

# The Mystery of Human Rights

## An Introduction and Overview

### **[transcript of the video presentation:]**

Shalom! Welcome to the Conservative Yeshiva Online. I'm Dr. Shaiya Rothberg, and the title of this course is "A Jewish Theology of Human Rights". In the next half hour, I'll give you an overview of the course.

There exists today a global movement for "human rights". In this course, I hope to touch on the theological significance of this movement from a Jewish perspective. The first thing I need to do is say what I mean by human rights. Answering that question in some detail will be the subject of our first class. For now, I'll tell you what I mean in a nutshell.

### Human Rights

One end of the human rights movement consists of official documents, international courts and UN bodies. In this context, human rights are largely about international law and treaties. While there's a lot of good happening in these activities, there is also a lot of hypocrisy and corruption. The UN's human rights council is a notorious example of how a body supposedly dedicated to human rights is sometimes a forum for incitement to racism and violence, often against Israeli Jews. While this official and institutionalized end of the human rights movement is important, and has been a critical and positive part of the history of human rights after World War II and the Holocaust, it is not primarily what I mean by "human rights" in this course.

The other end of the global human rights movement consists of civil-society organizations, international NGO's and grassroots activism. At this end of the spectrum, there are literally thousands of large and small organizations scattered throughout human societies across the globe. A huge variety of cultures and ideologies are represented by these organizations, but they have a relatively simple common ground: their common goal is to document and protest some of the worst violations of human rights. While there can be much significant disagreement about what are human rights and what are not (and we'll touch on this subject in our first class), the things that these groups are fighting against are relatively straight forward. We're talking about butchering and blatantly oppressing and exploiting human beings. Often in these cases, the only people opposing the human rights activists are the governments who are themselves doing the butchering, oppression and exploitation.

This global grassroots and non-governmental movement for human rights is primarily what I have in mind in this course. Examples on the international scene are Human Rights Watch and Amnesty International. Examples here in Israel are B'Tselem, the Association for Civil Rights in Israel and Rabbis for Human Rights. We should of course also value the contribution of the UN bodies and international courts, as long as we remain aware that these institutions, like all powerful institutions, may not only serve human rights, but also violate them.

OK, at this stage I can tell you the bottom line of what I think is significant about the human rights movement: I think it's an opening, a window, onto a just world order. The human rights movement is perhaps the first species-wide attempt to put an end to the butchering, oppression and exploitation of all human beings. It's true; there have been in the past visions of a just global order with no violence and exploitation. But usually, if not always, these visions included the demand that all people join one religion, or one empire, and so forth. The human rights movement is perhaps the first attempt of the human race as a whole to establish norms for the protection and nurturing of all human life – of every single human being – while respecting the particularistic religions, cultures, languages, nationalities and identities of the peoples of the Earth. Beyond protecting people from destruction, the movement also seeks to direct global resources to guaranteeing the necessary conditions for dignified human life: education, housing, medical care etc.

### A Jewish Theology of Human Rights

Now, if the human rights movement really is a window onto a just world order, it is clearly of terrific theological significance. God cannot be indifferent to the prospect of life with dignity for all of God's human creatures. How should we think about the theological significance of human rights? In this course, I will juxtapose three Jewish texts. I feel that taken together, these texts express something powerful and important about the theological significance of human rights.

### **The Zohar**

The first text is the Zohar. The Zohar contains a poetic and mystical account of the idea of ADAM. The word ADAM, even though it might be translated as "human" or "humanity" is not first and foremost a reference to physical human beings. ADAM in the Zohar is a description of God, and also a description of the divine technology that makes it possible for consciousness to inhabit our bodies (in other words, it is ADAM that makes it possible for our minds to dwell in our flesh and blood bodies). The Zohar teaches that the purpose of God's Word, and all of God's commandments, is to arrange each human, and the universe as a whole, into the ADAM constellation. Achieving ADAM is the higher good sought by both God and humanity.

Now, the Zohar is a deep and cryptic text and I make no claim to fully understand the meaning of what it says. But one way to approach the Zohar's ADAM is as a symbolic portrait. What is it a portrait of? During the course, we will get into this question in some detail. At this stage, I'll present just the general idea. We might understand the Zohar's portrait of ADAM as of the highest and most beautiful form of humanity that the writers of the Zohar can imagine. In order to imagine what ADAM looks like, the Zohar combines two main ingredients: the first is the goodness and beauty of human beings; the second is the glory and the mystery of God. Now, these ingredients - goodness and beauty, glory and mystery – can be found in the images and symbols of Jewish literary tradition. The Zohar weaves these images and symbols into its vision of ADAM. There is much eros and poetry and mystical inspiration in the Zohar's portrait. I hope that as the course progresses, you will agree with me that there is something both mysterious and deeply inspiring about this vision of divine humanity, what the Zohar calls ADAM.

The Zohar teaches that our highest purpose is to embody the image of ADAM, both as individuals and collectively. This thought makes me wonder: how good and beautiful could the human race ultimately become? How much of the mystery and glory of God could become manifest in our lives and culture? Well, I would argue, that since we've been raping and killing each other from the beginning of time, we don't have the foggiest idea. And if we want to find out, we've got to stop the the raping and the killing. Broadly speaking, my understanding of the global human rights movement is the first species-wide attempt to do just that. Obviously, basic morality is the most important reason to stop the killing. But the Zohar's vision of ADAM involves a different and particularly religious inspiration. The violence and injustice is not only a moral evil, it conceals the great majesty of God's creation. God created the world, the Zohar teaches, to make manifest something of unfathomable beauty and significance, something that can only become manifest if the world achieves its ADAM constellation. Protecting and nurturing the members of our species is the necessary condition for playing our part in realizing the telos (=the purpose) of creation as God intended.

### **The Rambam**

Now, the Zohar is not a political text, and its approach to achieving ADAM has more to do with Jewish ritual than with the more naturalistic and practical considerations involved in human rights. In order to bring the idea of ADAM or divine humanity closer to the politics of human rights, we'll turn to our second text: that of the Rambam or Maimonides.

In important ways, the Rambam's idea of humanity is very much like the Zohar's idea of ADAM. For the Rambam, "humanity" is not simply who we are, but the higher selves that we have the potential to be. If we fully realize that potential, then we are fully in the Image of God. And just as achieving ADAM is the purpose of the Torah and Commandments for the Zohar, so too, realizing this higher humanity is the purpose of the Torah and the Commandments for the Rambam. The more we are human, the more God is revealed in the world.

But unlike the Zohar, the Rambam is all about rational action and political organization. God has a practical design for realizing humanity's potential to be in the Image of God. This design involves establishing a just and peaceful political order, first for a Jewish state, and then for all human beings. The Rambam envisions a world order without war, oppression or exploitation. Global resources will be invested in the two foundations of the divine constitution. The first foundation is "tikkun haguf" or healing humanity's collective body politic. This means protecting and nurturing human life in the most practical ways possible. The second foundation is "tikkun hanefesh" or healing the soul of humanity. This means investing in education and culture so as to direct human beings – both as individuals and as a species – to achieving our higher selves. And like the Zohar, humanity's higher self is so high as to intimate something of the glory and mystery of God's own self.

### **The Racha (Rabbi Hayyim Hirschensohn)**

Our first text was the Zohar and its poetic mystical vision of ADAM. Our second text was the Rambam, and his political conception of achieving ADAM through a just world order. Our third text was written by the Racha. "The Racha" is an acronym for Rabbi Hayyim Hirschensohn. The Racha was an extremely learned and creative Jewish sage who lived in Israel and in America from 1857-1935. It is here, in the third text of this course, that we encounter an explicit discourse about the significance of democracy and human rights for Jewish religion. As we will see, the Racha's world view is in large part an interpretation of the Rambam.

While the Racha never saw the modern State of Israel, he dedicated much of his life to envisioning what a modern Torah state would look like. A Torah state is a state based on the principles of God's Word to Israel as understood in Torah tradition. You might expect such a state to be a theocracy, perhaps in the spirit of today's Iran. But the Racha argued that the political meaning of God's Word evolves together with the culture of the human race. Thousands of years ago, the appropriate forms of government were different than today because people were different than today. In our day,

argued the Racha, the only path to the justice and peace intended by God is democracy and human rights.

The Racha's world view is predicated on the idea that since God is good and loving, the very act of creating human beings meant that God was committed to the wellbeing and happiness of all humans. A beneficent God cannot be indifferent about the fate of the creatures that God created. As a result, God established a covenant between God's self and all of humanity. The essence of this covenant is that all human beings are responsible for protecting and nurturing all other human beings. Now, this doesn't mean that everybody has to have same laws. Just as each individual human being is unique and valuable, so too, each people and culture is unique and valuable. Just as different collectives of human beings embody different ideals of religion and spiritual life, so too, they embody different ideals of justice and law. But even so, humans also share basic needs and aspirations. And all humans are bound by a common covenant before God that requires us to work together – to talk to each other from *within* our different cultures and religions – until we can agree about norms guaranteeing that no human being will be oppressed or exploited.

The Racha's vision of a just global order culminates in establishing an international court of justice and human rights on the Temple Mount in the heart of Jerusalem. The Racha explicitly juxtaposes this court to the well meaning but weak and hypocritical international institutions of his time. He says that those institutions, such as the League of Nations, lacked the power and perhaps the will to confront abuses carried about by the central world powers. Unfortunately, much of his criticism rings true about the UN and other organizations today, too. But the Racha's response is not to give up on creating and enforcing international norms for the protection and nurturing of human beings. Giving up would mean betraying our most fundamental commitments before God our Creator. No, the Racha's response to the failure of the League of Nations is to build the theological foundations for a new and more powerful institution, one that will reach forth from God's Presence in Jerusalem to hold back those that would kill, oppress and exploit. In particular, the Racha emphasizes that the Hall of Justice sitting upon the Temple Mount would protect every human being from the evils of chauvinistic nationalism.

Now, I admit that I have little faith in the possibility of a truly effective international court right now, and I'm certainly not suggesting that we try to take over the Temple Mount (!), but the idea that at the central point of God's presence on the planet there should be an institution protecting human rights powerfully expresses the deep theological significance of the global practice of human rights from a Jewish perspective.

## **Conclusion**

In concluding this overview, let's sum up what we've seen:

The first thing we saw was a take on human rights as a global practice – a window onto a just world order to protect and nurture human life.

Then we saw that the Zohar teaches that "ADAM", which might be translated as "humanity", does not refer simply to flesh and blood human beings - but is first and foremost a reference to God.

"ADAM" refers to us (flesh and blood people) only in so far as we realize our potential to manifest ultimate value; in so far as we realize our potential to manifest goodness and beauty.

Then we saw that the Rambam also believes that "humanity" means our highest potential: to be in the image of God. He teaches that the Torah and the Commandments are a means to an end, and the end is to provide the basic conditions for human life and then, through education and culture, to expand and develop the human mind. Only through this path – tikkun haguf and tikkun hanefesh - can we realize our potential to embody higher value and thus to make God more manifest in the world.

Lastly, we spoke about the Racha, who explicitly understands the Rambam's practical and political interpretation of Torah to mean the establishment of a global order of democracy and human rights in our day. The Racha further expresses the sanctity – the deep religious significance – of human rights, by symbolically placing them at the site of the Biblical Temple. The Racha envisions a day when human political might will set forth from the Temple Mount to protect every would-be victim of oppression and exploitation across the globe.

If we interpret these three texts in light of each other, I think we can see something important about the theological significance of human rights. Human rights in Hebrew are זכויות האדם – the rights of ADAM. And ADAM, as the Zohar teaches us, is first and foremost a description of God and a vision of the highest form of humanity that we can imagine. Human rights are obviously a moral

obligation, but these texts teach us that human rights are also an expression of a powerful spiritual and religious intuition; What ignites our religious imaginations is the sense that we can live more powerful, more significant and more meaningful lives than the ones that we live now. It is the sense that inside human beings – think of the human beings that you love – there is a trace of the mystery and glory of the Creator. In addition to fulfilling our most basic moral obligations, human rights are also a path to religious transcendence.

I hope that you'll join me in delving into these texts, and that we will enjoy exploring together some of the theological significance of global human rights practice today.

Shalom and be well,

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