

**Bethel AME Church**  
**Insights from the Rabbis**  
**Class Notes 4/5/20**

G. A Strange Kind of Justice

I suggested last week that when God was pondering whether to tell Abraham about his plans for Sodom and Gomorrah (Gen. 18:16-19), God chooses to engage in dialogue with Abraham because God wants Abraham to grow into full maturity as a man of faith. In our discussion, questions were raised about obedience, and I don't want to be misunderstood as saying that God does not want us to obey Him. But the examples we looked at of a questioning and protesting faith demonstrate a more complex understanding of what that obedience looks like. In fact, there is no Hebrew word in the Bible for obedience, and when Modern Hebrew was being developed, they had to find a word that is not in the Bible to convey the sense of unquestioning obedience. The biblical word that is sometimes translated as "obey" actually means "to hear, to listen to, to understand and respond to." It conveys the sense of active listening, thoughtful listening, and as we have seen, at times a questioning of what we hear. To capture this meaning, the King James translators had to adopt an archaic English word "hearken." It is a hearing that leads to action, but not without thought, not without reflection. That is the mature "obedience of faith" that is the heart of Paul's message (Rom. 1:5; 16:26).

Notice in Genesis 18 that God's purpose is not simply Abraham's personal spiritual development, but also Abraham's ability to pass on to future generations what it means "to keep the way of the Lord," what it means to walk before God. In order to be able to teach others, Abraham needs to understand God's ways, and that understanding means more than silent obedience (in contrast to Noah). It means engaging in dialogue and even argument with God. As we have seen, the covenant relationship that God has established with Abraham and his descendants is a partnership.

We also saw that here God defines "the way of the Lord," the path God wants Abraham and his descendants to follow, as "doing righteousness and justice" (v. 19). These two crucially important words appears in the Bible many times together, as well as separately, but are difficult to translate precisely. The two words (*tzedakah* and *mishpat*) at times seem interchangeable, and I think whatever precise nuance of meaning they originally had was already lost by the time the Bible was written. Certainly they are much closer in meaning to one another than the words "righteousness" and "justice" are in English. Martin Luther King loved to quote Amos 5:24—"Let *mishpat* roll down like waters and *tzedakah* like a mighty stream," one of numerous verses that contain this word pair in parallel meaning (for example, 1 Kings 10:9; 2 Chron. 9:8; Psalm 33:5; 72:2; 99:4; Prov. 21:3; Isaiah 5:16; 33:5; 56:1; Jer. 9:24; 22:3, 15). So we are going to look a bit closer at these two central biblical words and the unique way the Bible uses them.

In English, the words "righteousness" and "justice" seem very different. Justice speaks of social fairness, equity, responsibility to the community. It has more of a relational, public, political and legal flavor, referring to how a community behaves. Righteousness tends to make us think of personal moral purity, a concern for private holiness. It is a religious term that speaks of how an individual behaves.

An important historical consideration: in the King James Version (1611), the word “justice” appears only 28 times in the OT and never in the NT. Whereas Spanish translations have somewhere around 375-400 uses of “*justicia*” in total, over 100 times in the NT alone, because the Spanish word, like the Greek NT word, encompasses both meanings.

There is a reason for the King James bias against justice in its translation, which has affected our modern translations and the way we understand the New Testament. King James hated the popular Geneva Bible (1599, a Puritan translation) because of its marginal notes that undermined support for the divine right of kings and endorsed the right to disobey a tyrant, which as we have seen are thoroughly biblical ideas (and the basis for the American revolution). So he ordered his own translation. (He also wanted a translation that supported the episcopal structure of the Church of England). A personal religious word like “righteousness” fit the political agenda of the king better than a call for “justice.” How different would our thinking about Jesus’ teaching be if we were to translate: “Seek ye first the kingdom of God and his justice” or “Blessed are those who hunger and thirst for justice” or “If your justice does not exceed that of the scribes and Pharisees, you will not enter the kingdom of heaven.” As I have been arguing, our Protestant traditions have shaped our thinking and theology in ways that need to be radically reconsidered. Torah and the rabbis help us do that.

The closeness in meaning of these two Hebrew words is illustrated by a passage in Deuteronomy, in which Moses tells Israel to appoint judges who will judge the people with “*mishpat-tzedek*” (Deut. 16:18), variously translated as “just judgment” (KJV) or “righteous judgment” (NASB) or “true justice” (NAB). The next two verses use these words interchangeably: “Do not pervert *mishpat*...” (v. 19) but rather “*tzedakah, tzedakah* shall you pursue...” (v. 20). Most translations use “justice” in this passage for both words (NIV, NRSV). Their meaning, unlike that of our English words, overlaps significantly. Biblically they are inseparable. Joining those two words together like that seems to indicate that there are other kinds of justice that are not just, not righteous. Biblically, justice has a distinctive meaning that differs from the way we usually use the word.

Torah contains many examples of the strange kind of justice that God expects of Israel. The law regulating loans to others states, “If the person is poor, you shall not sleep in the garment given you as the pledge. You shall give the pledge back by sunset, so that your neighbor may sleep in the cloak and bless you; and to you it will be *tzedakah* before the Lord your God” (Deut. 24:12-13). Strict justice would require that the coat given as a surety for the loan would not be returned until the loan was repaid. But biblically, true justice, a righteous justice, demands a concern for the needs of the poor man, regardless of the legal rights of the lender.

The same is true about the laws requiring landowners to leave part of their fields unharvested so that the needy can gather food for themselves (Deut. 24:19-21; Lev. 19:9-10). This would be like the government requiring businesses to give some of their profits to the poor. Torah also prohibits lenders from charging interest to the poor (Ex. 22:25). And Torah makes provision for the cancellation of all debts every seven years, a radical idea that seeks to limit the excesses of the market economy where the rich get

richer and the poor get poorer (Deut. 15:1-4). So on the one hand, justice is expected to be impartial (Deut. 16:19), but on the other hand it needs to take into account the human situation, especially of the poor.

Rabbi Sacks points out that a parallel passage in Exodus helps us understand God's concept of justice: "If you take your neighbor's cloak as a pledge, return it by sunset, because that cloak is the only covering your neighbor has. What else can your neighbor sleep in? When he cries out to me, I will hear, for I am compassionate" (Ex. 22:26-27). Justice must be tempered by compassion. The Law of Moses does not wear a blindfold.

This point underlies an astonishing rabbinic interpretation of a law governing a situation in which a person is found murdered in the open between two cities and the murderer cannot be ascertained (Deut. 21:1-9). The elders of the closer city must undergo an elaborate sacrificial ritual of expiation for the crime in order to wash away their guilt in the matter, even though they profess their innocence. The rabbis in the Talmud ponder how the elders of the city (chosen somewhat arbitrarily) could conceivably be thought of as murderers. How did they participate in any wrongdoing?

Their answer: is it not possible that the person visited the city and asked for shelter or food but no one provided for him? Did anyone take the trouble to show him warmth and protection, accompanying him to the city gates as he continued his travels? (*Sotah* 45b) Certainly the elders would not be found guilty in a court of law. But Torah establishes a higher standard of justice that is not so much about individual rights as it is concern for the well-being of the whole community, especially the poorer, less fortunate members, and the stranger, the outsider.

Rabbi Susan Fendrick points out an important benefit of this law. Commenting on this passage she says, "There is a great deal of wisdom in the notion that we need a way to cleanse our communities of wrongdoing, even when there is no one obvious to blame" (*Women's Torah Commentary*, p. 362). A community that has not provided safe haven for a stranger needs to be cleansed from its lack of compassionate justice. Its moral balance is restored by the sacrifice, an act that is more important than finding the individual wrongdoer. The elders may not be personally responsible for the death, but they still need to address the lingering pollution of the crime in their midst. The leaders of the community act in the name of the community to recognize that a wrong has been committed and atone for it. The community bears responsibility even for individual sins.