

CHAPTER XIX

GOD'S JUSTICE

1. The unshakable faith of the Jewish people was ever sustained by the consciousness that its God is a God of justice. The conviction that He will not suffer wrong to go unpunished was read into all the stories of the hoary past. The Babylonian form of these legends in common with all ancient folk-lore ascribes human calamity to blind fate or to the caprice of the gods, but the Biblical narratives assume that evil does not befall men undeserved, and therefore always ascribe ruin or death to human transgression. So the Jewish genius beheld in the destruction of Sodom and Gomorrah a divine judgment upon the depraved inhabitants, and derived from it a lesson for the household of Abraham that they should "keep the way of the Lord to do righteousness and justice."¹ The fundamental principle of Judaism throughout the ages has been the teaching of the patriarch that "the Judge of all the earth cannot act unjustly,"² even though the varying events of history force the problem of justice upon the attention of Jeremiah,³ the Psalmists,⁴ the author of the book of Job,⁵ and the Talmudical sages.⁶ "Righteousness and justice are the foundations of Thy throne"⁷—this is the sum and substance of the religious experience of Israel. At the same time man realizes how far from his grasp is the divine justice:

¹ Gen. XVIII, 19.

² Gen. XVIII, 25.

³ Jer. XII, 1.

⁴ Ps. LXXIII, 12.

⁵ Job X, 22 f.

⁶ Yer. Hag. II, 1; Elisha ben Abuyah.

⁷ Ps. LXXXIX, 15.

"Thy righteousness is like the mighty mountains; Thy judgments are like the great deep."¹

2. The Master-builder of the moral world made justice the supporting pillar of the entire creation. "He is The Rock, His work is perfect, for all His ways are just; a God of faithfulness and without iniquity, just and right is He."² There can be no moral world order without a retributive justice, which leaves no infringement of right unpunished, just as no social order can exist without laws to protect the weak and to enforce general respect. The God of Judaism rules over mankind as Guardian and Vindicator of justice; no wrong escapes His scrutinizing gaze. This fundamental doctrine invested history, of both the individual and the nation, with a moral significance beyond that of any other religious or ethical system.

Whatever practice or sense of justice may exist among the rest of mankind, it is at best a glimpse of that divine righteousness which leads us on and becomes a mighty force compelling us, not only to avoid wrongdoing, but to combat it with all the passion of an indignant soul and eradicate it wherever possible. Though in our daily experience justice may be sadly lacking, we still cling to the moral axiom that God will lead the right to victory and will hurl iniquity into the abyss. As the sages remark in the Midrash: "How could short-sighted and short-lived man venture to assert, 'All His ways are just,' were it not for the divine revelation by which the eyes of Moses were opened, so that he could gaze into the very depths of life?"³ That is, the idea of divine justice is revealed, not in the world as it is, but in the world as it should be, the ideal cosmos which lives in the spirit.

¹ Ps. XXXVI, 7; see Davidson, l. c., 143 f.; J. E., art. Justice; Hamburger: *Realencyclopaedie*, art. Gerechtigkeit; Dillmann, l. c., 270 f.; Strauss, l. c., 596-604. Bousset, 437 f., is misleading.

² Deut. XXXII, 4.

³ Tanh., Jithro 5.

3. It cannot be denied that justice is recognized as a binding force even by peoples on a low cultural plane, and the Deity is generally regarded as the guardian of justice, exactly as in Judaism. This fact is shown by the use of the oath in connection with judicial procedure among many nations. Both Roman jurisprudence and Greek ethics declare justice to be the foundation of the social life. Nevertheless the Jewish ideal of justice cannot be identified with that of the law and the courts. The law is part of the social system of the State, by which the relations of individuals are determined and upheld. The maintenance of this social order, of the *status quo*, is considered justice by the law, whatever injustice to individuals may result. But the Jewish idea of justice is not reactionary; it owes to the prophets its position as the dominating principle of the world, the peculiar essence of God, and therefore the ultimate ideal of human life. They fought for right with an insistence which vindicated its moral significance forever, and in scathing words of indignation which still burn in the soul they denounced oppression wherever it appeared. The crimes of the mighty against the weak, they held, could not be atoned for by the outward forms of piety. Right and justice are not simply matters for the State and the social order, but belong to God, who defends the cause of the helpless and the homeless, "who executes the judgment of the fatherless and the widow," "who regardeth not persons, nor taketh bribes."¹ Iniquity is hateful to Him; it cannot be covered up by pious acts, nor be justified by good ends. "Justice is God's."² Thus every violation of justice, whether from sordid self-seeking or from tender compassion, is a violation of God's cause; and every vindication of justice, every strengthening of the power of right in society, is a triumph of God.

4. Accordingly, the highest principle of ethics in Judaism, the cardinal point in the government of the world, is not love,

¹ Deut. X, 17-18.

² Deut. I, 17.

but *justice*. Love has the tendency to undermine the right and to effeminize society. Justice, on the other hand, develops the moral capacity of every man; it aims not merely to avoid wrong, but to promote and develop the right for the sake of the perfect state of morality. True justice cannot remain a passive onlooker when the right or liberty of any human being is curtailed, but strains every effort to prevent violence and oppression. It battles for the right, until it has triumphed over every injustice. This practical conception of right can be traced through all Jewish literature and doctrine; through the laws of Moses, to whom is ascribed the maxim: "Let the right have its way, though it bore holes through the rock"¹, through the flaming words of the prophets²; through the Psalmists, who spoke such words as these: "Thou art not a God who hath pleasure in wickedness; evil shall not sojourn with Thee. The arrogant shall not stand in Thy sight; Thou hatest all workers of iniquity."³

Nor does justice stop with the prohibition of evil. The very arm that strikes down the presumptuous transgressor turns to lift up the meek and endow him with strength. Justice becomes a positive power for the right; it becomes *Zedakah*, righteousness or true benevolence, and aims to readjust the inequalities of life by kindness and love. It engenders that deeper sense of justice which claims the right of the weak to protection by the arm of the strong.

5. Hence comes the truth of Matthew Arnold's striking summary of Israel's Law and Prophets in his "Literature and Dogma", as "The Power, not ourselves, that maketh for righteousness." Still, when we trace the development of this central thought in the soul of the Jewish people, we find that it arose from a peculiar mythological conception. The God of Sinai had manifested Himself in the devastating elements of

¹ Yeb. 92 a; Yer. Sanh. I, 18 b.

² Amos V, 24; Isa. I, 17, 28; XXVIII, 17; LIV, 14.

³ Ps. V, 5-6.

nature — fire, storm, and hail; later, the prophetic genius of Israel saw Him as a moral power who destroyed wickedness by these very phenomena in order that right should prevail. At first the covenant-God of Israel hurls the plagues of heaven upon the hostile Egyptians and Canaanites, the oppressors of His people. Afterward the great prophets speak of the Day of JHVH which would come at the end of days, when God will execute His judgment upon the heathen nations by pouring forth all the terrors of nature upon them. The natural forces of destruction are utilized by the Ruler of heaven as means of moral purification. "For by fire will the Lord contend."¹

In this process the sense of right became progressively refined, so that God was made the Defender of the cause of the oppressed, and the holiest of duties became the protection of the forsaken and unfortunate. Justice and right were thus lifted out of the civil or forensic sphere into that of divine holiness, and the struggle for the down-trodden became an imperative duty. Judaism finds its strength in the oft-repeated doctrine that the moral welfare of the world rests upon justice. "The King's strength is that he loveth justice," says the Psalmist, and commenting upon this the Midrash says, "Not might, but right forms the foundation of the world's peace."²

6. Social life, therefore, must be built upon the firm foundation of justice, the full recognition of the rights of all individuals and all classes. It can be based neither upon the formal administration of law nor upon the elastic principle of love, which too often tolerates, or even approves certain types of injustice. Judaism has been working through the centuries to realize the ideal of justice to all mankind; therefore the Jew has suffered and waited for the ultimate triumph of the God of justice. God's kingdom of justice is to be established, not in a world to come, but in the world that now is, in the life of

¹ Isa. LXVI, 16.

² Ps. XCIX, 4; Tanh. Mishpatim 1.

men and nations. As the German poet has it, "Die Weltgeschichte ist das Weltgericht" (the history of the world is the world's tribunal of justice).

7. The recognition of God as the righteous Ruler implies a dominion of absolute justice which allows no wrongdoing to remain unpunished and no meritorious act to remain unrewarded. The moral and intellectual maturity of the people, however, must determine how they conceive retribution in the divine judgment. Under the simple conditions of patriarchal life, when common experience seemed to be in harmony with the demands of divine justice, when the evil-doer seemed to meet his fate and the worthy man to enjoy his merited prosperity, reward and punishment could well be expressed by the Bible in terms of national prosperity and calamity. The prophets, impressed by the political and moral decline of their era, announced for both Israel and the other nations a day of judgment to come, when God will manifest Himself as the righteous Ruler of the world. In fact, those great preachers of righteousness announced for all time the truth of a *moral government of the world*, with terror for the malefactors and the assurance of peace and salvation for the righteous. "He will judge the world with righteousness, and the peoples with equity" becomes a song of joyous confidence and hope on the lips of the Psalmist.¹ This final triumph of justice does not depend, as Christian theologians assert, on the mere outward conformity of Israel to the law.² On the contrary, it offers to the innocent sufferer the hope that "his right shall break forth as light," while "the wicked shall be put to silence in darkness."³ We must admit, indeed, that the Biblical idea of retribution still has too much of the earthly flavor, and

¹ Ps. XCVI, 13; XCVIII, 9.

² See Bousset, l. c., 357-366; Weber, l. c., 259-279, and comp. Suk. 30 a, where it is stated, referring to Isa. LXI, 8, that "good deeds can never justify evil acts."

³ Hosea VI, 6; Ps. XXXVII, 6; I Sam. II, 9.

often lacks true spirituality. The explanation of this lies in the desire of the expounders of Judaism that *this* world should be regarded as the battle-ground between the good and the bad, that the victory of the good is to be decided *here*, and that the idea of justice should not assume the character of other-worldliness.

8. It is true that neither the prophets, such as Jeremiah, nor the sages, such as the authors of Job and Koheleth, actually solved the great enigma which has baffled all nations and ages, the adjustment of merit and destiny by divine righteousness. Yet even a doubter like Job does not despair of his own sense of justice, and wrestles with his God in the effort to obtain a deeper insight. Still the great mass of people are not satisfied with an unfulfilled yearning and seeking. The various religions have gradually transferred the final adjustment of merit and destiny to the hereafter; the rewards and punishments awaiting man after death have been depicted glaringly in colors taken from this earthly life. It is not surprising that Judaism was influenced by this almost universal view. The mechanical form of the principle of justice demands that "with the same measure one metes out, it shall be meted out to him,"¹ and this could not be found either in human justice or in human destiny. Therefore the popular mind naturally turned to the world to come, expecting there that just retribution which is lacking on earth.

Only superior minds could ascend to that higher ethical conception where compensation is no longer expected, but man seeks the good and happiness of others and finds therein his highest satisfaction. As Ben Azzai expresses it, "The reward of virtue is virtue, and the punishment of sin is sin."² At this point justice merges into divine holiness.

¹ Sota I, 7-8; Tos. Sota III; Mek. Shirah 4; B. Wisdom XV, 3; XIX, 17; Jubilees IV, 3, elsewhere, comp. Math. VII, 2, and parallels.

² Aboth IV, 2.

9. The idea of divine justice exerted its uplifting force in one more way in Judaism. The recognition of God as the righteous Judge of the world — *Zidduk ha Din*¹ — is to bring consolation and endurance to the afflicted, and to remove from their hearts the bitter sting of despair and doubt. The rabbis called God "the Righteous One of the universe,"² as if to indicate that God himself is meant by the Scriptural verse, "The righteous is an everlasting foundation of the world."³

Far remote from Judaism, however, is the doctrine that God would consign an otherwise righteous man to eternal doom, because he belongs to another creed or another race than that of the Jew. Wherever the heathens are spoken of as condemned at the last judgment, the presumption based upon centuries of sad experience was that their lives were full of injustice and wickedness. Indeed, milder teachers, whose view became the accepted one, maintained that truly righteous men are found among the heathen, who have therefore as much claim upon eternal salvation as the pious ones of Israel.⁴

¹ See Levy, W. B.: *Zidduk*; comp. Ex. IX, 27; Lam. I, 18; Neh. IX, 33.

² Gen. R. XLIX, 19; Yoma 37 a.

³ Prov. X, 25.

⁴ See Tos. Sanh. XIII, 2; Sanh. 105 a; Yalkut Isaiah 296; Crescas: *Or Adonai*, III, 44.