

Social Justice in the Jewish Tradition

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The central and historically revolutionary concept of the Hebrew Bible is that of ethical monotheism. Not only is there One Power behind Creation and History but the "character" of that Power is just and righteous (Genesis 18 v. 23-25, Psalm 145 v. 9). Indeed Jewish Tradition understand the two central names of God in the Biblical text, the Tetragrammaton and the more generic "Elohim" and its variants, to reflect the two key Divine Attributes; that of Mercy and Justice. Recognizing that there is often a tension between the two, the Talmud describes God as having, as it were, a daily prayer "Let my quality of compassion overwhelm my quality of justice". In the tension between the two, it is mercy and compassion that must gain the upper hand.

In keeping with the Divine "character", we are called upon to behave accordingly (Gen. 18 v. 19; Micah 6 v.8; Jeremiah 22 v. 15-16). Indeed the plethora of Biblical injunctions to know, love, cleave to, serve God etc, requiring humanity to walk in His Ways (Deuteronomy 11 v. 22) is understood in rabbinic tradition as requiring us to emulate the Divine moral attributes. Explains the Talmud (Sotah 14a) "Just as the Lord clothes the naked as He did with Adam, so you clothe the naked; just as the Lord visits the sick as He did with Abraham, so you visit the sick; just as the Lord comforts the bereaved as He did with Isaac, so you comfort the bereaved; just as the Lord buries the dead as he did with Moses, so you bury the dead." Similarly in the Midrash (homiletical writings) we are told by the sage Abba Shaul, "Just as He is gracious and compassionate, so you be gracious and compassionate." (Mechilta, Canticles, 3). Indeed the imitation of God's Attributes is enjoined explicitly in Leviticus 19 v. 1.

These expectations of us are rooted in the Biblical perception of the human person as created in "The Divine Image", the source of inalienable human dignity. Accordingly the Mishnah (the transcribed Oral Tradition that explains and expands upon the Biblical revelation) in tractate Sanhedrin, 4:5, explains that the courts must emphasize before those giving testimony in capital cases that the reason the first human being was created singly (as opposed to the creation of all other species as narrated in the book of Genesis) is to make it clear that each person is a world in him or herself and "he who destroys one life, it is as if he has destroyed the whole world; and he who saves one life, it is as if he has saved the whole world".

In the famous discussion in the Midrash on "the most important principle in Scripture", Rabbi Akiva declares that it is the commandment (Leviticus 19 v.18) "to love's neighbor as oneself". (In so doing he reiterates the words of Jesus a century before him and those of the Jewish sage Hillel the Elder in the century before Jesus.) However his contemporary Ben Azzai warned of the danger of interpreting that text to mean that treating others should be based on one's subjective experiences and inclinations. He accordingly insisted that the most important Biblical principle is precisely the teaching that every human person is created in the Divine Image with inalienable dignity and thus any act of misbehavior against another human person is an act of

misbehavior against God Himself (Genesis Rabbah on Gen. 5 v. 1; Sifra on Lev. 19 v. 18).

Thus the foundation of the vision of social justice in Judaism is predicated on the sanctity of all human life and its inalienable dignity. Each person is a whole world and unique. Yet precisely therefore, the Mishnah emphasizes, none may consider him or herself to be superior to another!

Because God is Merciful, the Bible indicates, He is - as it were - "biased" for the vulnerable; and precisely because we are called upon to affirm the dignity of all, we are required to pay special attention and concern to those who are marginalized - the poor, the stranger, the widow and orphan. On this point the Midrash has the following comment on the verse in Psalm 62 v. 1: "Let the Lord arise and scatter His enemies and may those who hate Him flee from before Him." Says the Midrash: "in the book of Psalms we find that) on five occasions (King) David calls on God to 'arise and scatter His enemies' and yet there is no mention (in Psalms) that God arises (in response). When do we find (mention of) God arising? "For the oppression of the poor and the cry of the needy, then will I arise, saith the Lord." (Psalm 12 v.6). The Midrash is telling us that even David, God's anointed, cannot assume that God is, as it were, "on his side". When is God "on our side"? When we are on His! That is when we care for the vulnerable and marginalized!

However another revolutionary Biblical idea has potential ramifications for our social moral world view and conduct - this is the concept of Covenant. There are a number of Covenants referred to in the Bible. Jewish tradition teaches that the covenant God made with Noah after the Flood, is in fact a covenant with humanity (the children of Noah) reflecting both Divine love for all people and also the expectation of their moral conduct.

The Covenant made with the Children of Israel at Mt. Sinai is confirmation and expansion upon those made with the Patriarchs and reflects the special duty of the people of Israel to testify to the Divine Presence in the world, both through its history and above all through observing the Divine precepts.

While there are covenants that God makes with individuals, such as the aforementioned with the Patriarchs and with David, these are never exclusively personal but inherently relate (their obligations and responsibilities) to a collective (e.g. Abraham's descendants; David's household and the obligations of royal leadership to the people as a whole (see Deuteronomy 17 v. 14-20).)

The concept of Covenant thus reflects the intrinsic value of collectives as well as individuals. Communal and national identities are seen as an intrinsic part of the blessing of human diversity through which moral development and indeed social justice itself should be pursued.

Moreover even the Messianic idea of an ideal world that appears in prophetic scripture, is not one in which national identities are eliminated, but one in which they are vehicles for universal moral knowledge and conduct accordingly, (e.g. "nation shall not lift up sword against nation and they shall not know war anymore." "And many nations shall go up into the mountain of the Lord", Micah 4 v. 1-5).

Accordingly, Jewish tradition in keeping with Biblical teaching sees both the individual and the collective, standing in relation to God. Inevitably this means finding a creative balance between the two; of their respective rights and duties.

The expression of social justice within a collective context is particularly noteworthy in the Biblical concept of the Sabbatical year which involves three central precepts. The first is that on every seventh year, the land is to lie fallow (Exodus 23: 10) recuperating its natural vitality. As a result, ownership of land in any sense of an exclusive utilization falls away for the year, affirming that we are all temporary sojourners in God's world (Leviticus 25 v.23), and the land and its natural produce are available for all – especially for the poor. Indeed, as far as the land is concerned – and in an agricultural society the land is the very source of status – the Sabbatical year emphasizes that poor and rich alike are the same before God.

This awareness that we are all sojourners and vulnerable, if you will; leads to the recognition that sustainable development is only possible where there is social responsibility, especially in relation to the most vulnerable in society. This is reflected not only in the land lying fallow and its natural fruits available to all, rich and poor; but above all in the other precepts of the Sabbatical year, notably the cancellation of debts (Deuteronomy 15). Of course, this Scriptural requirement needs to be understood in the context of Biblical agrarian society. This was not a commercial society in which monies were commonly lent as part and parcel of normal economic life. Rather, loans were necessary when the farmer had fallen upon hard times and had a poor harvest, or even none at all; and lost the resources available to guarantee his continued harvest cycle. In such a case, he borrowed from another. Indeed, those who have resources are obliged to provide such loans for those in such hardship (Deuteronomy 15: 8), and when the disadvantaged farmer's harvest prospered, he could return the loan. For this reason it was prohibited to take advantage of his situation, through taking interest. However, if the farmer was unable to overcome this setback, there was the danger of his being caught in a poverty trap. The Bible recognizes that this was not just his problem but that of society, and accordingly utilized the Sabbatical year to free the individual from this trap. The obligation concerning the release of debts is not an excuse for irresponsibility, but rather the obligation of responsibility for balanced and sustainable development, ensuring a socio-economic equilibrium between the more and the less advantaged in society – essential for the latter's positive development and security.

For similar purpose, the Sabbatical year also required the release of slaves (Exodus 21: 2-6). As opposed to the former precept, this may appear not only

to be irrelevant but archaic. Yet within this idea are certain profound messages. In ancient Israel, a Hebrew would enter into slavery if he had no means of providing a livelihood for himself or for his family. In this manner, he in fact voluntarily sold his own employment to another. However, the requirements upon those who maintained such slaves were so demanding that the Talmud declares that “he who acquired a slave, (in fact), acquired a master over himself!” As indicated in the Book of Exodus, an unmarried slave would be provided not only with all basic material needs, but even with a spouse. Understandably, in ancient Israel, there were not a few such Hebrew slaves who were very content to be in that situation. However, the Bible requires that in the Sabbatical year, all such slaves be set free. But as it states in Exodus 21, “if the slave plainly says ‘I love my master, I will not go free,’ then his master shall bring him to the doorpost ... and shall pierce his ear with an awl.” (Exodus 21: 5-6). Our sages of old ask, “why should the ear be pierced and why against the doorpost?” They answer, “the doorpost which God passed over in Egypt when He delivered the children of Israel from slavery and the ear which heard Him say at Sinai ‘for unto me, the children of Israel are slaves’ and not that they should be the slaves of slaves; let these testify that the man voluntarily relinquished his God-given freedom!” Moreover according to Jewish law, the slave still had to go free in the Jubilee year, even if he still did not want to! The Bible also requires the erstwhile master to provide this man – who now has to enter the open market – with the material means to establish himself in it (Deuteronomy 15: 14). This obligation not only affirms the value of the dignity of the human individual and the concomitant value of personal freedom, but also that the wellbeing of the collective depends on its ability to provide the individual with the means to maintain self and family.

We should also note that the model of the Sabbatical year as a paradigm for the promotion of social justice, demands that we contend with the dangers posed by human arrogance that justifies greed, exploitation, irresponsibility and violence towards others. It does so not only through the aforementioned special focus on the weakest elements of society, but above all through emphasizing that we are all vulnerable – we are all temporary sojourners in God’s world (Leviticus 25 v.23). Such awareness may lead us to live more responsibly towards our neighbors, communities, nations, humanity and environment.