

Maybe Obama should consider Jewish law when dealing with health care

By Raphael Ahren
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While U.S. President Barack Obama struggles with the thorny issue of healthcare reform, a leading American Conservative rabbi says that he would be well advised to look to the ancient civil laws of Judaism for inspiration.

According to Rabbi Jill Jacobs - the rabbi-in-residence at Jewish Funds for Justice in New York - Jewish civil law contains a roadmap for the creation of a just society, which treats employees fairly, offers an equitable healthcare system and which fights poverty and racism. Speaking this week in Jerusalem, Jacobs, who is currently on sabbatical at the Mandel Leadership Institute, said that rather than focusing exclusively on ritual law, Jews and the State of Israel should revive aspects of the civil law.

"Without saying that we should rewrite all the laws in accordance with halakha, I think there is an opportunity in Israel to implement the incredible wisdom of thousands of years of Jewish tradition, which really talks about every aspect of civil law," says Jacobs. "I would love for people around the world to look at Israel and say: Wow, that is an example of how you build a country that is economically and socially just, and that is an example of how really every country should operate."

Jacobs, the author of "There Shall Be No Needy: Pursuing Social Justice through Jewish Law and Tradition," made her remarks at a panel discussion about "exploring diverse new angles on peoplehood, identity and Israel" at this week's Jewish Agency board of governors meeting. The 34-year-old, who was ranked among the 50 most influential American Jews in 2008 by The Forward newspaper, made headlines last year when her rabbinic responsum demanding Jewish employers pay their employees a living wage and hire union workers whenever possible was adopted by the Rabbinical Assembly's Committee on Jewish Law and Standards.

The concept of tikkun olam, or perfecting the world, often sounds "warm and fuzzy," she told Anglo File, but she has very concrete ideas of how these ideals can - and should - be put into practice. "What I'm interested in is very specific halakhot [laws] and aggadot [Talmudic anecdotes] of how we live in communities. It's not just a nice thing to treat your workers fairly, but there are very specific halakhot about how you're supposed to treat them."

Jewish civil law has almost never been implemented in history, Jacobs explained.

"Jews developed ritual law, which we can practice without any problems, at least in many places that we live in, [but] we often didn't have enough autonomy to have a civil law. When Israel was founded there was a choice about whether the state would follow Jewish civil law - halakha - or

follow British common law. Of course the decision was that questions of personal status would go according to Jewish law - which is an entirely different subject - and civil law questions would go according to British common law."

Jacobs adds that this was probably a smart decision, "given the problems in trying to reconstruct a law that had almost never been used before."

But the time is ripe to focus on taking Judaism's "rich tradition of wisdom and halacha regarding civil law as well as our own experiences with oppression and liberation and bring that into the wider public sphere," she said.

Although Jacobs believes in the "Jewish vision of a perfected world," she is less enthusiastic about the concept of being "a light unto the nations," as some people called her approach. "There is something that feels a little condescending about that term," she told Anglo File. "It sounds like [only] we have the light and now we have to show it to the nations. Yes, we have to bring our wisdom to the public sphere but we also have to learn from other people."