

21st Century Judaism

IN A SHORT BUT POINTED ESSAY written in response to the slaughter by American soldiers of unarmed Vietnamese civilians at My Lai, Abraham Joshua Heschel laid the blame for that atrocity on the shoulders of Captain William Calley, the commanding officer at the scene. But Heschel also found himself partly responsible, along with the rest of the country's religious leadership, for the captain's actions.

"Obviously," Heschel wrote, "we who are teachers of religion have failed to impress upon people of America that God is the father of all individuals, and that murder is the supreme abomination.... At this hour a major lesson implied in the teaching of the ancient prophets of Israel assumes new validity: *Few are guilty, but all are responsible.*"

Heschel often repeated that last phrase, often enlarging it to "*In a free society, few are guilty, but all are responsible.*" In classic Jewish fashion, rather than speaking about ethics, he urged upon citizens a sense of mutual responsibility.

Lately, in the wake of Enron and other assorted assaults upon the idea of public trust, the bar has been lowered on ethical action. These days, if you play by the rules, forgoing opportunities for quick yet illegal riches, you are deemed to be an exemplar of ethical behavior.

But while obeying the law is certainly commendable, it is only a small part of what it means to be morally responsible. As Heschel noted, a central Jewish contribution to the creation of public morals in a free society is the idea that we are responsible not only for our own ethical choices but for those of society as a whole.

Responsibility of this kind requires more than simply following the law. Indeed, it requires the moral courage to insist that the law itself be subject to the demands of ethics. And when it is not — when laws or public policies seem unjust — ethical action requires that we speak out against the law, perhaps even that we break it.

Responsibility for public acts done in our name requires that we not accept the decisions of those who represent us without evaluating the way they fit with our ethical commitments. It requires, in other words, the wisdom to sup-

port whistleblowers and to tolerate dissidents. And when the opportunity arises, it requires each of us to be whistleblowers and dissidents as well.

The American Constitution enshrines a fundamental right of citizens to dissent. The Torah, true to form, expresses this same value as a responsibility rather than a right: "Rebuke your kinsman so you do not share in his guilt" (Leviticus 19:17). If people in our society — including our political and religious leaders — are heading down the wrong path, it is a mitzvah — an outright obligation — to do what we can to stop them.

The prophets of Israel provide some of the best examples of this kind of public ethics in action, and the talmudic sages were their disciples. Several rabbinic teachings make clear the depth of our responsibility to take an ethical stand against public wrongdoing, none more clearly than this passage from Shabbat 56b: *Whoever has the power to protest wrongdoing by members of his family but does not is caught up in their sin; whoever has the power to protest wrongdoing by the residents of his city but does not is caught up in their sin; whoever has the power to protest wrongdoing by the whole world but does not is caught up in its sin.*

WHAT IS STRIKING TO ME about this passage is that it moves beyond the familiar covenantal framework of statements like "All Jews are responsible for one another" to embrace an even broader ethic of responsibility grounded in the notion of God as Creator of All. Moreover, it makes clear that the fulfillment of our responsibilities to one another ultimately depend upon individual ethical choices to take a stand and speak out. Those individual choices, in turn, require cultural support and inculcation, which is precisely what this teaching aims to provide.

If there is a role for Jewish ethics to play in a democratic society today, surely it is to move beyond the notion that ethics requires merely that we respect the law. Indeed, the only way to avoid further corruption, exploitation, and worse is to strengthen not our respect for the law but our respect for the deeper values — including justice, honesty, and the sanctity of life — on which the law is based. 

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