

In the pursuit of justice

MARK Twain, in his short essay "On the Jews", reflected: "If the statistics are right, the Jews constitute but one quarter of one per cent of the human race. It suggests a nebulous puff of star dust lost in the blaze of the Milky Way. Properly, the Jew ought hardly to be heard of, but he is and has always been heard of. He is as prominent on the planet as any other people, and his importance is extravagantly out of proportion to the smallness of his bulk."

This week's parasha, Shoftim, helps to explain the paradox of the Jewish people. Despite our smallness, one of the many contributions of our heritage to humankind has been the legal frameworks described in Shoftim.

Indeed, Shoftim is the perfect answer to a paraphrased Monty Python question: What have the Jews done for us? Law courts, equality before the law, the investigation of crimes, the necessity of two witnesses for a successful prosecution – these are all just part of the parasha.

There are prohibitions against idolatry, the exemption from



conscripted for those who have recently built a home or planted a vineyard. Shoftim establishes the sanctuary cities which have inspired American cities in 2017 who are resisting federal threats of deportation of unregistered immigrants. The parasha ends with the concept that the community and its leaders are responsible for responding to, and reflecting on, prevention strategies regarding unsolved murders.

"Tzedek, tzedek tirdof – justice, justice shall you seek", the Israelites are implored. For if there is one thing that separated the Israelites from the surrounding nations it was the balance of justice and mercy, guided by the rule of law in which all are equal before it, and no one is above it.

One has to wonder: if it were not for this communal commitment to justice, would the Jewish people and our message have survived for so long? Rabbi Joseph Soloveitchik

in his analysis "Fate and Destiny, From the Holocaust to the State of Israel", explained that there is a difference between the Jewish people as a "camp (machaneh)" and "congregation (edah)." The camp, he explained, was the result of the persecution and the panic of the Exodus, but true sustainability was achieved when the group transformed itself to a congregation.

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It is in preparation for this transition, as the Israelites stood on the cusp of the Promised Land, moving from transient slaves to people of the Land and the Book, that Shoftim gave us the framework for homogeneity and sustainability. As Soloveitchik explained, "The camp

is created as a result of the desire for self-defence and is nurtured by a sense of fear; the congregation is created as a result of the longing for the realisation of an exalted ethical idea and is nurtured by the sentiment of love."

The parasha includes an incredible statement emphasising this sustainability. In the mist and fog of war, we are commanded not to cut down fruit trees when laying siege to a city. The reason given is that "man is a tree of a field".

If anything encapsulates the message of Shoftim it is this: when there is chaos, look to eternal principles beyond, and love and sustainability within, for solutions. When there is no one to take responsibility, then all in the community must do so, for as the metaphysical poet John Donne said "every man is a part of the whole". And do not look "to the left or to the right"; try not to be too lenient or too strict, but instead look for that all elusive middle ground rooted in tzedek, justice.

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