we might be tempted to view the miniature one as the more secular figure. But if both figures were not juxtaposed as they are, how could we tell?



Figure 1: Rembrandt Harmenszoon van Rijn, 1606-1669. "Moses with the Tablets of Law." 1659. Oil on Canvas. Gemäldegalerie, Staatliche Museen, Berlin, Germany.

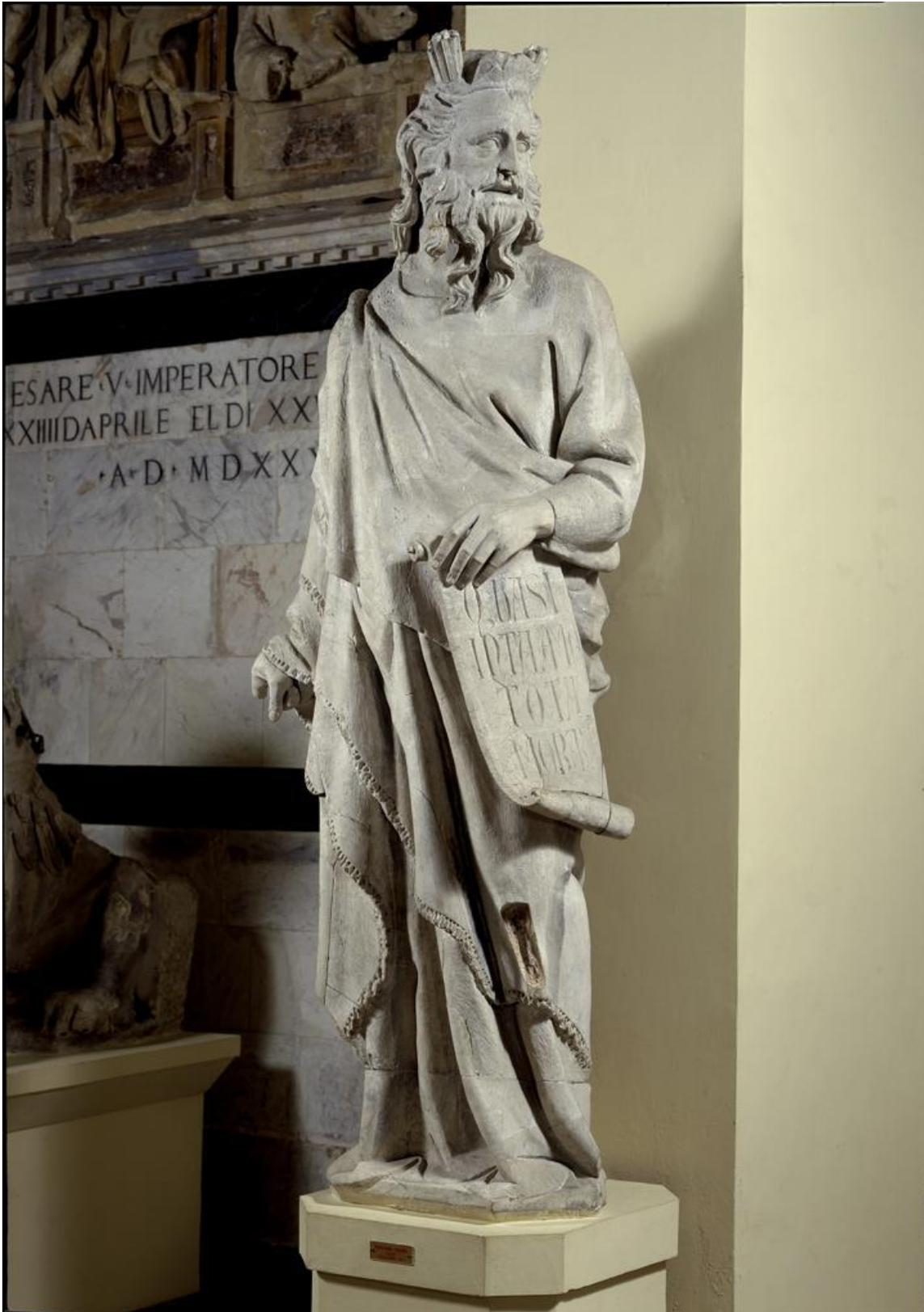


Figure 2: Giovanni Pisano (1250-1315), "Moses," 1284-1296. Marble. 198 x 82.5 cm. Opereal della Metropolitana di Siena.



Figure 3: [Attributed to Claude Vignon; 1593-1670], "Moses With the Tablets of the Law." c. 1650. Oil on canvas.



Figure 4: Pietro Francavilla (1548-1615), "Study for Moses in the Cappella Nicolini, Santa Croce, Florence." c. 1585. Terracotta.



Figure 5: Detail from Rembrandt Harmenszoon van Rijn, "Moses with the Tablets of Law." 1659.



Figure 6: Detail from Giovanni Pisano (1250-1315), "Moses." 1284-1296.



Figure 7: Detail from [Attributed to Claude Vignon], "Moses With the Tablets of the Law." c. 1650



Figure 8: Detail from Pietro Francavilla, "Study for Moses in the Cappella Niccolini," c. 1585.



Figure 9: Michelangelo Buonarroti (1475-1564), "Moses." c. 1513-1515. Marble. Church of San Pietro in Vincoli.



Figure 10: Detail from Michelangelo, "Moses," c. 1515-1517.

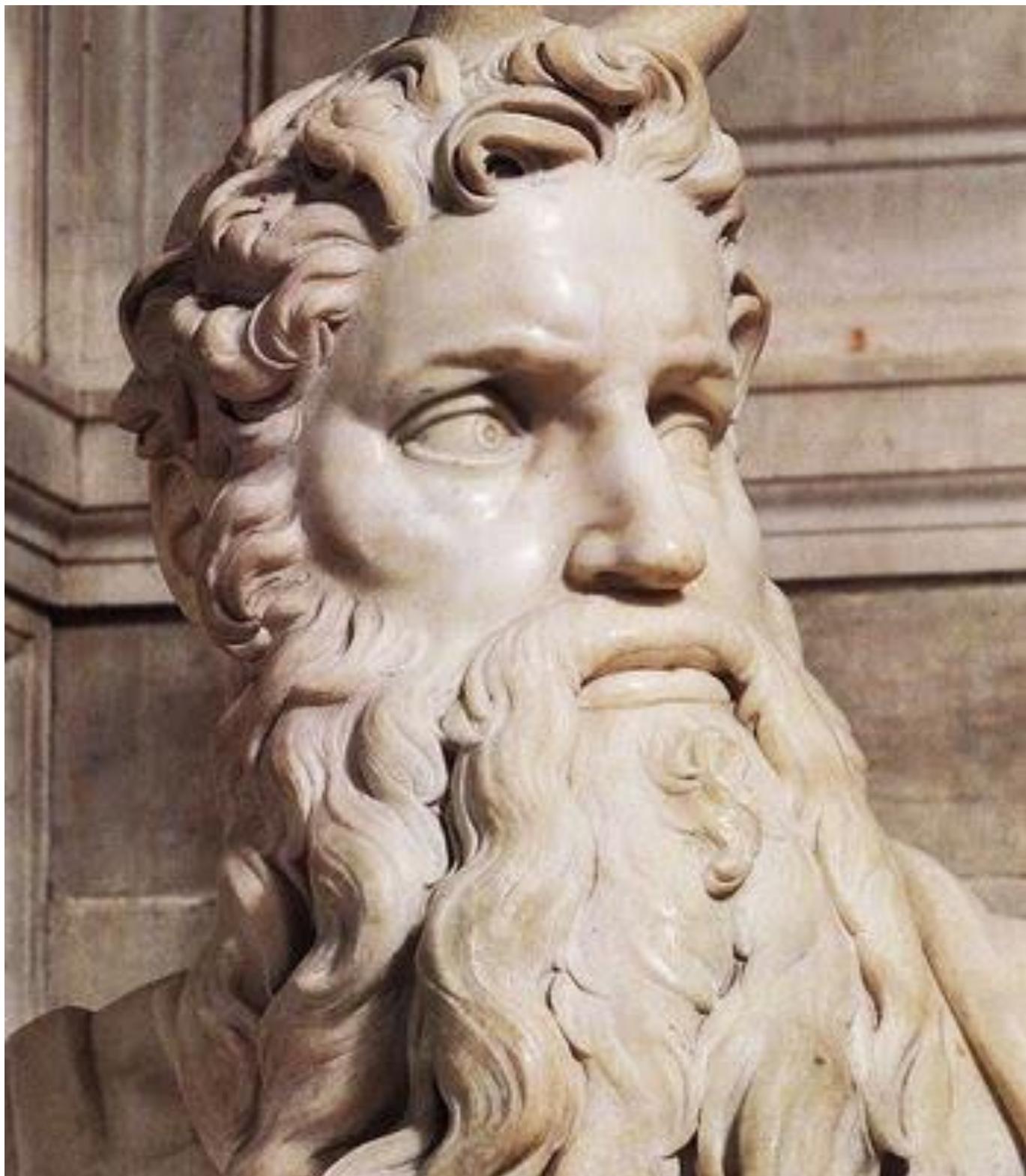


Figure 11: Detail from Michelangelo, "Moses." c. 1515-1517



Figure 12: Titian (Vecellio di Gregorio Tiziano; c. 1488-1490-1576), "Religion Succoured by Spain." c. 1572-1575. Oil on canvas. Museo Nacional del Prado.



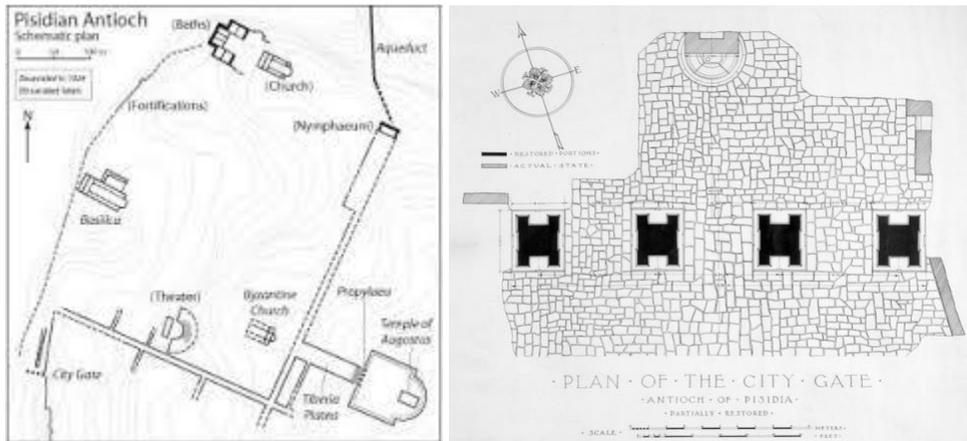
Figure 13: Jacob Folkema (1692-1767), after Francesco Francia, “Religion Rebuking a Naval Hero.” c. 17th-18th century. Engraving. Harvard Art Museums.



Figure 14: Pierre le Gros the Younger (1666-1719), "Religion Overthrowing Heresy and Hatred." c. 1695-1699. Marble. Church of the Gesù, Rome.



Figure 15: Jes Fomsgaard, “No Religion,” 2003. Acrylic and chalk on wood. ARTSTOR



Figures 16 and 17, from left to right: Adrian Ossi, “Pisidian Antioch: Schematic Plan,” 2005; Frederick, J. Woodbridge (1901, 1974), Restored Plan of the City Gate and Surrounding Structures, Including the Semicircular Fountain to the North, 1924. Ink on paper. Kelsey Museum Archives. <http://quod.lib.umich.edu/b/bulletinfront/0054307.0016.101/--architectural-reconstruction-drawings-of-pisidian-antioch>

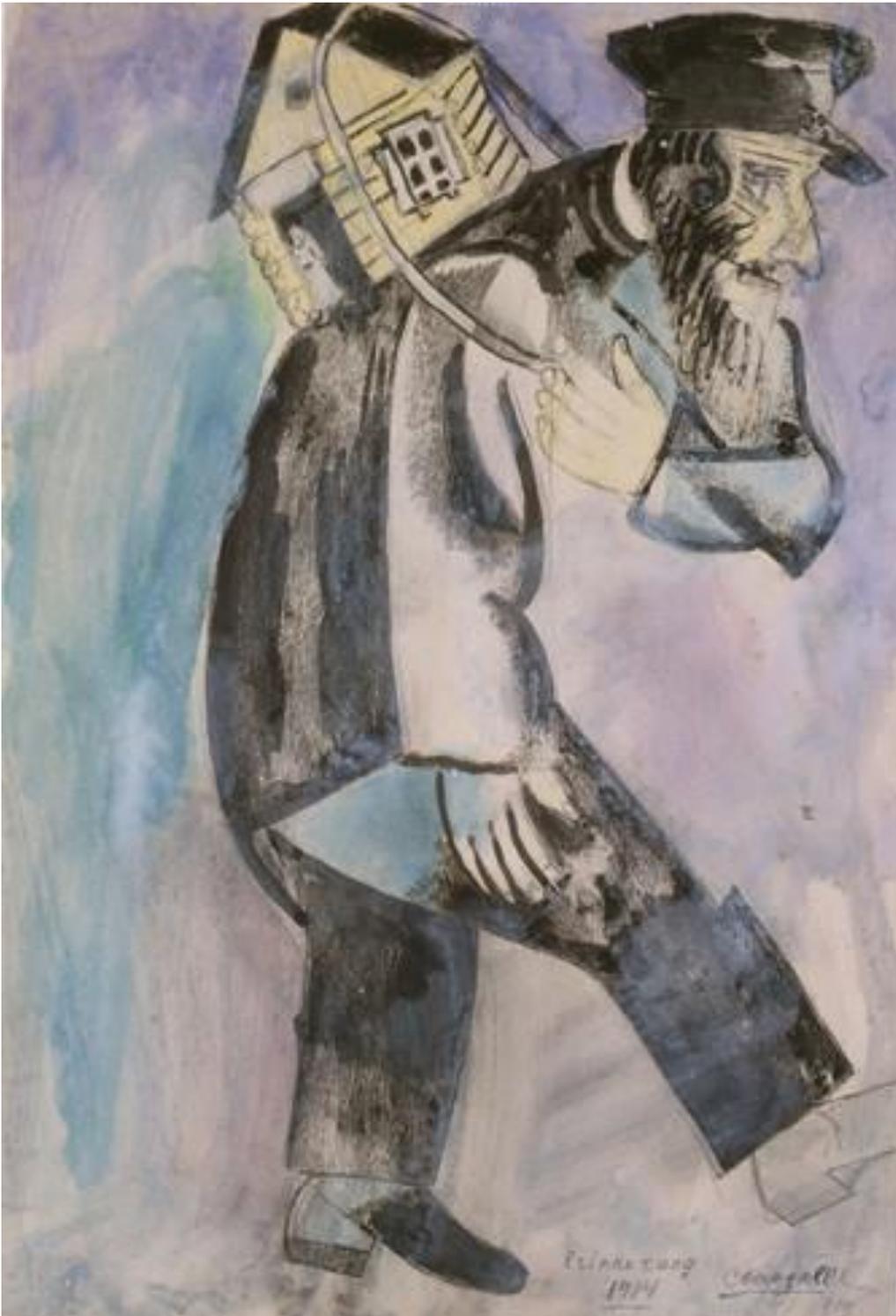


Figure 18: Marc Chagall (1887-1985), "Remembrance (*Erinnerung*)," 1914. Gouache, ink, and graphite on paper, 12 1/2 × 8 5/8 inches (31.7 × 22.3 cm). Solomon R. Guggenheim Museum, New York, Solomon R. Guggenheim Founding Collection



Figure 19: Marc Chagall (1887-1985), “Over Vitebsk (*Aux Environs de la Ville*),” 1914. Oil, gouache, graphite, and ink on paper. 12 3/8 x 15 3/4 inches (31.4 x 40 cm). Philadelphia Museum of Art.

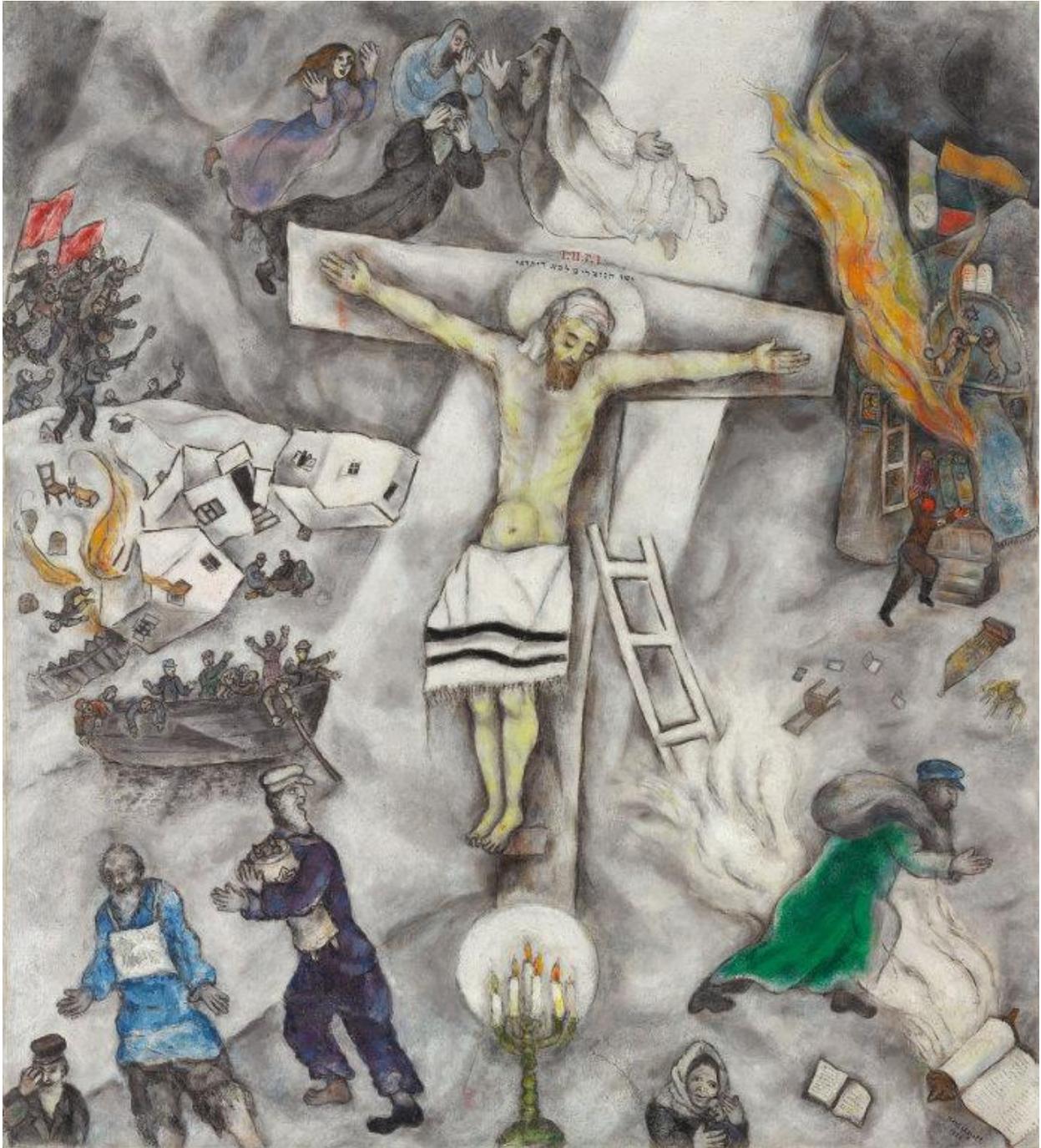


Figure 20: Marc Chagall (1887-1985), "White Crucifixion," 1938. Oil on canvas
154.6 x 140 cm (60 7/8 x 55 1/16 in.) Art Institute of Chicago.



Figure 21: Marc Chagall (1887-1985), "The Feast of the Tabernacles," 1916. Gouache. Private Collection.



Figure 22: Marc Chagall (1887-1985), “Feast Day (*Rabbi au Citron*)” 1914. Oil on Cardboard. 39 3/8 x 31 3/4
Kunstsammlung Nordrhein-Westfalen.

¹ On the varying status and sequence of the *Aseret HaDibrot*, or Ten Commandments, in the Hebrew Bible and New testament, as well as in classical Rabbinic Judaism and Christianity more generally, see the essays collected in *The*

Decalogue in Jewish and Christian Tradition, ed. Henning Graf Reventlow and Yair Hoffman (New York; London: T & T Clark, 2011), Daniel I. Block, “The Decalogue in the Hebrew Scriptures,” in *The Decalogue Through the Centuries: From the Hebrew Scriptures to Benedict XVI*, ed. Jeffrey P. Greenman and Timothy Larsen (Louisville, Kentucky: Westminster John Knox Press, 2012), 1-28, and Craig A. Evans, “The Decalogue in the New Testament,” in *The Decalogue Through the Centuries*, 29-46, as well as David Novak, “Moses Maimonides,” *The Decalogue Through the Centuries*, 81-96.

² Sigmund Freud, “The Moses of Michelangelo,” in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. James Strachey (London: The Hogarth Press, 1955): XIII: 233.

³ Walter Kaufmann, *Nietzsche, Philosopher, Psychologist, Antichrist* (Princeton: Princeton University Press, 1974), 316.

⁴ Freud, “The Moses of Michelangelo,” 234.

⁵ The same may be said with respect to graphic design. For an exception, see the Russian poster which asserts that “By Building Socialism We Shall Give the Decisive Blow to Religion,” 1931. Museum of Modern Art.

⁶ Mark Rothko, as quoted in Jacob Baal-Teshuva, *Mark Rothko: 1903-1970: Pictures as Drama* (Köln: Taschen, 2003), 57.

⁷ Dominique de Menil, who commissioned the Rothko Chapel in Houston and the paintings it contains, remarked at the chapel’s dedication in 1971 that Rothko’s paintings evoke “the mystery of the cosmos, the tragic mystery of our perishable condition, [and]...the unbearable silence of God.” See Pamela G. Smart, *Sacred Modern: Faith, Activism, and Aesthetics in the Menil Collection* (Austin: University of Texas Press, 2010), 45.

⁸ Clement Greenberg, “Modernist Painting” in *Forum Lectures* (Washington, D.C.: Voice of America, 1960).

⁹ Something akin to a “self” is required if modernist “self-criticism” is to proceed. Greenberg never clarifies what that self is, why or whether we are to accept its existence as a fictive (and collective?) subject, or how it is constructed. Beyond that, he claims that the “scientific method” (the origins of which predate the Enlightenment) is in fact the fulfillment of Kantian self-criticism. Finally, he seems unaware of the long history of attempts to provide rational justifications for religion from within a religious tradition, including that of medieval Jewish thinkers Saadia Gaon, as well as that of Aquinas in Roman Catholicism. It is not clear why we should think that the relationship between rationality and religion may be adequately be defined exclusively with reference to Kantian notions of rationality.

¹⁰ Freud, “The Moses of Michelangelo,” 213.

¹¹ Ibid.

¹² Robert N. Bellah, *Religion and Human Evolution: From the Paleolithic to the Axial Age* (Cambridge: Harvard University Press, 2011), xix.

¹³ Benjamin J. Schwartz, “The Age of Transcendence,” *Daedalus*, 104 (Spring 1975), 3.

¹⁴ Ibid.

¹⁵ Suzanne Smith, “Religion in the Age of Kant and Bacteria,” *Harvard Divinity Bulletin* (Spring/Summer 2014),

¹⁶ Frederick M. Dolan, “Nietzsche’s Gnosis of Law,” *Cardozo Law Review* 24 (2003), 757. Yet like arguments, laws are inextricably tethered to narratives. As Robert Cover puts it, “No set of legal institutions or prescriptions exists apart from the narratives that locate it and give it meaning. For every constitution there is an epic, for each Decalogue a scripture. Once understood in the context of the narratives that give it meaning, law becomes not merely a system of rules to be observed, but a world in which we live” (“The Supreme Court, 1982 Term—Foreword: Nomos and Narrative,” *Harvard Law Review* 97:4 (1983), 4-5.

¹⁷ Wendy Brown, Judith Butler, and Saba Mahmood, “Preface, 2013,” in *Is Critique Secular?: Blasphemy, Injury, and Free Speech* (New York and London: Oxford University Press, 2013), ii.

¹⁸ Ibid.

¹⁹ On Rembrandt and Judaism, see Steven Nadler, *Rembrandt’s Jews* (Chicago; University of Chicago Press, 2003).

²⁰ Clement Greenberg, “Two of the Moderns,” *Commentary* (October 1, 1953), 386.

²¹ Greenberg, “Two of the Moderns,” 387.

²² Ibid.

²³ Marc Chagall, *My Life*, trans. Elizabeth Abbott (Cambridge, Mass. : Da Capo Press, 1994), 46. On Chagall's Judaism see especially Benjamin Harshav, *Marc Chagall and the Lost Jewish World: The Nature of Chagall's Art and Iconography* (New York: Rizzoli, 2006).

²⁴ I borrow this translation from Harshav, *Marc Chagall and the Lost Jewish World*, 122.