Journal of Intercultural Management and Ethics

JIME

ISSN 2601 - 5749, ISSN-L 2601 - 5749

published by

Center for Socio-Economic Studies and Multiculturalism
Iasi, Romania
www.csesm.org

TABLE OF CONTENT

JEWISH PERSPECTIVE ON SOCIAL JUSTICE AND ETHICS: IMPLICATIONS FOR THE MODERN WORLD

Hershey H. Friedman, Ph.D.
Professor of Business, Department of Management, Marketing, and Entrepreneurship
Koppelman School of Business, Brooklyn College, CUNY, USA
E-mail: x.friedman@att.net

Joshua Krausz, Ph.D.
Gershon and Merle Stern Professor of Banking and Finance
Sy Syms School of Business, Yeshiva University, USA
E-mail: krausz@yu.edu

Abstract

Social justice is a multifaceted term with many meanings. Initially used by Catholics, it later became an integral part of the official teachings of the Roman Catholic Church. Today, it has been embraced to a large degree by secular humanists. Universities often present discussions and interpretations of historical occurrences from a woke perspective, emphasizing concepts like intersectionality, race, oppression, colonialism, and cancel culture, which frequently align with a neo-Marxian viewpoint. This paper will examine social justice from a Jewish perspective. It will demonstrate that its origins trace back to the Hebrew Bible/Torah and Rabbinic teachings. In fact, most biblical prophets, such as Isaiah, Micah, Zechariah, and Jeremiah, were deeply concerned with the mistreatment of the needy and vulnerable members of society. Principles such as *tzedek* (righteousness) and *chesed* (deeds of lovingkindness) are core defining values of the Bible. These enduring moral principles have been tested across millennia for their integrity and authenticity. Moreover, Torah-centric ideas promote a universal approach encompassing commercial, societal, and global ecosystems.

Keywords: Social Justice, Chesed, Tzedek, Human dignity, Humanity in God's Image, Financial Reform, Loving the Stranger, Tikkun Olam.

Introduction

In today's dynamic educational landscape, social justice is gaining prominence as an integral component of curricula at leading business schools across the United States. Courses like "Capitalism and the State" at Harvard and "Responsibility in Business" at Wharton reflect the growing student interest in exploring the social contract and the role of businesses in society (Goldberg, 2022). However, amidst the current cultural discourse, specific terms that should embody positive values have unfortunately been misconstrued and weaponized. These include "woke," "cancel culture," "identity politics," "politically correct," "critical race theory," "intersectionality," and "DEI." Ironically, "social justice" and "social justice warrior" have also acquired negative connotations despite representing noble ideals that resonate with those who value fairness and equity.

This paper delves into the concept of social justice from the perspective of Judaism and the Torah. Leaders must strive to promote these ideals effectively, fostering unity rather than division. We address the sanctity of life and respect for others within business and society in all our public and private interactions. Understanding these principles will enhance university education and expose students to opposing views. Moreover, this will allow a full discussion and thereby increase critical thinking, which is the university's primary function.

What is social justice? Luigi Taparelli d'Azeglio, a Jesuit, was the first to use the term in 1843. Catholics used the term, but it was later taken over by secular progressives on the left (Burke, 2014; Novak, 2009). It now has many different meanings, but what they have in common is the importance of the following concepts: equal rights, equal opportunity, and equal treatment. Thus, a simple definition is that "social justice means equal rights and equitable opportunities for all" (San Diego Foundation, 2022).

This paper will demonstrate that *chesed* (deeds of lovingkindness), *tzedek* (righteousness), and social justice are inextricably linked. Indeed, the Hebrew Bible (also known as the Tanakh and consisting of the Torah, the Prophets, and the Writings) has much to say about concern for the needy and vulnerable members of society.

Mishpat, Tzedek, and Chesed

The Hebrew Bible speaks of *mishpat*, *tzedek*, and *chesed*. Discerning the distinctions among these terms is crucial to fully grasp how social justice operates from a biblical standpoint. Sacks (2005, p. 51) underscores the difference between *mishpat* (justice) and *chesed* (lovingkindness). *Chesed* "exists only in virtue of emotion, empathy, and sympathy." It requires "not detached rationality but emotional intelligence." Justice, on the other hand, is "best administered without emotion." The correct way to administer justice is by being detached, disinterested, disengaged, and impartial. Sacks (2005, p. 33) observes that *mishpat* means retributive justice, and *tzedek* means distributive justice. Thus, "A law-governed society is a place of *mishpat*." Essentially, *chesed* is an act of engagement, concern, and compassion. One who practices chesed by visiting the sick or comforting a mourner must be engaged.

Tzedek and Chesed entail doing considerably more than the strict application of law requires. As discussed later in this paper, exceeding legal requirements is essential. Lord Moulton's maxim that "the real greatness of a nation, its true civilization, is measured by the extent, in this land, of obedience to the unenforceable" (cited in Cohen, 1959, p. 220) is consistent with the view that society requires more of individuals than simple obedience to the laws that can be enforced. Rules and regulations often establish minimum standards and prohibit specific behaviors, emphasizing compliance with explicit requirements. However, this rules-based culture (focusing only on "*mishpat*") can sometimes prioritize the 'letter of the law' over the 'spirit of the law.'

As a consequence, employees may engage in 'moral mediocrity' or unethical behavior if they perceive actions not explicitly forbidden as acceptable (National Center for Ethics in Health Care, 2007). In 1989, the American Institute of Certified Public Accountants (AICPA) overhauled its Code of Professional Conduct. The AICPA was concerned that the previous rules-based code allowed for loopholes, enabling individuals to bypass the intended spirit of the code. Recognizing the limitations of a purely rules-based approach, the AICPA transitioned to a code that integrates broadly-stated principles with specific rules (AICPA, 2002, 51.02). Today's code reflects this balanced approach, emphasizing both ethical principles and practical guidelines for accountants.

A decent, caring society requires more than *mishpat*; it must incorporate *tzedek* and combine compassion with strict justice. *Tzedek* is similar to Aristotle's idea of equity. Its purpose is to improve the law and make it fairer. Following the strict letter of the law can often result in situations where the true intention of the legislator is not being considered. Thus, for example, a law designed to help people experiencing poverty might sometimes serve to harm them. The word *tzedek* is usually translated as justice, righteousness, charity, equity, and fairness because it has many nuances. The Torah (Deuteronomy 16:20) states: "Justice, justice you shall pursue, so that you may thrive and occupy the land that the Lord your God is giving you." People must "pursue" *tzedek* because it is an ideal not everyone can

achieve. Despite this, there are many laws that demand *tzedek*. Thus, the Torah (Deuteronomy 24:12–13) asserts: "If a man is poor, you may not go to sleep holding his security. Return it to him at sundown so that he will be able to sleep in his garment and bless you. To you it will be reckoned as *tzedakah* before the Lord your God" (Sacks, 2013).

Sacks (2005, p. 32) observes that the word *tzedakah* combines two words that are generally opposites in most languages: charity and justice. An act of justice is not charity, and vice versa. In addressing a particular legal issue involving a widow, creditor, and heirs making a claim against an estate, Rabbi Akiva said, "We do not show compassion in judgment" (Babylonian Talmud, Ketubot 84a). The Torah supports this viewpoint (Leviticus 19:15): "You shall not pervert justice. You shall not favor the poor and you shall not show deference to the rich. With righteousness (*b'tzedek*) you shall judge your fellow." *Tzedakah* means both charity and justice. This is possible in Judaism because God owns everything, and humanity acts as trustees for God's property. As the owner, God has the right to demand that people use part of their wealth to help others. Social justice combines *tzedek* and *chesed* and is built on a foundation of *rachamim* (compassion).

Chesed, usually translated as deeds of lovingkindness, goes beyond *tzedek*/*tzedaka* and indicates being unusually generous beyond the requirements of the law. Thus, showing kindness to someone with no genuine claim would constitute *chesed*. Psalm 89:15 states: "Righteousness (*tzedek*) and justice (*mishpat*) are the foundation of Your throne; lovingkindness (*chesed*) and truth (*emet*) go before You." The Psalmist also declared (Psalms 33:5), "He loves righteousness (*tzedaka*) and justice (*mishpat*); the lovingkindness (*chesed*) of God fills the earth."

Perhaps the most significant word in the Hebrew Bible is *chesed*, which appears 248 times and is a core value of the Abrahamic and other faiths (Griffin, 2022). It is not easy to translate and has been translated as mercy, kindness, steadfast love, unfailing love, and more. The best definition of *chesed* is probably lovingkindness, a core value of the Torah. It includes ideals such as love, compassion, tolerance, and forgiveness. A person filled with *chesed* has empathy for the weakest members of society and does everything possible to elevate them and restore their dignity. First, we will examine the radical idea of concern for the stranger, which includes immigrants, converts, and anyone different.

There is a technical difference between *chesed* and *rachamim*, even though the terms are often used interchangeably. *Rachamim* is a personality trait that means pity, compassion, and empathy. It is evoked when someone sees, say, a starving individual who is in great distress. Once the person is fed, the *rachamim* disappears. A person who has *chesed* acts out of a sense of duty and anticipates problems. She understands that homeless people are out there, supports a shelter, and does not need the external stimulus of seeing a suffering person. *Chesed* is more proactive, and *rachamim* is reactive (Scheinbaum, 2016, citing the explanation of Rabbi Goldvicht).

Social Justice in the Hebrew Bible

The biblical approach to social justice requires that justice be interwoven with lovingkindness, righteousness, and concern for society's neediest members; without these elements, it holds little value. These principles are grounded in the fundamental values of *tzedek* and chesed. All the great prophets were concerned with social justice. Isaiah (1:17) declared:" Learn to do good, seek justice, help the oppressed, render justice to the orphan, plead the case of the widow." The prophet Hosea described an ideal community in the following terms (Hosea 2:19–20): "I will betroth you to Me in *tzedek u'mishpat* (righteousness and justice), in *chesed ve'rachamim* (lovingkindness and compassion). I will betroth you in faithfulness, and you will know the Lord." Zechariah said in the name of God (7:8–10): "Thus says the Lord of Hosts, 'Dispense true justice (*mishpat*), and practice

lovingkindness and compassion (*chesed v'rachamim*) towards one another. Do not oppress the widow and the orphan, the stranger and the poor, and do not think in your heart of wronging another.'" Micah stated (6:8)**:** "It has been told you, O man, what is good, and what the Lord does require of you; only to do justly (*mishpat*), to love compassion (*chesed*), and to walk humbly with your God." The Babylonian Talmud (Sukkah 49b; based on the translation of Sefaria.org) explains the verse as follows: "to do justly" is to practice justice; "to love compassion" is the performance of deeds of lovingkindness; "to walk humbly with your God" refers to taking the indigent dead out for burial and accompanying a poor bride to her wedding canopy, both of which must be performed discreetly without publicity and fanfare for the benefactor.

Before destroying Sodom and Gomorrah, God provides the reason for informing Abraham, a mere mortal, of his decision. Note the importance of righteousness and justice (*tzedakah* and *mishpat*).

> Then God said, "Shall I hide from Abraham what I am about to do? Abraham will surely become a great and mighty nation, and all nations on earth will be blessed through him. For I have chosen him, because he commands his children and his household after him to keep the way of the Lord by doing righteousness *and justice*, so that the Lord will then bring upon Abraham what He has promised him" (Genesis 18: 17-19).

The Babylonian Talmud was very critical of the certain wealthy Jews of Babylonia and said they would descend to Gehenna [after death] because they did not have compassion for the needy. The Talmud concludes that if a person has empathy, he is a descendant of Abraham, our forefather; one who does not have compassion for God's creatures is undoubtedly not of the Abrahamic lineage (Babylonian Talmud, Beitzah 32b).

Much of Scripture describes the responsibility of society to help the impoverished. The Torah has many laws, such as leaving the gleanings, forgotten produce, and the corners of the field for the poor, forgiving debt, and giving tithes to the poor. The Bible has special rules regarding four categories of people: the poor, the widow and orphan, the Levite, and the stranger. For example, there is a special law in the Hebrew Bible (Deuteronomy 16:14) dealing with festivals: "You shall rejoice on your festival — you, your son, your daughter, your servant, your maid, the Levite, the stranger, the orphan, and the widow that are within your gates." Maimonides, medieval philosopher and codifier of Jewish law, observes that the law of rejoicing on a festival can only be fulfilled by taking care of the classes of people that tend to be poor and despondent: "the Levite, the stranger, the orphan, and the widow" (Mishneh Torah, Laws of Yom Tov 6:18).

Levites tended to be poor since they did not own land in ancient Israel but were given 48 cities wherein to dwell (Numbers 35:1-8; Deuteronomy 14:27). Besides having various service responsibilities in the Temple, their job included teaching the Torah (Deuteronomy 33:10). Maimonides asserts that a person who does not provide for the wretched and the indigent participates in the "joy of his own stomach," and does not observe the commandment properly. The verses he applies to such people are (Hosea 9:4): "such sacrifices will be to them like the bread of mourners; all who eat of them will become unclean, for their bread is for themselves alone" and "I will smear on your faces the dung of your festival sacrifices, and you will be carried off with it" (Malachi 2:3).

The above laws fall under the category of charity. However, other laws in the Torah demonstrate the importance of social justice/*tzedek*. Moses repeated the caveat of "And you shall remember that you were a slave in the land of Egypt" numerous times (e.g., Deuteronomy 5:15, 13:11, 15:15, 16:12, 24:18, 24:22). He understood that this would evoke

sympathy for the unfortunates of society and encourage the people to assist the impoverished and also help them get a fresh start.

The Torah's approach to social justice stresses the following:

1. Obligation of Lifting the Poor Out of Poverty
2. Belief in The Doctrine of *b'Tselem Elohim* and *Kvod Ha-Beriyot*: Sanctity of Life
3. Requirement of Loving Humanity, Especially the Stranger
4. Acceptance of the Ability of the Wrongdoer to Repent
5. Importance of Going Beyond the Requirements of the Law (*Lifnim Mishurat Hadin)*: Strict Justice is Not Sufficient
6. Not Standing Idly by While Your Fellow is Being Harmed or Oppressed
7. Intense Desire to Improve the World (*Tikkun Olam*)

1. Obligation of Lifting the Poor Out of Poverty

The purpose of many of the laws of the Torah is to help people escape poverty and get a fresh start on life (Mizrachi & Friedman, 2021). From a *tzedek* perspective, no one working should live in poverty. Giving charity is not sufficient, although it is mandatory.

The following verse (Leviticus 25:35) indicates that there is a requirement to "strengthen" the indigent so that they can escape poverty: "If your brother becomes impoverished and his hand falters beside you, you shall strengthen him, whether he is a stranger or a native so that he can live with you." Ezekiel also makes this point (Ezekiel 16: 49): "Behold, this was the sin of your sister Sodom: "She and her daughters had pride, plenty of bread, and peaceful tranquility; yet she did not strengthen the hand of the poor and the needy."

The Psalmist declares (Psalm 113:7), "He raises the poor from the dust and lifts the needy from the trash heaps." Hannah's prayer was a song of thanksgiving to God and noted: "The Lord sends poverty and wealth; He humbles and He elevates. He lifts the needy from the trash heaps" (I Samuel 2: 7-8). Society is obligated to imitate God and raise the needy from their misery by finding them employment.

Proper Way to Give Charity

According to Maimonides (1138-1204), a medieval philosopher and codifier of Jewish law, there are eight levels of charity (Laws of Gifts to the Poor, 10:7-14). The premier form of charity is providing a poor person with the ability to earn a living. He derives this from the above-cited verse in Leviticus (25:35) that stresses "strengthening" the impoverished individual. Maimonides feels that this may be realized by providing a gift or loan, thus enabling one to start a business, taking the poor person in as a partner, or helping the individual find employment. These are the best ways to preserve the dignity of the disadvantaged. One might posit that paying a higher wage than the official minimum wage would be considered *tzedek.* Instead of dehumanizing those in need, society is responsible for generating jobs and providing employment for people experiencing poverty so that they can reclaim their dignity and join the middle class.

Marrying the Maidservant

Mizrachi and Friedman discuss the positive commandment in the Torah known as *yi'ud*. There is an obligation for the master or his son to marry the indentured girl. Many commentators note that the purpose of this entitlement is to provide the young lady with an opportunity to escape poverty. If the father or son does not marry the bondswoman, the Torah asserts that "he has dealt deceitfully with her" (Exodus 21:8).

Dismissing the Servant with Presents

Employers were required to give their indentured servants a severance gift known as *hanakah*. The Bible states (Deuteronomy 15:13-14): "Do not send him away empty-handed. You shall give him a severance gift from your flocks, from your threshing floor, and from your wine cellar..." The purpose of this gift was to provide freed servants with the materials they would need to start a new life with the capital to have a fresh start. This passage refers to the servant sold by the court after being convicted of theft in order to compensate his victim (another type of servant is one who sells himself because of dire poverty). The maximum "sentence" is six years, and his master gives him the *hanakah* to have a fresh start.

Preventing Poverty: The Obligation to Lend Money

The Torah requires that the wealthy lend to those in need. Scripture states:

> If among you, one of your brothers should become destitute in any of your towns within your land that the Lord, your God, is giving you, you shall not harden your heart or close your hand against your poor brother. Instead, you shall surely open your hand to him and lend him sufficient for his requirement, whatever is lacking to him. ... For there will never cease to be destitute people in the land; therefore I command you, saying, 'You shall surely open wide your hand to your brother, to the needy and to the poor, in your land.' (Deuteronomy 15:7-8, 11)

The compound verb "You shall surely open" is used to emphasize the importance of aiding the poor repeatedly (see Rashi's commentary). Linzer (2016) opines that the various verses in the Torah dealing with assisting the destitute (Exodus 22:24; Leviticus 25: 35-38; Deuteronomy 15:7-11) emphasize lending money to those in need more than giving them charity. Both are ways to assist those in need and are obligations; the better approach -- because it maintains the dignity of the disadvantaged individual -- is via loans. Loans and jobs are ideal for enabling people to escape poverty without loss of dignity.

Preventing Poverty: Not Taking Interest

Preventing an individual from becoming poor is the highest form of charity. Therefore, the Torah does not allow one to take interest on a loan.; it does permit securing a loan with collateral. Scripture states (Leviticus 25: 36-37): "Do not take interest or any increase from them, but fear your God, so that your brother may live with you. You shall not take from him interest nor lend him your food at a profit." Farmers who had to purchase seeds would be unable to escape abject poverty if they had to repay loans with interest as they would be subject to excessive usury. Providing farmers or entrepreneurs with interest-free loans allows them to escape poverty.

Remission of Loans at the End of the Sabbatical Year (*Shmittah*)

Debtors are released from paying their debts at the closing of the *shmittah* (sabbatical) year (Deuteronomy 15:1-2). This law enabled borrowers to get out of debt and make a new beginning.

Jubilee Year (*Yovel*)

The fiftieth year in the cycle of seven *shmittah* was known as *Yovel* (Jubilee) (Leviticus 25: 8-13). The Torah provides validation for this law and states (Leviticus 25:23): "And the land shall not be sold permanently, because the land is Mine; for you are but strangers and sojourners with Me." God is the ultimate owner of the land and restores it to the originally allocated landholder, as described in Joshua 14–21 and Numbers 26:52–56.

The purpose of this law is because one who did not own land in ancient society would find it almost impossible to advance economically in an agricultural-based economy. During

the *Yovel* year**,** agricultural land sold in the previous half-century reverts to the original ancestral owner. The Jubilee laws ensured that property would return to its original owners and thus provide a safety net and avoid a perpetual underclass. This prevents the permanent accumulation of land in the hands of a few wealthy people. Hertz (1992, p. 533) quotes Heine, who said: "The Torah does not aim at the impossible—the abolition of property, but at the moralization of property, striving to bring it into harmony with equity and the true law of reason by means of the Jubilee year."

The Widow and Orphan

Indeed, widows and orphans tend to be among the helpless members of society, even in our time. The Bible singles this vulnerable group for special consideration as a protected class to prevent a vicious cycle of abuse and multi-generational poverty. For example, Exodus 22: 21-23 says: "You shall not afflict any widow or orphan."

Other notable biblical imperatives about the widow and the orphan include Deuteronomy 16: 11, Isaiah 10, Job 29, and many more. In a physically labor-intensive economy, where men bore the primary responsibility of providing for a family, those households without an adult male were in an economically precarious position. Therefore, the widow and orphan are singled out as having special protection from the Almighty, and there is a strong obligation to help these unfortunates.

Chizkuni (1250-1310), a French Bible commentator, explains why the Torah uses the plural tense for this precept, which is not the case for the other laws in this chapter. He opines that the purpose is to emphasize that everyone who witnesses the mistreatment of widows and orphans (and other helpless members of society) and remains silent without protesting is included in the prohibition. This also explains why the punishment for the crime is plural: "My wrath shall be kindled, and I will kill you by the sword, and your wives will be widows and your children orphans" (verse 23).

Nehemiah Introduces Financial and Agrarian Reform During the Second Temple Period

Nehemiah, the cupbearer for the king of Persia, was permitted by King Artaxerxes to depart for the Holy Land to help his people. He arrived in the Holy Land 13 years after Ezra in 445 BCE and became the governor of Judah. Nehemiah had to deal with a serious situation: the exploitation of the poor Jews by the wealthy in the Jewish community he was desperately trying to rebuild. It is worth observing that the debtors had to bring their children "into bondage" as indentured servants to pay off their debts.

> And there was a great cry of the people and of their wives against their brothers, the Jews. For there were those that said: "We, our sons, and our daughters, are many: therefore, we must buy grain for them, that we may eat and live." And there were those who said: "We have mortgaged our fields, vineyards, and houses, that we might buy grain because of the famine." And some said: "We have borrowed money for the king's taxes, and that on our fields and vineyards." Now, our flesh is as worthy as the flesh of our brothers, our children as worthy as their children: yet, see, we bring into bondage our sons and our daughters to be servants! Some of our daughters are brought to servitude already: neither is it in our power to redeem them, for other men have our fields and vineyards (Nehemiah 5:1-5).

Nehemiah understood that without compassion, the Jews would have no future. He convinced the nobility to remit the debts and restore the forfeited fields of the poor. This type

of financial and agrarian reform was unheard of in its time and represented one of the earliest examples of progressive land reform.

2. Belief in The Doctrine of *b'Tselem Elohim* and *Kvod Ha-Beriyot*: Sanctity of Life

The doctrine that every human being was created *b'Tselem Elohim* (in God's image) is an integral part of *tzedek*. This philosophy "invests all human life with intrinsic sanctity and immeasurable value" (Korn, 2021, p. 22). The importance of human dignity is linked to the belief that God created all humankind. The Midrash (Genesis Rabbah 24:7) maintains when you humiliate another person, you have shamed his Creator because people were made in the image of God. The same can be said for one who maligns another person because of his skin color or ethnicity.

Rabbi Akiva uses a daring anthropomorphism and states (Midrash Genesis Rabbah 34:14): "He who sheds blood is regarded as though he had diminished the likeness of God." His opinion is based on the verse in Genesis (9:6): "Whoever sheds the blood of man, by man shall his blood be shed; for in the image of God He made man." Lynching another human being is tantamount to hanging God (see the commentary of Rashi on Deuteronomy 21:23 based on Babylonian Talmud, Sanhedrin 46b).

The Mishna provides another reason that human life is sacred. It (Sanhedrin 4:5; 37a) opines: "Therefore the human was created alone in the world; to teach that one who destroys a single life is considered by Scripture as if he had destroyed an entire world; and one who preserves a single life, is considered by Scripture as if he had preserved an entire world." This suggests that the value of the life of any human being is infinite. Incidentally, this famous maxim from the Talmud is also in the Koran (Sura 5, verse 32).

Companies that believe in this doctrine must embrace the idea that no cost-benefit analysis can justify manufacturing products with defects. It is outrageous that corporate greed and the emphasis on profits over human life have been responsible for millions of deaths (Friedman & Clarke, 2022). It is disgraceful that the number of deaths from road accidents per capita has plummeted worldwide but is rising in the United States; about 43,000 people died in road deaths in 2021. Government and automobile manufacturers are responsible for the high number of deaths because they have not prioritized the safety of people inside and outside (cyclists and pedestrians) vehicles (Badger & Parlapiano, 2022).

The sanctity of life also provides another reason that society is morally obligated to do everything possible to lift the penniless out of poverty. Childhood poverty should be especially repugnant to decent people, and the public should ask whether this is how someone created in God's image should be allowed to live.

There is a classic argument in the Jerusalem Talmud (Nedarim 9:4) between Rabbi Akiva and Ben Azzai (Nedarim 9:4) as to which is the fundamental principle that summarizes the entire Torah (this dispute is also cited in Sifra 19:18). Rabbi Akiva believed it was the verse (Leviticus 19:18) "You shall love your fellow as yourself." Ben Azzai disagreed and felt it was the verse (Genesis 5:1), "This is the book of the generations of Adam. On the day God created man, He made him in the likeness of God." From the principle of loving your fellow human being as yourself, one can deduce that "that which is hateful to you, do not do to others," which is Hillel the Elder's version of the Golden Rule (Babylonian Talmud, Shabbat 31a). It is a lofty ideal, but it is problematic for people who are apathetic about their own dignity. On the other hand, people who accept the view that all of humankind was made in the likeness of God must respect all people, regardless of how they feel about themselves. Thus, Ben Azzai's view regarding the essential core value of the Torah appears to go even further than the golden rule.

The Midrash elaborates on Ben Azzai's idea:

> Ben Azzai said: "These are the generations of Adam," is a great principle in the Torah. Rabbi Akiva said: "This is a great principle of the Torah: 'You shall love your neighbor as yourself' (Leviticus 19:18), meaning that one should not say, 'Since I am scorned, I should scorn my fellow as well; since I have been cursed, I will curse my fellow as well.'" Rabbi Tanchuma says, "If you do this -- know that God made the person you put to shame in His own image" (Midrash Genesis Rabbah 24; translation by Sefaria.org).

The Rabbinic principle of *kevod ha-beriyot* (human dignity; the term *beriyot* literally means creatures, and *kevod* means honor or dignity) is the Rabbinic expression of *b'Tselem Elohim* (p. 23). The classic discussion regarding human dignity appears in the Babylonian Talmud (Berachot 19b-20a), where it states, "The value of human dignity is so great that it supersedes a negative commandment of the Torah." The Babylonian Talmud concludes that human dignity overrides Rabbinic law and precepts of the Torah, where the person is not actively engaged in a violation but is instead sitting and refraining from performing the commandment. Jewish law refers to this as "*shev v'al taaseh*" (literally, sit and do not act). The opposite of a *shev v'al taaseh* is a *kum aseh* (literally, stand and act), an active transgression of Jewish law.

The Jerusalem Talmud has a somewhat different version of the above (Jerusalem Talmud, Berachot 3:1): "The dignity of the public (the term used is *kvod harrabim*, which means the dignity of the many) is so great that it supersedes a negative commandment of the Torah for one hour (i.e., temporarily)." Friedman (2008) provides numerous examples of how laws dealing with cheating spouses, abortion, ritual purity, mourning, the Sabbath, and treating debtors are all affected by considering their effect on human dignity. Indeed, one prominent decisor indicated that he always took human dignity into account when determining the law.

Maimonides (Mishneh Torah, Laws of Shmittah 13:13) makes a powerful statement demonstrating the spiritual foundation of universal brotherhood.

> Not only the tribe of Levi, but every single man of all the inhabitants of the world whose spirit and wisdom have inspired him to stand before God, to serve Him, to revere Him, to know God and to walk uprightly the way God made him; and he removed from his neck the yoke of the numerous calculations that people seek; this individual becomes sanctified, a Holy of Holies, and God shall be his lot and portion forever and ever …

Thus, any inhabitant of the world has the potential to be a "Holy of Holies." If every person was created *b'Tselem Elohim*, it is clear that this means equal rights and equitable opportunities for all, including the stranger. Sacks (2006, p. 113) observes: "If God is the parent of humanity, then we are all members of an extended family."

3. Requirement of Loving Humanity, Especially the Stranger

Much of the research dealing with prejudice demonstrates that being different is the most significant factor in causing others to be antagonistic (Hammond, 2016). The people we are most likely to loathe and mistrust are those different from us. Moreover, there is a tendency to dehumanize the most helpless members of society (Harris & Fiske, 2006).

Social justice in the Torah goes beyond treating everyone fairly; it demands that people love the stranger. The biblical verse (Leviticus 19:18), "You shall love your fellow as yourself," is well known and the basis of the Golden Rule. The Torah requires more and declares (Leviticus 19:33-34), "When a stranger dwells among you in your land, you are not to maltreat him. The stranger who dwells with you shall be like a native among you; you shall

love him like yourself, for you were strangers in the land of Egypt: I am the Lord your God." The love of God is repeated several times in Scripture (Deuteronomy 6:5; 11:1; 19:9; 30:6; 30:20; Joshua 22:5), often in conjunction with "to walk in all His ways." Surprisingly, the love of God is not stated as repeatedly as showing kindness and concern for the stranger. The stranger in the Bible is anyone who is different. This includes immigrants, foreigners, the impoverished, those of a different skin color, disabled people, someone wearing strange clothing, or the homeless. If a society wants to thrive, it must open its doors and welcome the stranger.

If one is commanded to love the stranger, then there is a concomitant obligation to treat strangers as equals under the law. The principle of having "one law and one ordinance" for the indigenous and the stranger is stated several times in Scripture (Exodus 12: 49; Leviticus 24:22; Numbers 9:14; Numbers 15:15; 15:16).

The Babylonian Talmud (Bava Metzia 59b) observes that the Torah issued warnings in thirty-six places (some say 46) against causing distress to the stranger. God declares that he loves the stranger and provides them with food and clothing (Deuteronomy 10: 18-19). The Torah even uses a psychological argument to convince people to be kind to strangers:

> "Do not oppress a stranger; you know the feelings of the stranger, for you were strangers in the land of Egypt" (Exodus 23:9).

It is evident from the above that prejudice or bigotry would violate both core values of loving one's fellow (and especially the stranger) and disrespecting one who was made in the image of God. The Torah stresses the stranger for obvious reasons: The stranger is vulnerable and has no protector. The Torah is concerned with the oppression of powerless individuals such as orphans, widows, and the impoverished. Indeed, the stranger is often included with the orphan and widow (see, for example, Deuteronomy 10:18-19; Jeremiah 22:3; Zechariah 7:10; Psalms 146:9).

In God's eyes, we are all strangers. God declares (Leviticus 25:23): "the land is mine; for you are strangers and settlers with Me." Everyone living on Planet Earth is a "stranger" because the universe belongs to God. The Bible is concerned about the stranger's plight and stresses that this law requires more than not taunting or oppressing strangers; there is an active component that involves loving and strengthening them. After all, God Himself declares that he loves the stranger and provides them with food and clothing (Deuteronomy 10:18-19).

Hertz asserts:

> No command is repeated as often as the law not to oppress the stranger; not to injure, annoy or grieve him. These commands are without parallel in the legislation of any ancient people; and in the practice of modern peoples, the duty of loving the alien is almost universally unheeded… The alien was to be protected not because he was a member of one's clan, community or people; but because he was a human being. In the alien, man discovered the idea of humanity (Hertz, 1959, pp. 90-91).

Sacks (2018) sees abhorrence of the stranger and foreigner as the oldest of hatreds going back to tribalism. To appreciate how groundbreaking the biblical concern for the welfare of strangers was, one has only to contrast it with the viewpoint of the ancient Greeks and Romans. The Greeks called strangers "*barbaroi*," from which the word barbarian is derived. The ancient Greeks believed that whoever was not Greek was inferior and should be subjugated. Subsequently, the Romans exhibited the same derogatory and scornful feelings toward non-Hellenistic races.

Despite the Bible's concern for the stranger, the ancient attitude of hatred has dominated history through modern times. It was epitomized by the German sadism toward alien races. The Nazis asserted that German Aryans constituted a superior "master race" and that all non-Aryans were inferior. They murdered millions of men, women, and children they claimed were of a substandard race, whom these accursed murderers called "untermenschen," or sub-humans.

Closely related to hatred of the stranger is hatred of the destitute. Research by neuroscientists Lasana Harris and Susan Fiske indicates that Americans have an intense contempt for the poor based on false stereotypes (Harris & Fiske, 2006). The immediate reaction of Americans looking at pictures of homeless people is disgust. When looking at images of wealthy people, the part of the brain that was activated revealed that rich people are seen as human. We may envy wealthy people but still see them as part of the same species. This, however, is not the case with homeless people. Brain scans show that they are not seen as fellow human beings. The attitude toward the poor is as bad or worse than how racists look at minorities (Hammond, 2016; Lubrano, 2013).

There is a belief that most destitute individuals are responsible for their poverty; blaming the poor is quite common. Actually, most impoverished people in the United States are working poor (DeVega, 2021). Another reason for the ideology of blaming the poor is because of the groundless belief that we live in a just world (Lerner, 1980). Those who accept this notion assert that because the world is essentially a fair place, people get what they deserve in life. Homeless people are that way because they are lazy and do not try enough to succeed (Hammond, 2016). Of course, this view is incorrect.

Society has the same obligation as the individual to support the stranger with the necessities of life because the Bible requires that man emulate the ways of God. The entire legal system of a country must be proactive toward the national goal of making the stranger feel welcome and integrated into society.

Lesson From the Book of Ruth About Kindness to the Stranger

It is not coincidental that the most important Jewish family in Jewish history, the House of David, stemmed from a woman who was a stranger to the land and race of Israel. King David was a descendant of Ruth the Moabite. God saw to it that Jewish royalty would not be "pure" in an ethnic and racial sense because such "impurity" engenders royal humility and empathy for strangers in Israel.

The ancient Israelites despised the Moabite nation for several reasons. Moabite men were not permitted to "enter the congregation of God," i.e., marry Jewish women because of their evil character and deeds (Deuteronomy 23: 4-5). Even worse, the Bible describes the incestuous origins of the people of Moab (in Hebrew, *me-ab* means from a father). Lot's daughters cohabited with him after the destruction of the city of Sodom (and some say thinking the world was destroyed), and both became pregnant. One daughter called her son Moab (Genesis 19:37), hinting at her son's origins.

On top of that, the Moabites were despised because of what their ancestors had done to them in the days of Moses. The Israelites, about to enter the Promised Land, were in the town of Shittim (a city in Moab opposite Jericho). The Moabites and Midianites sent their women to seduce the Israelite men and entice them to worship foreign deities (Numbers 25: 1-9). The results were catastrophic for the Israelites; a divine plague killed 24,000 as punishment.

Several hundred years later, Ruth the Moabite immigrated to Israel as a destitute, childless widow. She was the quintessential "stranger" who needed protection and sought a spouse who would perpetuate her deceased husband's name. The book of Ruth does not describe her as beautiful but rather as a "virtuous woman" (Ruth 3:11). Exhibiting great

courage and virtue, Boaz, a prominent leader and descendent of Nachshon ben Aminadab (legendary leader of the tribe of Judah in the days of Moses), married Ruth. This union established the seed of the Davidic dynasty. His compassion for the Moabite stranger, his pity for the widow who was a stranger in a land not her own, was rewarded by his becoming the progenitor of everlasting royalty.

There is an opinion cited in the Midrash (Ruth Rabbah 2:14) that the entire purpose of the Book of Ruth was to teach people the importance of deeds of lovingkindness and to show the reward for it.

Miriam's Punishment for Slander

An incident regarding Moses' sister, Miriam, illustrates the biblical antipathy toward racial slurs. Miriam disparaged Moses "because of the Cushite woman he had married" (Numbers 12). The Cushites (Ethiopians) were very dark-skinned. The commentaries disagree as to whom Miriam was slandering. Some claim that Moses had taken another wife, a Cushite woman (see Rashbam, Ibn Kaspi). Others believe that the Cushite woman in the verse was Tzipporah, a dark-skinned Midianite (see Ibn Ezra, Redak). Miriam seems to have used a racially insensitive term to describe this woman. Miriam's punishment was that she was stricken with the disease known as *tzaraat* (often mistranslated as leprosy; see Fox, 2022), and her skin became "white as snow." There is a great deal of irony in that Miriam's punishment for making critical remarks regarding a dark-skinned person consisted of her becoming deathly white. Indeed, Miriam is the first individual cited by the Bible as having been punished by God for making a racist remark.

4. Acceptance of the Ability of the Wrongdoer to Repent

The idea of a second chance so that one who made mistakes can have a fresh start is also part of social justice. As noted above, this was the purpose of *hanaka*h for the indentured servant sold by the court. True love for humanity cannot be shown unless one recognizes that people make mistakes. They should also be willing to forgive those who hurt them if they demonstrate genuine remorse. *Teshuva* (Repentance or Return) is a central theme of the Bible. People are not "canceled" regardless of the seriousness of the crime if they repent. King David exemplifies one who showed genuine remorse for his misdeeds and was forgiven. Maimonides describes *teshuvah* as a four-step process. Step one: recognize the wrongdoing and cease transgressing. Step two is showing remorse (regret is insufficient) for the misdeed. This means that the individual is genuinely ashamed and mortified of his/her actions. Step 3: verbally confessing one's sin before God and declaring that s/he will never do this again. It is vital to articulate the transgression in order to make one more fully aware of the misbehavior. Step 4: Resolve for the future that s/he will absolutely not commit this offense ever again (Rottman, 2009). If there has been a financial wrong, one must reimburse his victim.

Lew (1985, p. 166) sees the idea that a "sinner can return and repent and thus feel relieved of his burden of guilt" as a cardinal tenet of Judaism. This is what Isaiah (55:7) emphasized: "Let the wicked forsake their ways and the iniquitous their thoughts. Let them return to the Lord, and he will have mercy on them; And to our God, For He will abundantly pardon." Sacks (2006, pp. 180-181) postulates that "the paradigm of forgiveness is the love between parent and child." Parents accept that children will make mistakes and want them to understand that no blunder is final. Judges cannot forgive; God, as the parent of humanity, and those who have been wronged can. Sacks points out that "God forgives, and in so doing, teaches us to forgive (p. 181).

Rabbi Chaninah bar Pappa states, "Anyone who does something sinful and shows deep remorse, is forgiven immediately by God" (Babylonian Talmud, Chagigah 5a). He

derives this from a verse in Malachi 3:5: "I will draw near to you for the judgment, and I will be a swift witness against the sorcerers; against the adulterers; against those who swear falsely; against those who defraud the wage of the laborer, the widow, and the orphan; and against those who wrong the stranger and do not fear Me, says God, the Lord of Hosts." According to Rabbi Chaninah, "And do not fear Me" suggests that if they do fear Me and are embarrassed to sin before God, they are forgiven immediately.

The story of Joseph and his brothers in the Torah is a lesson about second chances and forgiveness. The fact that Joseph did not seek revenge against his brothers and assured them after Jacob died that he would not harm them. They feared that Joseph was waiting for their father Jacob's death and would then get even with them.

> And Joseph said to them, "Do not be afraid, for *am* I in place of God? Although you intended me harm, *but* God meant it for good in order to bring it about as clear as this day, to save many the lives of many people. So then, don't be afraid. I will provide for you and your children." And he reassured them and spoke kindly to them (Genesis 50:19-21).

Sacks (2014) highlights the idea that

> Forgiveness only exists in a culture in which repentance exists. Repentance presupposes that we are free and morally responsible agents who are capable of change, specifically the change that comes about when we recognise that something we have done is wrong and we are responsible for it and we must never do it again. The possibility of that kind of moral transformation simply did not exist in ancient Greece or any other pagan culture. Greece was a shame-and-honour culture that turned on the twin concepts of character and fate. Judaism was a repentance-and-forgiveness culture whose central concepts are will and choice. The idea of forgiveness was then adopted by Christianity, making the Judeo-Christian ethic the primary vehicle of forgiveness in history (Sacks, 2014, paras. 26).

Sacks (2014, para. 28) concludes, "Humanity changed the day Joseph forgave his brothers. When we forgive and are worthy of being forgiven, we are no longer prisoners of our past." It should also be underscored that because Joseph did not retaliate against his brothers, the entire clan ―all twelve tribes― eventually left Egypt for the Promised Land as one people.

Judah is also an exemplar of wholehearted penitence and a second chance. Judah is the one who said to his brothers (Genesis 37:26-27), "What profit is there if we kill our brother and cover up his blood? Come, let us sell him to the Ishmaelites." After losing his wife and two children, he understood the anguish he caused his father and offered himself as a slave to the Viceroy of Egypt (who, unbeknownst to him, was Joseph) in place of Benjamin. Judah's plea to Joseph is among the most eloquent and emotional passages in the entire Torah.

> "Now, therefore, please let your servant remain here as my lord's slave in place of the youth, and let the youth return with his brothers. For how can I go back to my father if the youth is not with me? No! Do not let me see the anguish that would come upon my father" (Genesis 44:33-34).

David committed some particularly odious crimes (adultery with Bathsheba and arranging for her husband Uriah the Hittite to be at the front where he was likely to be killed by enemy forces) but was forgiven because he repented. One of the most eloquent psalms concerning repentance is Psalm 51: "A Psalm of David when Nathan came to him after he

had gone in [i.e., committed adultery] to Bath Sheba." David acknowledges his wrongdoing and says, "For of my transgressions I am cognizant, and my sin is before me always" (Psalm 51:5). The Book of Jonah demonstrates the power of penitence with the entire city of Nineveh being spared after showing remorse for their misdeeds.

The Torah has strict laws against speaking *lashon hara* (literally, evil speech). Any derogatory, insulting speech, even if true, is forbidden. It is stated in Leviticus 19:16, "You shall not go around as a slanderer [or gossipmonger] among your people." The Torah also declares (Deuteronomy 24:9), "Remember what the Lord your God did to Miriam on the way, when you were leaving." Miriam spoke negatively against her brother Moses and was afflicted with *tzaraat* [a horrible skin disease mistakenly translated as leprosy]. In American law, truth is a defense against libel; *lashon hara* is evil even if true. The Talmud has much to say about this serious transgression. The Talmud sees the curse in the Torah (Deuteronomy 27:24), "Accursed is one who strikes his fellow stealthily," as referring to *lashon hara*. Regaining one's human dignity is difficult if people are constantly gossipmongering about past misdeeds.

Slander may be considered a violation of Torah law, but it is not punishable by flogging because it does not involve an overt action with direct consequences. However, medieval rabbinic authorities used punishments such as flogging, excommunication, and fines against slanderers (Elon, 1975, p. 514). The Talmudic Sages used moral admonishments and warnings. Thus, those who shame others lose their share in the world to come (Avot 3:11); it is considered as vile as murder (Babylonian Talmud, Bava Metzia 58b). The following are just a few Talmudic statements made regarding those who engage in malicious speech:

> Rabbi Yochanan says in the name of Rabbi Yosi ben Zimra: Anyone who speaks malicious speech is considered as though he denied the fundamental belief in God.
>
> And Rabbi Yosi ben Zimra says: Anyone who speaks malicious speech will be afflicted by leprous marks coming upon him.
>
> The school of Rabbi Yishmael taught: Anyone who speaks malicious speech increases his sins to the degree that they correspond to the three cardinal transgressions: Idol worship, forbidden sexual relations, and bloodshed.
>
> In the West [Israel], they say: Third speech, i.e., malicious speech about a third party, kills three people. It kills the one who speaks malicious speech, the one who accepts it when he hears it, and the one about whom the malicious speech is said (Babylonian Talmud, Arakhin 15a, b; translation by Sefaria.org).

The bottom line is that those who believe in social justice must also embrace the idea that slander is evil. Human beings should be given a chance to move on. Of course, this is not the case if one continues to hurt others. Even the Sages recognized circumstances where *lashon hara* was permitted and even encouraged. Thus, one can speak against a person engaged in a dispute (*baal machlokes*). The goal is to stop the quarrel from spreading and causing harm. The Babylonian Talmud (Niddah 61a) rebukes Gedalyah ben Achikam, Governor of Israel, for refusing to listen to *lashon hara* – his advisor, Yochanan b. Karach warned him about a plot to assassinate him. By not listening to what he considered *lashon hara*, Gedalyah caused the death of thousands of Jews (and himself).

5. Importance of Going Beyond the Requirements of the Law (*Lifnim Mishurat Hadin)*: Strict Justice is Not Sufficient

The Talmud sees obeying the strict letter of the law as insufficient; therefore, one must go beyond the requirements of the law — *lifnim mishurat hadin* (literally, inside the line of the law). Indeed, the Babylonian Talmud (Bava Metzia 30b) declares that Jerusalem was destroyed for following the strict letter of Torah law and not doing more than the law required. The beauty of the principle of *lifnim mishurat hadin* is that it effectively incorporates ethics into the law and makes social justice a crucial part of justice (Pava, 1996). Pava (1996), citing Novak (1993), agrees that the church can only embrace capitalism if it integrates ethics and law.

Lichtenstein has much to say about the importance of doing considerably more than following strict justice. He asserts: "From its perspective, the divorce of Halakha from morality not only eviscerates but also falsifies it" (Lichtenstein, 1975, p. 67), and "the designation of supralegal conduct as purely optional or pietistic is a disservice to Halakha and ethics alike" (p. 83). He makes the distinction between law and going beyond it.

> Quite apart from the severity of the obligation, therefore, there is a fundamental difference between *din* [law] and *lifnim mishurat hadin*. One, at a more minimal level, imposes fixed objective standards. The demands of the other evolve from a specific situation; and, depending upon the circumstances, may vary with the agent (Lichtenstein, 1975, p. 79).

He also propounds:

> Which of us has not, at times, been made painfully aware of the ethical paucity of his legal resources? Who has not found that fulfillment of explicit halakhic duty could fall well short of exhausting clearly felt moral responsibility? (Lichtenstein, 1975, p. 68)

Nachmanides (1195–1270), a foremost Spanish Medieval commentator on the Torah, believes that the verse "And you shall do that which is right and good" (Deuteronomy 6:18) is a general commandment that complements the specific, detailed precepts of the Torah. This is necessary because the Torah cannot list every injustice someone could commit against another. Therefore, the Torah states a general principle of "doing that which is right and good." It includes situations not mentioned in the Torah, such as going beyond the law's strict requirements. Nachmanides notes that the Torah commandment to be holy prohibits acts and behaviors that are not explicitly specified by Torah law but whose commission would render their protagonist a *naval bereshut haTorah* (vile person within the permissible realm of the Torah) (Nachmanides, Leviticus 19:2).

The verse "And you shall do that which is fair and good" is used to allow a debtor to buy back land from his creditor that the court awarded to the latter for nonpayment of a debt. Technically, according to the letter of the law, once the court grants the land to the creditor, it belongs to the creditor, who should be under no obligation to give up the field. The Sages, however, understood that the debtor might feel attached to his land and therefore ruled that the creditor must allow the former to redeem the property taken from him in payment of the debt (Babylonian Talmud, Bava Metzia 16b, 108a). In the Talmud, this is known as "*shuma hadar*."

The following story is a classic *lifnim mishurat hadin* case. What is remarkable about this narrative is that it suggests that one who only follows the basic rules is a "barbarian" because a decent human being goes beyond the letter of the law.

> Shimon ben Shetach was struggling in the flax business. His students said: Rabbi, abandon this business and let us buy you a donkey, and you will not have to work so hard. They went and bought a donkey from an Ishmaelite, which had a jewel hanging on its neck. They returned to him happily, saying, thanks to this good luck, you'll never

> have to work again! When he learned about the jewel, he asked his students whether the donkey's owner knew of it at the time of the sale. When they said no, he ordered them to return the jewel. [The voice of the Talmud's editor intervenes and asks:] But why should this be so?! For later, in Rabbi Yehuda HaNassi's time, it was ruled that although stealing from pagans is forbidden, one may keep an item that a pagan has lost. [So why did Shimon ben Shetach not permit himself to benefit from the pagan's mistake?]
>
> Rabbi Shimon answered them: Do you think Shimon ben Shetach is a barbarian?! Shimon ben Shetach would prefer to hear the words "Blessed be the God of the Jews" than all the money in the world (Jerusalem Talmud, Bava Metzia 2:5; translation by Halberstadt, 2019 and Amital, 2016).

The following is another classic case involving *lifnim mishurat hadin.*

> Some porters negligently broke a barrel of wine belonging to Rabbah bar Bar-Chana, who then confiscated the porters' garments as restitution. Rav, the judge, advised Rabbah to return the property belonging to the porters. Rabbah asked Rav whether this was indeed the law and was quoted the following verse from Proverbs (2:20): "In order that you may walk in the way of the good…." The porters then complained to Rav that they were poor, had worked all day without earning anything, and were in need. Rav told Rabbah to pay them. Rabbah again asked whether this was the law. Rav responded with the conclusion of the verse from Proverbs: "… and keep the paths of the righteous" (Babylonian Talmud, Baba Metzia, 83a).

Tosfos, a leading commentary on the Talmud (Bava Metzia 24b, s.v. Lifnim), ponders a critical question relating to the above case: Why did Rav quote the verse from Proverbs as a means of telling Rabbah that he was obligated to go beyond the requirements of the law? Why not cite the passage from Exodus 18:20 that is usually used for this purpose? Tosfos concludes that the verse from Exodus, "and the work they must do," cannot be applied to a situation where there is a substantial monetary loss. In the case of the porters, Rabbah suffered a considerable loss due to the workers' negligence. He went far beyond the law's requirements, as suggested by the verse in Exodus 18:20, by paying the workers despite the loss of his wine barrel. Thus, Rav felt it was more appropriate to cite Proverbs "and keep the path of the righteous." This suggests that a notable, distinguished person is legally required to go far beyond the requirements of the law. The Mordechai (257) states that one who finds a lost object after the owner gave up on ever finding it (*ye'ush*) has a legal obligation to go beyond the requirements of the law. On the other hand, a poor person is not duty-bound to do more than the law requires if the owner is a person of substance.

The following is another example of going beyond the requirements of the law.

> A dilemma was raised before the scholars: If someone sold properties because he needed money for a particular purpose and in the end he did not need the money for that purpose, is this considered a sale conducted in error, so that the seller can renege on the deal and the sale is reversed? Or, is the sale not reversed and what is done is done? The Gemara suggests: Come and hear a proof: There was a certain man who sold land to Rabbi Pappa because he needed money to buy oxen. Ultimately, he did not require the funds and regretted selling the land, and Rabbi Pappa returned his land to him. The Gemara rejects this: This is not proof, as Rabbi Pappa acted *lifnim mishurat hadin*

(Babylonian Talmud, Ketubot 97a; based on a translation by Sefaria.org).

6. Not Standing Idly by While Your Fellow is Being Harmed or Oppressed

The Torah (Leviticus 19:16) insists that people are obligated to stop an injustice, crime, or atrocity and states, "Do not stand idly (*Lo Ta'amod)* by while your fellow's blood is shed" (Schwarz, 2012). Thus, the Babylonian Talmud (Sanhedrin 73a) uses this verse to prove that "one who sees another drowning in a river, or being dragged away by a wild animal, or being attacked by bandits, is obligated to save him."

This law is in the same verse prohibiting gossipmongering because slandering others can result in death. Indeed, Doeg the Edomite is an exemplar of this. He was the informant who told King Saul that Ahimelech, the priest, had given David provisions and Goliath's sword when he fled from the monarch. Ahimelech did not know that Saul wanted to kill David, his son-in-law, and was totally innocent. This resulted in the massacre of 85 priests and their families who resided in Nob, the city of priests (see I Samuel 21-22).

This verse also teaches us that one must testify in court, which is not considered *lashon hara* (Sifra Leviticus 19:16). This also applies to situations involving financial harm. Thus, one is obligated to warn a fellow who is about to make a terrible investment with a swindler, even if it involves malicious speech. The same is true if a fellow is about to marry a woman with serious problems (Slifkin, 2015).

The principle of *Lo Ta'amod* should be seen as a general rule "to take action on behalf of vulnerable people in general, wherever help is possible." There is also an obligation to speak out in situations where silence may result in any kind of injustice. The verse (Deuteronomy 22:3) dealing with the concern for the property of another also mandates that one is obligated to assist others when they are in trouble. The Torah (Deuteronomy 22:3) states: "So shall you do for his donkey, so shall you do for his garment, and so shall you do for any lost article your brother has lost and you have found; you must not ignore it (*lo tuchal l'hitalem*)" (Schwarz, 2012, p. 23). Schwarz posits that the principle of *lo tuchal l'hitalem* should be applied to all kinds of discrimination, bias, or unfairness.

7. Intense Desire to Improve the World (*Tikkun Olam*)

All the above may be wonderful in theory, but the only way to implement them is if legislators and leaders believe their job is to improve the world. Interestingly, the concept of making the world a better place is the ancient idea of *Tikkun Olam* (in Hebrew, *Tikkun* means repair and *Olam* means world). It is the belief that one must repair and perfect the world by using the legal system to enact laws that help society. The sages of the Talmud used the principle of *Tikkun Olam* to enact various laws to benefit humanity (e.g., Babylonian Talmud, Gittin 32a, 34b, 40b, 41b, 45a, b); it is also an essential part of the cabala of Rabbi Isaac Luria (1534–1572).

Oleynu / Al Kain Nikaveh is one of the oldest Jewish prayers (some claim that it goes back to the time of Joshua, making it more than 3,000 years old) and concludes all congregational services. One phrase in this prayer deals with *Tikkun Olam* and describes the ideal society "when the world will be perfected under the reign of the Almighty." The concept of *Tikkun Olam* includes alleviating such world problems as poverty, racism, pollution, and oppression.

Tikkun Olam may then be seen as an overarching principle to guide humankind to a Messianic world where there is prosperity, peace, tolerance, and respect for all of God's children. It is a world of full employment where able people who want jobs will find them, and those unable to work receive assistance. World problems such as racism, poverty, pollution, warfare, and oppression will be drastically diminished and even disappear. This

will allow Isaiah and Micah's vision of a future with humanity living in an idyllic, rustic, spiritual world filled with beauty and peace. This can only happen when nations accept the judgments of the Messiah and never again go to war to settle differences. It is a world of tolerance for others.

> The wolf will live with the lamb, the leopard will lie down with the goat; the calf, the lion cub, and the fatling [will feed] together, and a small child will lead them. A cow and bear will graze together, and their young will lie down together. The lion will eat straw like the cattle. An infant will play over a viper's hole, and a newly weaned child will stretch forth his hand over an adder's den. They will do no harm or damage anywhere in all of My sacred mountain; for the earth will be filled with knowledge of God, as water covers the sea (Isaiah 11:6-9).
>
> He will judge between many peoples and will settle the disputes of mighty nations far and wide. They will beat their swords into plowshares and their spears into pruning hooks. Nation will not lift up sword against nation, nor will they learn war anymore (Micah 4:3).
>
> "Behold, the days are coming," says the Lord, "When the plowman shall overtake the reaper, and the treader of the grapes the one who sows the seed; The mountains shall drip with sweet wine, And all the hills shall flow with it (Amos 9: 13).

These are messages of optimism and suggest that all this can and will happen, but humanity must do its part and embrace social justice.

Tikkun Olam is one reason environmentalism is also a fundamental value in Judaism. The Torah prohibits soldiers from cutting down fruit trees even when conducting a siege of an enemy city (Deuteronomy 20:19): "When you besiege a city a long time, in making war against it to take it, do not destroy [*tashchit*] its trees by swinging an axe against them." The Talmud extends the prohibition of not destroying fruit trees to any wasteful destruction. Likewise, wasteful destruction of any kind is seen as a violation of Torah law (Babylonian Talmud, Shabbos 129a; Babylonian Talmud, Bava Kama 91b). This prohibition against unnecessary destruction or waste is known as the principle of *ba'al tashchit* (literally meaning "do not destroy"). Similarly, the Talmud has special rules for bread, the staff of life (Babylonian Talmud, Berachos 50b), which must be treated respectfully. One is not permitted to throw food around or treat it disrespectfully, to use it as a support for some object, or as cutlery to eat something else (Babylonian Talmud, Soferim 3:14). In fact, the Babylonian Talmud (Chullin 105b) states that people who purposely step on bread will be punished with poverty.

In the following Midrash, frequently cited in papers dealing with Jewish environmentalism, God is depicted as taking pride in His handiwork, even as He gives it over to man's stewardship — along with a warning to keep it undamaged. Scripture states (Ecclesiastes 7:13): "Look at God's work — for who can straighten what he has twisted?" The following is the homiletic explanation of this verse.

> When the Blessed Holy One created the first human, He took him and led him around all the trees of the Garden of Eden and said to him: Look at My works, how beautiful and praiseworthy they are! And all that I have created, it was for you that I created it. Pay attention that you do not damage and destroy My world: because if you do, there is no one to repair it after you (Midrash Ecclesiastes Rabbah 7:13; based on a translation by Sefaria/org).

Conclusion

One of the most important lessons of the Bible is that justice is not sufficient, and individuals and society should do more than concern themselves with pure justice. Humanity is obligated to embrace the concept of social justice. The Sages believed that "the world stands on three things: the Torah, serving God, and deeds of lovingkindness" (Avot 1:2). The world cannot survive if everyone is selfish, uncaring, and indifferent to the welfare of others. Caring for and helping others (*chesed*) is so important that even God engages in it. It is truly amazing how the Sages had the temerity to declare that the "King of Kings" is concerned with human needs and acts as a tailor, consoler, social worker, and gravedigger when needed.

> And Rabbi Chama, the son of Rabbi Chanina, said, "What is the meaning of the verse, 'After the Lord, your God, shall you walk (Deuteronomy 13:5)'? Is it possible for a man to walk after the divine presence? And isn't it already stated, 'For the Lord, your God is a consuming fire (Deuteronomy 4:24)'? Rather, to follow the character traits of God. "Just as he clothes the naked, as it is written, 'And the Lord God made for Adam and his wife cloaks of leather, and he clothed them (Genesis 3:21);' so too you shall clothe the naked. The Holy One, Blessed be He, visited the sick, as it is written, 'And he appeared in Ailonei Mamrei [while Abraham was in pain] (Genesis 18:1);' so too you shall visit the sick. The Holy One, Blessed be He, comforted mourners, as it is written, 'And it was, after the death of Abraham, and G-d blessed his son Isaac (Genesis 25:11);' so too you shall comfort mourners. The Holy One, Blessed be He, buried the dead, as it is written, 'And he buried him in the valley (Deuteronomy 34:6);' so too, you shall bury the dead." …
>
> Rabbi Simlai expounded, The Torah begins with lovingkindness and ends with lovingkindness. It starts with loving kindness, as it is written (Genesis 3:21), "And God made for Adam and his wife coats of skin, and he dressed them." It ends with loving kindness, as it is written (Deuteronomy 34:6), and He buried him in a valley." (Babylonian Talmud, Sotah 14a; based on the translation by Sefaria.org).

Possibly an even more radical statement is that of Abaye that *all* the laws of the Torah are to promote peace. He derives this from the verse (Proverbs 3:17), "Her ways are ways of pleasantness, and all her paths are peace "(Babylonian Talmud, Gittin 59b). Maimonides (Mishneh Torah, Laws of Shabbos, 2:3) writes, "This teaches that the laws of the Torah do not [bring] punishment to the world, but rather bring to the world mercy (*rachamim*), lovingkindness (*chesed*), and peace (*shalom*)."

Another revolutionary statement from the Babylonian Talmud (Shabbos 127a) demonstrating the greatness of concern for others is the following:

> Rabbi Yehuda said in the name of Rav: Hospitality toward guests is greater than receiving the Divine Presence, as when Abraham invited his guests, it is written (Genesis 18:3): "And he said: My Lord, if I have now found favor in Your sight, please pass not from Your servant." [Abraham requested that God, the Divine Presence, wait for him while he attended to his guests.] Rabbi Elazar said: Come and see that the attribute of the Holy One, Blessed be He, is unlike that of flesh and blood. The attribute of flesh and blood people is such that a less significant person cannot say to a more significant person: Wait until I come to you. Whereas with regard to the Holy One, Blessed be He, it

> is written: "And he said: My Lord, if now I have found favor in Your sight, please pass not from Your servant." [Abraham requested that God wait for him due to his guests.](Babylonian Talmud, Shabbos 127a).

Because every human being was made in God's image, it is therefore mandatory for society to "strengthen the hand of the poor and the needy." There is no question that bigotry, prejudice, and intolerance are grave offenses against what God demands of humanity. They violate the principle of *b'Tselem Elohim* that all people are priceless because they were made in the image of God. Moreover, racism and bigotry contradict the doctrine of the innate dignity of every human being.

Many people are apathetic toward the expression "social justice" because it evokes the term "wokeness." It is not only the extreme political right wing that sees wokeness as including such provocative ideas as "white privilege," "gaslighting," "cancel culture," "systemic racism," "decolonizing the curriculum," "critical race theory," and many others. The belief that only progressives are informed and care about the plight of the disadvantaged and that all conservatives are uneducated and deplorable racists is problematic. Novak (2009) feels that social justice has become synonymous with "progressive" and is a code word for socialism. Many feel it is about getting the state to distribute all of society's resources equally, a disguised form of Marxism.

Brooks (2018) demonstrates the dangers and problems of extreme wokeness. Wokeness combines perceiving and proposing, so that one is virtually obligated to see any injustice in maximalist terms. One can be canceled for not considering a problem in the most pessimistic way and as having absolutely no solution. It is almost as if the goal is to get everyone to give up hope, become cynical and aggressive, and be filled with rage and negativity. Brooks concludes: "But in its extreme form, whether on left or right, wokeness leads to a one-sided depiction of the present and an unsophisticated strategy for a future offensive" (para. 17).

This paper adopts a biblical perspective to explore the core principles of social justice. It asserts that genuine justice should be rooted in compassion and righteousness, recognizing the infinite value of every human being created in the image of God. People should not be canceled for past misdeeds because the world cannot survive without repentance and forgiveness.

References

American Institute of Certified Public Accountants (2002). Code of professional conduct. In AICPA professional standards: New York: American Institute of Certified Public Accountants.

Amital, Y. (2016, January). Naturalness in the worship of God. *VBM Har Etzion.* https://www.etzion.org.il/en/philosophy/great-thinkers/harav-yehuda-amital/naturalness-worship-god.

Badger, E. & Parlapiano, A. (2022, November 28). Why road deaths are declining across globe, but not in the U.S. *New York Times,* A1, A13.

Book of Jasher [Sefer ha-Yashar]. Salt Lake City, Utah: J. H. Parry & Company. http://www.sacred-texts.com/chr/apo/jasher/index.htm

Brooks, D. (2018, June 7). The problem with wokeness. *New York Times*. https://www.nytimes.com/2018/06/07/opinion/wokeness-racism-progressivism-social-justice.html

Burke, T. P. (2014, October 8). The origins of social justice: Taparelli d'Azeglio. *ISI.org.* https://isi.org/intercollegiate-review/the-origins-of-social-justice-taparelli-dazeglio/

Cohen, B. (1959). *Law and tradition in Judaism*. Jewish Theological Seminary.

DeVega, C. (2021, August 23). Why Americans hate and fear the poor: Joanne Samuel Goldblum on the price of inequality. *Salon*.com. https://www.salon.com/2021/08/23/why-americans-hate-and-fear-the-poor-joanne-samuel-goldblum-on-the-price-of-inequality/

Elon, M. (Ed.) (1975). *The principles of Jewish law*. Keter Publishing House.

Fox, T. (2022). Tzaraat—A biblical affliction. *My Jewish Learning*. https://www.myjewishlearning.com/article/tzaraat-a-biblical-affliction/

Friedman, H. H. (2008, July 1). Human dignity and the Jewish tradition. SSRN. https://ssrn.com/abstract=2295178 or http://dx.doi.org/10.2139/ssrn.2295178 (Originally published in JLAW.com).

Friedman, H. H. & Clarke, C. (2022). Deadly consequences of emphasizing profits over human life: How corporate greed has caused the death of millions. *Journal of Intercultural Management and Ethics*, 5(3), 19-35.

Friedman, H.H. & Friedman, L. W. (2012). The book of Esther: Lessons in leadership. *John Ben Shepperd Journal of Practical Leadership*, 6(1), 1-11. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2134986

Goldberg, E. (2022, November 28). Capitalism is up for scrutiny at elite business schools. *New York Times*, B1, B2.

Griffin, A. (2022, May 3). What is the true meaning and power of the Hebrew word 'chesed'? *Christianity.com*. https://www.christianity.com/wiki/bible/what-is-the-true-meaning-and-power-of-the-hebrew-word-chesed.html

Halberstadt, M. L. (2019). Is one obligated to ask a company for a forgotten bill? *Yeshiva.com.* https://www.yeshiva.co/ask/54537

Hammond, C. (2016). Despising the poor. *The Psychologist.* https://thepsychologist.bps.org.uk/despising-poor

Harris, L.T. & Fiske, S. T. (2006). Dehumanizing the lowest of the low: Neuroimaging responses to extreme out-groups. *Psychological Science*, 17, 847-853.

Hertz, J. H. (1959). *Daily prayer book.* Bloch Publishing Company.

Hertz, J. H. (1992). *The Pentateuch and haftorahs*. Soncino Press.

John Paul II (1988). The church and racism: Towards a more fraternal society, *Pontifical Commission on Justice and Peace*, #17.

Jones, B. (2021, February 1). Racism in the Bible: What Esther and Mordechai can teach us. *Christian Standard.* https://christianstandard.com/2021/02/racism-in-the-bible-what-esther-and-mordecai-can-teach-us/

Josephus, F. (1998). *Josephus: The complete works*. Translated by William Whiston. Thomas Nelson Publishers.

Kass, L. R. (2003). *The beginning of wisdom*. Free Press.

Korn, E. (2021). *How to be a holy people: Jewish tradition and ethical values*. Urim Publications.

Lerner, M. J. (1980). *The belief in a just world: A fundamental delusion*. Plenum Press.

Lew, M. S. (1985). *The humanity of Jewish law.* Soncino Press.

Lichtenstein, A. (1975). Does Jewish tradition recognize an ethic independent of halakha? In *Modern Jewish Ethics*, Marvin Fox (ed.), Ohio State University Press, 62-88.

Liebling, M. (2013, June 10). Debt forgiveness as a foundation for society. *Hazon*. https://hazon.org/debt-forgiveness-as-a-foundation-for-society/

Lubrano, A. (2013, August 6). Reacting to the poor—negatively. *Philly.com*. http://articles.philly.com/2013-08-06/news/41096922_1_west-philadelphia-neuroimaging-psychology

Mizrachi, M., & Friedman, H. H. (2021). 'Raising the needy from the dust': The American imperative. *Journal of Biblical Integration in Business,* 24 (1). https://cbfa-jbib.org/index.php/jbib/article/view/592

National Center for Ethics in Health Care (2007). Integrated ethics: Improving ethics quality in health care. https://www.ethics.va.gov/docs/integratedethics/IntegratedEthics_monograph--20070808.pdf

Novak, M. (2009, December 29). Social justice: Not what you think it is. *Heritage Foundation*. https://www.heritage.org/poverty-and-inequality/report/social-justice-not-what-you-think-it

Novak, M. (2013) The creative person. *Journal of Business Ethics*, 12, 975-979.

Pava, M. (1996). The Talmudic concept of "beyond the letter of the law": Relevance to business social responsibility. *Journal of Business Ethics*, 15, 941-950.

Riskin, S. (2005). *Torah lights: Genesis confronts life, love, and family*. Urim Publications.

Rottman, M. (2009, May 9). Four steps to change. *Aish.com*. https://aish.com/four_steps_to_change/

Sacks, J. (2005). *To heal a fractured world: The ethics of responsibility*. Schocken Books.

Sacks, J. (2006). *The dignity of difference*. Continuum.

Sacks, J. (2013, July 8). Tzedek: Justice and compassion. *Aish.com*. http://www.aish.com/tp/i/sacks/Tzedek-Justice-and-Compassion.html

Sacks, J. (2014, December 22). The birth of forgiveness. *Covenant and Conversation*. http://rabbisacks.org/birth-forgiveness-vayigash-5775/

Sacks, J. (2018). Loving the stranger. *Covenant & Conversation.* https://www.rabbisacks.org/covenant-conversation/mishpatim/loving-the-stranger/

San Diego Foundation (2022, July 11). What is social justice? *SDFoundation.org.* https://www.sdfoundation.org/news-events/sdf-news/what-is-social-justice/

Scheinbaum, A. L. (2016). Parshas Bo. *Peninim on the Torah.* https://www.shemayisrael.com/parsha/peninim/archives/bo63.htm

Schwarz, S. (2012). Judaism and social justice: Five core values from the Rabbinic tradition. *Religions: A Scholarly Journal*, 2. https://doi.org/10.5339/rels.2012.justice.10

Slifkin, N. (2015, July 21). When lashon hara is a mitzvah. *OU.org.* https://www.ou.org/life/torah/when-lashon-hora-is-a-mitzvah/

Soerens, M. and Hwang, J. (2009). *Welcoming the stranger: Justice, compassion, and truth in the immigration debate.* IVP Books