



The Ziegler School
of Rabbinic Studies

בית המדרש ע"ש זיגלר

להתהלך בצדק
Walking with Justice

Edited By
Rabbi Bradley Shavit Artson
and Deborah Silver

דרכיה דרכי נעם

A TORAH OF JUSTICE - A VIEW FROM THE LEFT?

DR ARYEH COHEN

“Kindness, justice, and equity in the world; in these I delight - declares The Holy One” (Jeremiah 9:24)

The contemporary Jewish community is the heir to three different streams of post-enlightenment thought which are influential on the way various parts of the community—and the community as a whole—makes decisions about issues of justice, issues that affect and influence the Jewish community in particular and the larger civil community more generally.

The Orthodox community (generally speaking) turned inward after the enlightenment. They staked their claim on ritual law and personal status law. For the rest they invoked (the fourth century CE Sage) Samuel’s statement cited in the Babylonian Talmud: *dina de-malkhuta dina*, the law of the government is the law¹. The Orthodox community embraced the privileges of emancipation and citizenship to the extent that they allowed the community to continue its own particularist practice.²

The Reform community (generally speaking) saw the particularism of Jewish law as a barrier to full citizenship, and as stunting the development and movement of the Jewish community towards its proper place amongst the nations. In essence, the Reform community, for all intents and purposes, jettisoned *halakhah* or Jewish law in favor of Prophetic ethics. Isaiah’s call to feed the hungry and clothe the naked and house the homeless; Micah’s call to do justice, to love goodness, and to walk modestly with God; Amos’ exhortation to let justice well up like water, righteousness like an unending stream—these would be the calls to which the Reform Jewish community would and should respond. The institutions of the State, courts and legislatures, would take care of those parts of life which needed to be legislated.

Finally, a small group of thinkers attempted to navigate a middle path. These included Hermann Cohen, Franz Rosenzweig, Martin Buber, Andre Neher and Emmanuel Levinas, among others. Broadly, they attempted to translate the tradition into “Greek”—to use Levinas’ term. These thinkers stood deeply in the Rabbinic and post-Rabbinic textual tradition and plumbed it for insights and obligations about issues of justice. Rather than choosing between “Athens and Jerusalem,” as the choice is often put, they chose both/and. It is with this group that my sympathies lie.

I would claim that the dichotomy posed here, represented by the split between “Orthodoxy” and “Liberal Judaism”³ is a false one. One need not choose between prophetic ethics and halakhah, between the hortatory and the prescriptive. The path not taken at the enlightenment was the universalizing of *hoshen mishpat*, placing the halakhic conceptions of justice—in the form of the laws of torts and contracts, labor and the organization of the judicial system—on the world’s table, and joining the discussion of how to order the affairs of the world. We are, therefore, left with part of the Jewish community versed in the passion for justice and a different part of the community versed in the practical matters of how to translate values into law—prescriptive acts which are integrated into our daily lives.

This was not how it had to have been. One short example: in Chapter One of the Book of Isaiah we find the following:

(17) Learn to do good. Devote yourselves to justice; aid the wronged; Uphold the rights of the orphan; defend the cause of the widow.

(18) ‘Come, let us reach an understanding’, - says The Holy One. ‘Be your sins like crimson, they can turn snow-white; Be they red as dyed wool, They can become like fleece.’

(19) If, then, you agree and give heed, you will eat the good things of the earth;

(20) But if you refuse and disobey, you will be devoured by the sword. For it was The Holy One who spoke.

(21) Alas, she has become a harlot, the faithful city that was filled with justice, Righteousness would rest there, but now only murderers.”⁴

¹ Babylonian Talmud Gittin 10b and elsewhere.

² There were, of course, some exceptions to this rule such as Samson Raphael Hirsch and his followers. However, I would argue that they are the exception that proves the rule.

³ It should be clear that by “liberal Judaism” here I mean non-Orthodox Judaism.

⁴ Isaiah 1:17-21



A TORAH OF JUSTICE - A VIEW FROM THE LEFT?

In this speech Isaiah takes Israel to task for bringing sacrifices while ignoring the plight of the poor and the widow. In verse 17 Isaiah, channeling God, offers an olive branch as it were. If you, the Israelites, do justice, I, God, will erase your sins and you will prosper. If however you “refuse and disobey” things will not go so well. “You will be devoured by the sword.” Verse 21 is the beginning of a coda in which Isaiah catalogues the current ills of Israel. The people that was great and good is no longer either great or good.

Is there any practical impact to these verses for the contemporary Jewish community? The liberal Jewish community might put some of them on banners and bumper-stickers, while the Orthodox might see it as a fine sentiment and strong reproach to a particular historical situation, while at the same time discounting any ongoing obligation that might flow from it. How do we move beyond this? When Isaiah says “Learn to do good,” or “Devote yourselves to justice,” how does one cash this out? What do I have to do today? In order for this to mean anything real in our lives we have to answer the questions: Where? When? How much? To whom?

These are the questions of the jurist. The jurist par excellence, Maimonides, quotes this chapter in a very interesting and practical way:

On fast days [Jews] distribute food to the poor. Any fast day on which the people ate and rested and did not distribute charity to the poor, behold they are akin to murderers. About them it is stated in the tradition “Righteousness would rest there, but now only murderers.”⁵

Maimonides reads Isaiah’s hyperbolic oratory “Righteousness would rest there, but now only murderers,” and asks, “What exactly do you mean by that?” His answer⁶ is that when you perform righteousness in the form of fasting, yet you ignore the real existential needs of the poor, you are not righteous—you are akin to murderers. Therefore, according to Maimonides, the way to cash out Isaiah’s demand is that on fast days, money must be distributed to the poor. The exhortation is then assimilated into the legal system and deployed in a very specific way. The supposed dichotomy between prophetic ethics and law is, as it were, deconstructed.

The larger challenge is that the Jewish community (perhaps unwittingly) believes, or at least lives, as if the dichotomy is sound. On the one hand there are those who believe that social justice is at the core of Judaism; who see “Justice, justice you shall pursue,” and *tikkun olam* as the sum total and point of Judaism. On the other side are those who believe that Shabbat and *kashrut* and Torah study and acts of charity and kindness towards other Jews are the core of Judaism, and that while social justice is, perhaps, an important goal, it is not a Jewish goal *per se*. These two groups, on the whole, seem to agree only that there is no necessary connection between halakhic observance and the pursuit of justice. Neither of these groups seem to believe that the halakhic system itself has anything that might or should be brought to bear on the issues of justice that confront our contemporary society: taxation, education, health care, homelessness and housing, and on.

I will claim—and this is the basic presupposition that I am arguing for—that at the heart of the Rabbinic understanding of the way we should order our societies is that the city is a community of obligation. By this I mean that residency in a city brings with it obligations to support the poor and the city’s physical and human infrastructure (health care, education, etc.). I argue that the Rabbis understood that it was the role of the organized community to intervene in the market to regulate prices and wages. In sum, the Rabbinic understanding of being Jewish placed economic justice issues on the same plane as Shabbat and *kashrut*, criminal justice issues on the same plane as personal status law and conversion. Neither was more nor less important.

It is against this background that I will analyze a set of Talmudic discussions from which I will derive principles for justice in our large urban areas.

⁵ Maimonides *Mishneh Torah: Laws of Gifts to the Poor: Chapter 9:4*

⁶ Maimonides’ law is based in part on the Babylonian Talmud, *Sanhedrin 35a*



A TORAH OF JUSTICE - A VIEW FROM THE LEFT?

CITIES AS COMMUNITIES OF OBLIGATION

My first claim is that the classical tradition understands cities as communities of obligation. What I mean by this is that residency in a city, signalled by time lived there or ownership of property, triggered obligations to the city and its residents. Citizenship, then, is defined by obligation.⁷

There is a *mahloket*, a dispute, about the level of forced participation—i.e. taxation of some sort—that may be applied to city residents [*bney ha'ir*] in supporting a city's infrastructure. The first opinion holds that anyone can be coerced to participate in the infrastructure necessary for the security of the city, no matter the specific circumstances of that city. The second century Palestinian Sage, Rabban Shimon ben Gamliel, argues that not all cities *need* the same level of security. In order for this law to make sense as public policy, it has to be based in reality. In the later discussion in the Talmud, another text is cited in which Rabban Shimon ben Gamliel's argument is fleshed out. He seems to be arguing that citizens can only be taxed to build fortifications if the city is a border city, that is, in actual danger of attack or raid. In other words, if it just the fashion for a modern city to have the most up-to-date security systems, this would not qualify as enough of a reason to coerce residents to pay for those systems.

The Mishnah now asks the obvious question: How does one define a resident? The criterion for residency in this Mishnah is twelve months, or the purchase of a dwelling. That is, only after twelve months (or immediately if a dwelling was bought) is a person obligated to participate in the support of the city's infrastructure. The Talmud's commentary on this Mishnah has a more graded approach. Rather than a single time of twelve months for citizenship and its obligations, the text quoted in the Talmud sets thirty days for participation in the soup kitchen, three months for the general fund, six months for the clothing fund, nine for the burial fund and twelve months for infrastructure (roads and aqueducts).⁸

In our culture, when we think of a waiting period prior to residency, we think that until one has lived in a place a certain amount of time they are not allowed to *benefit* from certain *privileges*. The Sages understood this in exactly the opposite way. The waiting period was to *assume obligation*. There was no waiting period for benefit.⁹ Residency in a town is determined by the time that a person assumes the obligations of being a resident.

The first assumption of the Rabbinic understanding of a just city, then, is that citizenship or residency is defined by *obligation* and not rights. These obligations are mediated by the city through assessment. The town or city itself had the responsibility for assuring that there was a soup kitchen and clothing and other needs understood as necessary (e.g. housing). The town also had the responsibility to collect the resources needed through taxation.

LABOR

Beyond ensuring that the basic needs of townspeople were met, the town had the power to intervene in the market and set prices and wages - and sanction those who abrogated those regulations.¹⁰ While there are clear obligations that an employee has to her employer, the biblical injunction against withholding wages (Leviticus 19:3) weights the discussions of employer-employee relationships toward the latter. The Babylonian Sage Rav (a fourth century contemporary of Samuel, quoted earlier) is credited with the Midrashic saying: "A worker may renege [on his commitment to work] even in the middle of the [work] day, for it is written (Leviticus 25:55) 'For unto Me the children of Israel are servants; they are My servants' - and not servants to servants." A distinction is therefore boldly drawn between the labor and the laborer. While a worker can put his labor up for hire, an employer does not then own the worker. This means, amongst other things, that the employer cannot direct the worker, against his will, to a more onerous task than the one initially contracted for. This approach has been the basis for contemporary rabbinic rulings holding that union organizing, striking and not allowing replacement workers (scabs) to take over jobs of those on strike are all supported by Jewish law.¹¹

A second principle, then, is that the community (in one form or another) should intervene in the market to insure fair wages and prices.

⁷ This is found most explicitly in a text from Mishnah Bava Batra 1:5 (in manuscripts, Mishnah 6) and the discussion of that mishnah in the Babylonian Talmud Bava Batra 7b-8a.

⁸ Babylonian Talmud, Bava Batra 8a.

⁹ There is a dispute in the Talmud over whether the no waiting period is for clothing or food. See Bava Batra 9a.

¹⁰ Babylonian Talmud, Bava Batra 8b-9a

¹¹ Rabbi Ben-Zion Meir Chai Uzziel (1880-1953) *Mishpetei Uzziel* Vol. IV - Hoshen Mishpat 42; Rabbi Eliezer Waldenburg *Tzitz Eliezer* 2:23; Rabbi Moshe Feinstein, *Iggeros Moshe: Hoshen Mishpat* 1:59



A TORAH OF JUSTICE - A VIEW FROM THE LEFT?

PRIVATE PROPERTY

Private property is respected to the extent that it does not impinge on the needs of the community. A person is not allowed to operate certain types of businesses on his property if this will damage surrounding property owners. A person does not have absolute right to dispose of her property at her complete discretion. Both the communal needs and basic fairness come in to play a mitigating role in the ownership of private property.¹²

This plays out also in the fact that private ownership of property begins after a basic threshold of community needs is met. The tithing is subject to legal claims by the poor, either directly or indirectly through the city. The laws which mandate that a farmer must leave a portion of his field to the poor, or tithe to the Levites, give those groups standing to claim those portions.¹³ Jewish law has no problem with the aggregation of massive wealth. However, it can only begin after the threshold of communal need is met.

A third principle: Resources belong to private owners only after the needs of the community are met.

RESTORATIVE JUSTICE

Another aspect of viewing the city as a community of obligation (a web of relationships between people who are anonymous to each other, but which nonetheless are the locations of just action) is that the goal of the system of justice is the restoration of the community rather than merely punishment of the perpetrator. This does not mean that punishment is not part of the process. However, when punishment and societal vengeance become the goal of the system, the fabric of the community is never restored after its breach as a result of crime. The fabric of the community is only restored at the point of repentance by the offender followed by forgiveness by the victim.

A fourth principle, therefore: Jewish law, articulated most cogently with respect to this subject in Maimonides' *Mishneh Torah*, sees repentance and restoration as the goal of the criminal justice system.¹⁴

THE OBLIGATION TO PROTEST

Finally, the idea that the city is a community of obligation is imminently tied to the obligation to protest against injustice. We find the following in the Babylonian Talmud Tractate *Shabbat* 54b:

“Rav, R Hanina, R Yohanan and R Haviva taught: “Whoever can stop his household [from doing something wrong] but does not, is punished for [the wrongdoing of] his household; if he can prevent his fellow citizens, he is punished for the sins of his fellow citizens; if the whole world, he is punished for the sins of the whole world.”¹⁵

I would suggest that the Talmud is claiming here that interactions with anonymous others must be sites of justice. Levinas, in describing his philosophical project, writes: “Concretely our effort consists in maintaining, within anonymous community, the society of the I with the Other...”¹⁶ This, I want to suggest, is the claim of our text, and a final principle of justice: I have an obligation to prevent wrong or injustice from happening to, or being done by, anybody. My obligation is not only to “those in my household.” My obligation stretches beyond to those with whom I am in anonymous community—those whom I do not know. This web of anonymous relationships is constitutive of society in our cities. This ethic of obligation is the way towards making those relationships sites of justice.

CONCLUSION

In sum, a fair reading of the Jewish textual tradition points to the fact that the prophetic goal of a society which is ordered on the basis of justice and equity is also implicit in the Jewish legal tradition. This latter tradition sees a city as a community of obligation, in which one's residency triggers obligations to those beyond the boundaries of one's intimate relationships. It is in the unseen interactions with anonymous others that justice can and must happen—that resources must be redistributed, that needs must be met, that equity must be assured, that injustices must be protested. This is the Torah of justice.

¹² See Maimonides *Laws of Neighbors Chapter 3*

¹³ Whether or not those claims can be pursued is the subject of some dispute. This is, however, a result of the fact the poor might not have a specific claim against Farmer Joe, as opposed to against some farmer. In other words, a portion of Farmer Joe's crops, by dint of law, may not be used (harvested, sold, etc.) by Farmer Joe. However, this in and of itself does not give Ralph, the local poor guy, the right to claim that portion of Joe's crops. Farmer Joe could counter that he will give the crops to some other poor person. At the end of the day, the crops belong to a poor person, not this specific poor person who wants to claim them.

¹⁴ Maimonides *Mishneh Torah, Laws of Repentance 2:9* and see the commentaries there.

¹⁵ Babylonian Talmud, *Shabbat* 54b.

¹⁶ Emmanuel Levinas, *Totality and Infinity*, p. 47



A TORAH OF JUSTICE – A VIEW FROM THE LEFT? – TEXT 1

משנה בבא בתרא א:ה

כופין אותו לבנות בית שער ודלת לחצר. רבן שמעון בן גמליאל אומר, לא כל החצרות ראויות לבית שער. כופין אותו לבנות לעיר חומה דלתים ובריח. רבן שמעון בן גמליאל אומר, לא כל העירות ראויות לחומה. כמה יהא בעיר ויהא כאנשי העיר. שנים עשר חדש. קנה בה בית דירה, הרי הוא כאנשי העיר מיד:

MISHNAH *BAVA BATRA* 1:5

They may coerce him to [participate in the] building of a gate house and a gate for the [joint] courtyard. Rabban Shimon ben Gamliel says: Not all courtyards need a gate house. They may coerce him to [participate in the] building of a wall, a double door and bolt for the city.

Rabban Shimon ben Gamliel says: Not all cities need a wall.

How long must one be in the city and be [considered] as a resident? Twelve months. If one bought a lodging, behold one is [considered] as a resident immediately.

תלמוד בבלי בבא בתרא ז.ב

כופין אותו לבנות בית שער ודלת לחצר. תנא, רבן שמעון בן גמליאל אומר: לא כל חצרות ראויות לבית שער, אלא חצר הסמוכה לרשות הרבים - ראויה לבית שער, ושאניה סמוכה לרשות הרבים - אינה ראויה לבית שער. ורבנן? זימנין דדחקי בני רשות הרבים ועילו ואתו. כופין אותו לבנות לעיר וכולה. (תנו רבנן: כופין אותו לעשות לעיר דלתים ובריח:) ורבן שמעון בן גמליאל אומר: לא כל העירות ראויות לחומה, אלא עיר הסמוכה לספר - ראויה לחומה, ושאניה סמוכה לספר - אינה ראויה לחומה. ורבנן? זימנין דמקרו ואתי גייסא.

BABYLONIAN TALMUD *BAVA BATRA* 7B

They may coerce him to [participate in the] building of a gate house and a gate for the [joint] courtyard. - It is taught [in a Baraita] that Rabban Shimon ben Gamliel says: not every courtyard needs a gatehouse. A courtyard which is next to a public domain needs a gatehouse; but one which is not, does not. And what do the Rabbis say? [They say,] sometimes the people in the public domain push and jostle and enter the courtyard [so a gatehouse is necessary].

They may coerce him to [participate in the] building of a wall, a double door and bolt for the city. - Rabban Shimon ben Gamliel says: not every city needs a wall. A city which is next to the boundary needs a wall; but one which is not, does not. And what do the Rabbis say? [They say,] sometimes it happens that marauders come along.

STUDY QUESTIONS

- What is Rabban Shimon ben Gamliel saying in the Mishnah/in the Talmud?
- What are the Rabbis saying? Why?
- Do you agree with the Rabbis or with Rabban Shimon ben Gamliel? Why?
- Can a wider principle of civic responsibility be learned from these texts? What is it?



A TORAH OF JUSTICE – A VIEW FROM THE LEFT? – TEXT 2

תלמוד בבלי בבא בתרא ח.א

ואמר ר' אסי אומר ר' יוחנן: הכל לפסי העיר ואפילו מיתמי, אבל רבנן לא, דרבנן לא צריכי נטירותא. אומר רב פפא: לשורא ולפרשאה ולטרזינא - אפילו מיתמי, אבל רבנן לא צריכי נטירותא. כללא דמילתא: כל מילתא דאית להו הנאה מיניה - אפילו מיתמי. רבה רמא צדקה איתמי דבי בר מריון, אומר ליה אביי, והתני רב שמואל בר יהודה: אין פוסקין צדקה על היתומים אפילו לפדיון שבויים אומר ליה: אגא לאחשובינהו קא עבידנא.

BABYLONIAN TALMUD *Bava Batra* 8A

R Assi said that R Yohanan said: Everybody must [contribute] to the city walls, even orphans – but not rabbis, because they do not need guarding. Rav Papa said: even orphans must contribute to the walls, the mounted guard, and the armory – but not rabbis, because they do not need guarding. The general principle here is that anyone who derives benefit from something – even orphans – [should contribute].

Raba once asked the orphans of the house of Bar Merion for a contribution to charity. Abaye said to him, “Didn’t Rav Shmuel ben Yehudah say that you don’t ask orphans for charity contributions even if it is for the redeeming of captives?” Raba answered: “I am doing it so that people think well of them.”

STUDY QUESTIONS

- According to this passage, what is the status of orphans?
- Why do you think the Talmud would say that rabbis do not require protection?
- Do you agree with the general principle stated in the middle of the passage?
- Can a wider principle of civic responsibility be learned from this text? What is it?



A TORAH OF JUSTICE – A VIEW FROM THE LEFT? – TEXT 3

תלמוד בבלי בבא בתרא ח.ב

תנו רבנן: קופה של צדקה נגבית בשנים ומתחלקת בשלשה, נגבית בשנים - שאין עושים שררות על הצבור פחות משנים, ומתחלקת בשלשה - כדיני ממונות תמחוי נגבית בשלשה ומתחלקת בשלשה, שגבויה וחלוקה שנים תמחוי - בכל יום, קופה - מערב שבת לערב שבת, תמחוי - לעניי עולם, קופה - לעניי העיר ורשאים בני העיר לעשות קופה תמחוי ותמחוי קופה, ולשנותה לכל מה שירצו.

BABYLONIAN TALMUD *Bava Batra* 8B

Our rabbis taught: the charity fund must be collected by two people and distributed by three. It is collected by two people, because any job which confers authority over the public should not be done by less than two. It [the fund] should be distributed by three, by analogy with civil cases.¹

The [food for the] soup kitchen is collected by three people and distributed by three, because it is collected and distributed on the same day. The soup kitchen operates every day; the fund is distributed every Friday night. The soup kitchen is for anyone who comes to it; the fund is for the poor of that [particular] city.

The citizens of that city are entitled to turn the fund into monies for the soup kitchen, and the food for the soup kitchen into money for the fund, and to apply them for whatever they choose to do.

STUDY QUESTIONS

- What are the differences between the fund and the soup kitchen?
- Why are those differences important?
- What is the significance of the final sentence of this passage?
- Can a wider principle of civic responsibility be learned from this text? What is it?

¹ The general rule is that a civil case is to be decided by three judges.



A TORAH OF JUSTICE – A VIEW FROM THE LEFT? – TEXT 4

תלמוד בבלי בבא בתרא ח:ב

וְרָשָׁאיוּ בְּנֵי הָעִיר לְהִתְנוּת עַל הַמְּדוּת וְעַל הַשְּׁעָרִים, וְעַל שְׂכָר פּוֹעֲלִים, וְלְהַסִּיעַ עַל קִיצָתוֹ.

BABYLONIAN TALMUD *BAVA BATRA* 8A

The citizens of a town are permitted to set parameters for weights, for prices and for workers' wages, and to punish those who abrogate their ordinances.

רש"י

לְהִתְנוּת עַל הַמְּדוּת - לְהַגְדִּיל סָאת הָעִיר אוֹ לְהַקְטִין:

וְעַל הַשְּׁעָרִים - שְׁעַר חֲטָיִן וְהַיִּין שְׁלֹא יִמְכְּרָהּ שָׁנָה זוֹ יוֹתֵר מִכֶּדָּ וְכֵן דָּמִים:

לְהַסִּיעַ עַל קִיצָתוֹ - לְקַנּוֹס אֶת הָעוֹבְרִים עַל קִיצַת דְּבָרֵיהֶם לְהַסִּיעֵם מִדַּת דִּין תּוֹרָה:

RASHI ON BABYLONIAN TALMUD *BAVA BATRA* 8A

set parameters for weights – to make the town's *seah* larger or smaller

for prices – the price of grain and wine, that it should not be sold in this year for more than such and such a price.

to punish those who abrogate – to fine those who transgress their words, to punish them from within the law of Torah.

STUDY QUESTIONS

- What are the three specific powers given to the “citizens of a town”?
- What effect does the exercise of those powers have on the town, and why?
- Rashi does not comment on workers' wages. Would you? If so, what would you say?
- Can a wider principle of civic responsibility be learned from these texts? What is it?



A TORAH OF JUSTICE – A VIEW FROM THE LEFT? – TEXT 5

שמות רבה יתרו כז:ט

כל הימים שאדם חבר לא איכפת לו בצבור ואינו נענש עליו, נתמנה אדם בראש ונטל טלית לא יאמר לטובתי אני נזקק לא איכפת לי בצבור אלא כל טרח הצבור עליו, אם ראה אדם מעביר בביא על חברו או עובר עבירה ולא ממחה בידו הוא נענש עליו, ורוח הקדוש צונחת בני אם ערבת לרעה, אתה ערב עליו תקעף לך כפיד, אמר לו הקדוש ברוך הוא אתה הכנסת עצמך לזירה, ומי שהוא מכניס עצמו לזירה או ניצוח או נוצח, אמר לו הקדוש ברוך הוא אני ואתה עומדים בזירה או נצחת או נצחתי,

SHEMOT RABBAH YITRO 27:9

For as long as a person is [only] a *haver*, they do not care about the community and they are not punished for what it does wrong. But as soon as a person takes on leadership and the *tallit*, they cannot say, “I only need what is good for me and I do not care about the community.” Rather, the whole obligation of the community is upon that person. If they see anyone wronging another, or committing a transgression, and do not prevent them, they will be punished for what that person did. The Holy Spirit shrieks: “My child! ‘If you have stood surety for your neighbor’ – you are responsible for them: ‘you have shaken hands on behalf of a stranger [Proverbs 6:1].’ “The Holy Blessed One says to such people: You have put yourself into the arena. A person who does that will either be beaten or emerge victorious. You and I are standing in the arena. Either you emerge victorious – or I do!”



SESSION SUGGESTIONS – A TORAH OF JUSTICE – A VIEW FROM THE LEFT?

INTRODUCTION

As with the last session, this one has various objectives. Firstly, participants will continue to focus on the politics of social justice. The texts in this session focus on the idea of communities of obligation. This will in turn contribute to the discussion of wider circles of obligation elsewhere in the course (in the session on international economic justice).

Recap the main points of the essay to begin the session:

- according to Dr Cohen, why is the Torah a ‘Torah of Justice’?
- what constitutes a community of obligation?
- what characteristics does that community have?

CHAVRUTA STUDY

The four texts for this session come from Bava Batra and [with some cuts] are consecutive with each other (in particular, Text 4 runs directly on from Text 3). This means that when reporting back, it will make sense to begin with the group studying Text 1 and then go on to build on what they have to say. At the end of the chavruta – what are the principles of civic responsibility which have been isolated? Have participants seen those principles at work anywhere – and if so, when, and how? Did they work successfully? Why/why not?

GROUP STUDY

The text for this session is taken from Yitro and discusses not only a person’s responsibility for their community and its members, but also a challenging vision of God which it is hoped will give rise to some interesting discussion. You might wish to link this back to the section in the essay which was brought from the Guide to the Perplexed. Or you may wish to begin with the assumption, in the text, that a person does not take on responsibility without leadership. Is this true, and if not, why not?

If you do not wish to use the text – you could take this session in a number of directions. You could look at other contemporary models for civic responsibility/citizenship (google ‘civic responsibility’). If you wish to personalize the discussion - what is the role the synagogue plays in its own civic context, and is there scope for a different approach to that role? If so, what?

At the end of the session, it might be useful to link back to Dr Bayme’s essay in Unit 4. Now that participants have seen both views, where do they sit? How do their definitions of the wide principle of *tikkun olam* in that session sit with the principles of civic responsibility they have been discussing in this one – or, how should those two realities relate?

This is the final essay in this part of the course; either you will be proceeding straight to the Afterword, or looking at specific issues, so you might wish to take a little time to summarize the journey to date.

CONCLUSION

Allow time for participants to update and amend their personal manifestos, integrating their findings about civic responsibility with the principles and ideals which have emerged so far. Hand out the essay for next time, and conclude the session. **If this is your penultimate session – ask participants to be sure to bring their manifestos with them to the Afterword session.**



CONTRIBUTORS

RABBI MORRIS J ALLEN has served as the first rabbi of Beth Jacob Congregation in Mendota Heights, Mn. since 1986. Ordained by the Jewish Theological Seminary in 1984, Rabbi Allen also has his Masters in Social Work from the University of Wisconsin-Madison. Rabbi Allen is the Director of the *Hekhsher Tzedek* project, a concept he developed. The project is a joint initiative of the United Synagogue of Conservative Judaism and the Rabbinical Assembly. Rabbi Allen is married to Phyllis Gorin, a pediatrician, and they are the parents of three children.

JEANNIE APPLEMAN As director of the Leadership For Public Life Training and Leadership Development project for the Jewish Funds for Justice, Jeannie trains and organizes rabbinical and cantorial student leaders from all the movements' seminaries (including at AJU and JTS), with the help of IAF organizers and Meir Lakein.

RABBI BRADLEY SHAVIT ARTSON (www.bradartson.com) is the Dean of the Ziegler School of Rabbinic Studies at the American Jewish University, where he is Vice President. A Doctoral student in Contemporary Theology, he is the author of almost 200 articles and 6 books, including the forthcoming *Everyday Torah: Wisdom, Dreams, & Visions* (McGraw Hill).

JACOB ARTSON, 15, attends Hamilton High School in Los Angeles. He is dedicated to helping all people, whether they have special needs or not, live with dignity and meaning. He would like to thank his mentor Dr. Ricki Robinson, his parents, and his amazing twin sister Shira, who is his best friend, role model, cheerleader, advocate and fashion consultant.

DR STEVEN BAYME serves as National Director, Contemporary Jewish Life Department, for the American Jewish Committee. He is the author of *Understanding Jewish History: Texts and Commentaries* and *Jewish Arguments and Counter-Arguments*, and has co-edited two volumes, *The Jewish Family and Jewish Continuity* (with Gladys Rosen) and *Rebuilding the Nest: A New Commitment to the American Family* (with David Blankenhorn and Jean Bethke Elshtain).

DR. JEREMY BENSTEIN is the associate director of the Heschel Center for Environmental Learning and Leadership in Tel Aviv. He holds a master's degree in Judaic Studies and a doctorate in environmental anthropology. He is the author of *The Way Into Judaism and the Environment* (Jewish Lights, 2006), and writes and lectures widely on the topics of Judaism, Israel and the environment. He lives in Zichron Yaakov with his wife and two sons.

DR ARYEH COHEN is Associate Professor of Rabbinic Literature at the Ziegler School of Rabbinic Studies. He is a past president of the Progressive Jewish Alliance. Dr. Cohen is the author of two books and many articles in Rabbinics and Jewish Studies more broadly, and the intersection of the Jewish textual tradition and issues of Social Justice.

ELLIOT N DORFF, Rabbi, PhD, is Rector and Distinguished Professor of Philosophy at the American Jewish University in Los Angeles. He specializes in ethics, with books on Jewish medical, social, and personal ethics, but he has also written on Jewish law and theology. His books on social justice are entitled, *To Do the Right and the Good: A Jewish Approach to Modern Social Ethics* and *The Way Into Tikkun Olam (Fixing the World)*.

AARON DORFMAN is the director of education of American Jewish World Service. Prior to his work at AJWS, Aaron spent nine years teaching and leading youth programs at Temple Isaiah, a Reform synagogue in Northern California. Aaron holds a Masters Degree in Public Policy from the Kennedy School of Government at Harvard University, a B.A. from the University of Wisconsin, and a certificate from the Pardes Institute of Jewish Studies in Jerusalem.

RABBI ADAM FRANK is spiritual leader of Congregation Moreshet Yisrael in Jerusalem and also teaches at Jerusalem's Conservative Yeshiva. Several of Rabbi Frank's articles on *Tsa'ar Ba'alei Hayyim* have appeared in both the Jewish and animal welfare press. Adam is married to Lynne Weinstein and they have 2 children, Nadav and Ella, and Zoe.



CONTRIBUTORS

ABE FRIEDMAN is currently studying for rabbinic ordination at the Ziegler School of Rabbinic Studies as well as an MBA in Nonprofit Management at the American Jewish University. Originally from Atlanta, Georgia, Abe is a graduate of USY's Nativ Leadership Program in Israel and Boston University. He currently lives in Los Angeles with his wife and daughter.

RABBI MICHAEL GRAETZ (www.justone9@gmail.com) is the Rabbi Emeritus of Congregation Magen Avraham in Omer, and he was a founder and first director of the Masorti Movement in Israel. He has taught Jewish studies in Kaye State College in Beer Sheva. He is the author of many articles in Hebrew and English, including "Va-Yaomodu ba-Omer" about a theology of halakhah, and was the chair of Siddur Committee of the RA of Israel.

RABBI TZVI GRAETZ is the executive director of Masorti Olami and MERCAZ Olami, ordained by Schechter Institute in 2003 and formerly was rabbi of Kehilat Shevet Achim in Gilo, Jerusalem.

MEIR LAKEIN is the lead organizer for the Greater Boston Synagogue Organizing Project of the Jewish Community Relations Council of Greater Boston, deeply organizing in thirteen synagogues to bring about social change, transform religious communities, and help communities around the country learn from our work.

LENORE LAYMAN, MA is the director of the Special Needs and Disability Services Department at the Partnership for Jewish Life and Learning in Rockville, MD. She has worked in a variety of Jewish day school, congregational school and camp settings teaching and directing Jewish community programs for individuals with disabilities.

RUTH W MESSINGER is the president of American Jewish World Service, an international development organization. Prior to assuming this role in 1998, Ms. Messinger was in public service in New York City for 20 years. In honor of her tireless work to end the genocide in Darfur, Sudan, Ms. Messinger received an award from the Jewish Council for Public Affairs in 2006, and has been awarded honorary degrees from both Hebrew Union College and Hebrew College. Ms. Messinger has three children, eight grandchildren, and one great-grandchild.

RABBI CHERYL PERETZ is the Associate Dean of the Ziegler School of Rabbinic Studies at the American Jewish University where she also received her ordination. Prior to her career in the rabbinate, she received her MBA from Baruch College and spent many years in corporate consulting and management for Fortune 500 companies. She is the author of a chapter on the halakhah of employment for the forthcoming *Living a Jewish Life* book to be published by Aviv Press.

RABBI AVRAM ISRAEL REISNER (avreisner@jtsa.edu) is Rabbi of Chevrei Tzedek Congregation in Baltimore, MD and an adjunct professor at Baltimore Hebrew University. He has been a member of long standing on the Conservative Movement's Committee on Jewish Law and Standards.

RABBI BENJAMIN EDIDIN SCOLNIC (scolnic@aol.com) has been the rabbi of Temple Beth Sholom in Hamden, Connecticut since 1983. He is the Biblical Consultant of the North Sinai Archaeological Project and Adjunct Professor in Judaica at the Southern Connecticut State University. He is the author of over 70 articles and 9 books, including *If the Egyptians Died in the Red Sea, Where are Pharaoh's Chariots?* (2006) and the forthcoming *I'm Becoming What I'm Becoming: Jewish Perspectives* (2008).

DEBORAH SILVER is entering the fourth year of the rabbinic program at the Ziegler School of Rabbinic Studies, Los Angeles. Prior to attending the school she was a writer and editor, and subsequently qualified as an attorney in England, where she worked for the London firm Mishcon de Reya and thereafter as an Associate Professor at BPP Law School. She co-edited the previous Ziegler Adult Learning book, **Walking with God**.



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MUSICAL PLAYLIST TO ACCOMPANY EACH SESSION

Compiled by Noam Raucher

You can use any or all of the songs in the suggested sessions. They are listed in the order of title-artist-album, and all are available on iTunes. Please note that one or two have explicit lyrics – these are clearly marked.

Introduction

How Come – Ray LaMontagne – Trouble
For What It's Worth – Buffalo Springfield – Buffalo Springfield
If I Had A Hammer – Peter, Paul and Mary – The Best of Peter Paul and Mary
What's Going On – Marvin Gaye – What's Going On

The Prophets and Social Justice

Fuel – Ani DiFranco – Little Plastic Castle
Chimes of Freedom – Bob Dylan – Bob Dylan: The Collection
Keep On Rockin' In The Free World – Neil Young – Greatest Hits

The Ethical Impulse in Rabbinic Judaism

Talkin' Bout A Revolution – Tracy Chapman – Tracy Chapman
Blowin' In The Wind – Peter, Paul and Mary – The Best of Peter, Paul and Mary
Down By The Riverside – Waste Deep In The Big Muddy And Other Love Songs

A Torah of Justice – A View from the Right?

Hands – Jewel - Spirit
The Times They Are A Changin' – Bob Dylan – The Essential Bob Dylan
We Are One – Safam – Peace By Peace

A Torah of Justice – A View from the Left?

He Was My Brother – Simon and Garfunkel – Wednesday Morning, 3AM
Oxford Town – Bob Dylan – The Freewheelin' Bob Dylan
A Change Is Gonna Come – Sam Cooke – Ain't That Good News

Environment

The Horizon Has Been Defeated – Jack Johnson -On and On
Holy Ground – The Klezmatics – Wonder Wheel
Mercy Mercy Me (The Ecology) – Marvin Gaye – What's Going On
Big Yellow Taxi – Joni Mitchell - Dreamland

Business Ethics

Working Class Hero – John Lennon – Working Class Hero: The Definitive Lennon
Carpal Tunnel – John O' Conner – Classic Labor Songs From Smithsonian Folkways
We Do The Work – Jon Fromer - Classic Labor Songs From Smithsonian Folkways

International Economic Justice

We Are The World. – USA For Africa – We Are The World (Single)
Outside A Small Circle of Friends – Phil Ochs – The Best of Phil Ochs
El Salvador – Peter, Paul and Mary – The Best of Peter Paul and Mary

Special Needs

What It's Like – Everlast – The Best of House of Pain and Everlast – **EXPLICIT LYRICS**
Mr. Wendall – Arrested Development – 3 years, 5 months, and 2 days in the life Of...
The Boy In The Bubble – Paul Simon – The Essential Paul Simon

Kashrut

All You Can Eat – Ben Folds – Supersunnyspeedgraphic, The LP – **EXPLICIT LYRICS**
Mr. Greed – John Fogerty - Centerfield
We Just Come To Work Here, We Don't Come To Die –Anne Feeney - Classic Labor Songs From Smithsonian Folkways

Israel

Hope: Pray On – Sweet Honey In The Rock - 25
Yihyeh Tov – David Broza – Things Will Be Better, The Best Of David Broza
Misplaced – Moshav Band

Afterword

With My Own Two Hands – Ben Harper – Diamonds On The Inside
Living For The City – Stevie Wonder – Number 1's
Redemption Song – Bob Marley - Legend



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15600 MULHOLLAND DRIVE • BEL AIR, CA 90077