

Introduction

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מן המקום שבו אנו צודקים	From the place where we are right
לא יצמחו לעולם	Flowers will never grow
פרחים באביב.	In the spring.
המקום שבו אנו צודקים	The place where we are right
הוא רמוס וקשה	Is hard and trampled
כמו חצר	Like a yard...

In his poem, **The Place Where We Are Right**, Yehuda Amichai describes a world where being right leads to darkness and destruction. Being right leaves no room for others to grow and blossom and build.

Amichai describes the state of being right as *tzodkim*, the root of which, *tzedek*, is a core ethical value. *Tzedek* is repeated over and over again in our Torah. In Bereishit 18:19, God realizes that Avraham must be told about God’s plan to destroy Sodom because Avraham is the arbiter of *tzedek*, here understood to mean righteousness —

וְשָׁמְרוּ דְרָוּיִהּ לַעֲשׂוֹת צְדָקָה [Avraham’s descendants] will keep God’s ways,
וּמִשְׁפָּט doing righteousness (*tzedaka*) and justice (*mishpat*).

In Devarim 16:18–20 *tzedek* means justice; we are told to set up a system of judges to execute *mishpat tzedek* — righteous judgement; we are urged *tzedek tzedek tirdof* — justice justice you must pursue. A code of law and ethics, a system of justice are essential to civil society.

Sefer Vayikra presents an alternative approach in 19:36 —

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מֵאֲזֵנֵי צֶדֶק אֲבֵנֵי צֶדֶק, אֵיפֶת צֶדֶק וְהֵינּוּ צֶדֶק – יִהְיֶה לָכֶם. You must have an honest or correct (*tzedek*) balance, honest weights and measures.

This is a strange use of the word *tzedek*. One cannot have righteous measurements, and *tzedek* here does not seem to mean justice either. Rambam, in his *Sefer Hamitzvot, Mitzvot Asei* 208, commenting on this verse, explains that the command to have accurate weights and measures, מֵאֲזֵנֵי צֶדֶק אֲבֵנֵי צֶדֶק, is a demand of precision and accuracy.

Tzedek here means that the measurement must be precise, exact. There is no room for any difference. It implies a rigidity, an inflexibility of sorts. Seen through this light, *tzedek* means strict justice. A world where there is right and wrong, and the only place to be is on the side of justice, of *tzedek*, of being right.

This is Amichai's definition of *tzedek*. It is problematic in that it leaves no room for multiple perspectives. And yet, I often feel that I have *tzedek* on my side. In my bones and heart, I feel that I was right in my pursuit of ordination; despite pushback, I think the path to opening up Yeshivat Maharat for others to pursue their dream of leading and serving the Jewish community is right. It is just. I know that *halakha* permits me to be a leader and I believe that God condones my rabbinate, despite the fact that some say that women should not speak and lead publicly. I know I am right about the issues that matter. And I also know, that there are those who disagree, who have an alternative definition of right. Allowing both of our values to exist within the framework of *halakha* makes for a healthier Orthodox community, where men and women, liberal and conservative — can all find a place to call home.

There is a potentially destructive side to pursuing justice. Hillel and Shammai discuss this in b. *Gittin* 55a, regarding a thief who steals a beam. The *gemara* explains that

תנו רבנן גזל מריש גזל ומריש ובנאו	[“The beam that has been stolen, (and the thief) went and
בבירה ב”ש אומרם	built it into a large building/palace”:]
מקעקע כל הבירה כולה	The Rabbis taught: If a person steals a beam and builds
ומחזיר מריש לבעליו	it into a palace, Beit Shammai say that the whole palace
וב”ה אומרים אין לו אלא	must be destroyed in order to restore the beam to its
דמי מריש בלבד משום	owner. Beit Hillel say that the latter can claim only the
תקנת השבין:	monetary value of the beam, so as not to place obstacles
	in the way of penitents.

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Beit Hillel, of course, is more logical — there is no need to destroy the castle. Something beautiful has flowered and been built on the foundation of the stolen beam. The monetary value of the beam must certainly be returned, but there is no need to destroy the palace. Yet, there is also something compelling about Beit Shammai's view. If the owner wants the beam back, the entire castle must be demolished in order to return the beam in the name of fairness and justice.

It is hard to imagine existing in a world of Beit Shammai's definition of strict justice. According to Beit Shammai, we would live in a society where justice must be achieved no matter what the cost. My exact beam would need to be returned, even if it warranted destroying an entire castle. This is not the reality I want for myself. This is not the world I want my children to grow up in.

Amichai ends his poem with these words:

אבל ספקות ואהבות עושים	But doubts and loves
את העולם לתחוח	Dig up the world
כמו חפרפרת כמו חריש	Like a mole, a plow.
ולחשה תישמע במקום	And a whisper will be heard in the place
שבו היה הבית	Where the ruined
אשר נחרב	House once stood.

For Amichai, the *bayit*, the *birah*, the building, the castle is not worth destroying, in the name of *tzedek*. Being right, does not always merit extreme action.

If we were to not always demand that we are right, we would also allow for more kindness and generosity of spirit. This is hard for me. Sometimes the passion I feel for something that I know to be right — not only about gender, but about social action, about poverty, righting wrongs that I see, I want to do anything to bring about justice. But, when there is only strict justice, when we look at the world with a rigidity of always thinking we are right, there is truly a danger, as Amichai says, of destroying the buildings.

So, how do we pursue *tzedek*? Justice should never exist alone. In our biblical examples of *tzedek*, almost every time the word appeared it is combines with the word *mishpat*. *Tzedek* must be tempered with *mishpat*. It is a softer more welcome kind of justice that implies a multiplicity of approaches. We have to mitigate that sense of unbending justice with compassion, and perspective, and open mindedness. With *tzedek* and *mishpat*.

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A free and open discussion of ideas is an important way to cultivate an appreciation of diverse perspectives and approaches. We are proud to present our thinking to the community in this edition of the Keren Journal and I look forward to the discussion that will flourish and to the respectful exchange of ideas that will continue to move all of us forward.