Universalism and Particularism:
Different Expressions and Resolutions

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Sara was a founding faculty member of Yeshivat Hadar, where she developed a Bible and Exegesis curriculum. She has taught in a variety of Jewish settings, most recently as a history instructor at the Frisch School. Her research interests include the intersection of ritual and relevance, ritual experimentation, and overcoming the binary of halakhic–non-halakhic/insider-outsider in Jewish ritual practice. As part of her participation in the Religious Worlds Seminar at the Interfaith Center of New York, Sara researched ways of integrating comparative religion into Jewish educational contexts.

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A Resolution

I. Ethical and Social Dilemmas


Peter Singer has developed a powerful argument that apparently shows that most of us are far more immoral than we take ourselves to be. Many people follow a minimalist morality. They avoid killing, stealing, lying and cruelty, but feel no obligation to devote themselves to the well-being of everybody else. We commend those who give generously to foreign aid, but we do not look on those who fail to give as unthinking criminals or moral reprobates. According to Singer, our standard judgments are seriously askew. Those who fail to do what they can to alleviate the absolute poverty of the worst off in the world are not quite as bad as murderers and thieves, for they do not intentionally act in such a way as to kill and deprive others. They are, however, as bad as reckless drivers who act in a way which will cause death and destruction without desiring these predictable consequences...

If such a theory has consequences which conflict with our intuitions it is possible that we need to revise our intuitions and the behavior that follows. But it is also possible that our intuitions give us reason to revise our principles...

Rather than being faced with one drowning child, easily saved by individual action, our situation is comparable to that of the strong swimmers on the beach at Bondi, after a freak wave has washed away the sand bank. Many people are drowning, and at least a goodly number have a prima facie obligation to help them, but which one is any particular strong swimmer to save? In a situation like this, a pragmatic principle solves the decision problem. Each drowning person has an equal right to be saved; efficiency dictates that one saves the closest. If one person is equally close to two potential rescuers, they should co-ordinate their activities, one agreeing to save the closest, the other the next closest. Lifeguards divide their responsibility for saving people on the beach, thus turning a diffuse and unfulfillable duty into a particular and achievable one. Without a pragmatic tiebreaker, which divides their responsibility, their collective aim of saving as many of the drowning as possible, would not be achieved...

By analogy, we will not solve the problem of international poverty and starvation by putting individuals in a situation in which they feel guilty if they merely pay their taxes and care for their own families. We need rather to formulate principles of organization that will enable each country to fulfill its obligations towards its own people...a fair way of dividing the responsibility for children was to make parents responsible for their own children...In a similar fashion an impartialist perspective could come up with no better
scheme for dividing responsibility among nations than to make each nation responsible for the care of its own people. This has the same sort of advantages as dividing responsibility for children. Each nation has its own history, customs, and priorities. No matter how strange and ungrounded these may seem to outsiders they will be the sorts of things nations will want to develop in their own way. Just as a family that is sufficiently well run offers, besides basic care, a history, set of habits and sense of one’s place in the community, so a state that is sufficiently well run offers a set of traditions, a history and a sense of one’s place in the international community. Each nation has a prima facie obligation to care for its own people, and in a well-ordered system of divided responsibility it will then have no further obligations.

What are the strengths and weaknesses of Green’s system of divided responsibility – where specific sets of people are responsible for other specific people – versus Singer’s system of universal ethical responsibility?

II. Classical Jewish Sources

A. Prioritization of Communal Resources

2. Tosefta Bava Metsia 11:33-36

In the case of a cistern which belongs to the people of a town. [If there is enough water for only] the townspeople or others - the townspeople have precedence [in drinking the water] over the others. Others or the townspeople’s animals — the lives of others have precedence over the animals. Rabbi Yose says that the townspeople’s animals have precedence before the lives of the others. The animals of the townspeople or the animals of others — the animals of the townspeople have precedence to the animals of others. Drinking water for the others or the laundry of the townspeople — the lives of others have precedence over their laundry. Rabbi Yose says that laundry of the townspeople comes before the lives of others. The laundry of the townspeople or the laundry of others — the laundry of the townspeople comes first.
If someone has food in their home and wishes also to give charity and support others from his resources, then how should they do so? First, one supports one’s parents. If there is a surplus, then support your siblings. If there is a surplus, then support your extended family. If there is a surplus, then support those in your neighborhood. If there is a surplus, then support those in your city. If there is a surplus, then support the rest of the Jewish people.

Now there is something fundamental about the details of the laws above that troubles me deeply. For if we explain the texts that I have cited according to their simple meaning — that certain groups are prior to others — they imply that [one may distribute the entirety of one’s tzedakah money to one group within the established hierarchy] and need not give at all to those who fall outside of that specific group. But it is well known that every wealthy person has many more relatives who are poor, and how much more is that true for people whose charity funds are scant! And if this is the case, poor people without wealthy relatives will die of starvation. Now how is it possible to say this?

Therefore, in my humble opinion, the explanation of [charity priorities] is as follows: Certainly, every person, whether of modest or significant means, is obligated to give a portion of their charity money to needy people who are not relatives. But to their poor relatives, they should give a greater amount than is given to those who are not related. And so on along the ladder of priorities.

**What are the tensions, considerations, and motivations at play in this set of sources?**

**Which opinions do you find compelling? Which opinions are most resonant today?**
B. Loving Kindness Towards One’s Own and Others

5. Maimonides, Mishneh Torah, Laws of Mourning 14:1 (13th century)

It is a positive commandment in rabbinic law to visit the sick, comfort the mourners, escort the dead, dower the bride, accompany the [departing] guests, and to involve oneself in all burial needs: to carry the dead, to walk before the dead and to eulogize, dig and bury. And likewise, to bring cheer to the bride and the groom, and to assist them in whatever they need. And these are the acts of kindness that one does with one’s body, and these have no quantified limit. Even though all these precepts are of rabbinic origin, they are implied by the biblical verse: "You shall love your neighbor as yourself" (Leviticus 19:18): whatever you would want others to do for you, you should do for your brother/sister in Torah and precepts.

6. Maimonides, Mishneh Torah, Laws of Kings and Wars 10:12

Even for those who are not Jewish: the rabbis commanded to visit their sick, to bury their dead with the dead of Israel, and to sustain their poor along with the poor of Israel for the sake of the ways of peace. Behold it is said: “God is good to all, and God’s mercy is upon all of God’s handiwork (Psalms 145:9),” and it is said, “Its paths are paths of pleasantness, and all its ways are peace (Proverbs 3:17).
The Rabbis established the principle of *Do not wrong your fellow* (Lev. 25:17) and applied it to ‘one who is with you in Torah and commandments’” ... All who are from the nations that are guided by the ways of religion and serve God in any way even though their faith is far from ours ... are exactly like Jews regarding these matters whether in lost articles or in business errors and in all other matters without distinction.

What are Maimonides’ different motives for doing acts of loving kindness for people within one’s Jewish community versus outside one’s Jewish community? How does the Meiri expand the category of “one who is with you in Torah and commandments?”

C. Individual, Idiosyncratic Generosity

8. Babylonian Talmud Ta’anit 24a

Elazar, the man of Birta: whenever the communal fundraisers would see him, they would run and hide. For whatever he had with him, he would give them. One day he went to the market to buy the items of his daughter’s dowry. The charity collectors saw him and hid from him. But he ran after them and said to them: “I swear you must tell me — with what cause are you busy?” They answered: ‘With the marriage dowry of an orphan boy marrying an orphan girl.” He said to them: “I swear by the Temple worship, that those needy brides take precedence over my own daughter.” He took everything he had with
him and gave it to them. Only one coin remained in his possession and with it he bought some grains of wheat, and when he came home, he climbed up and threw them into the storage room. His wife came home and asked her daughter: “What did your father bring you?” The daughter replied: ‘Whatever he brought, he threw in the storage room.' She went to open the door of the storeroom and found that it was so full of wheat, that the wheat was pouring out of the door’s hinges and that the volume of the wheat made it impossible to open the door. She [the daughter] went to the study hall and said: “Come and see what your Beloved, your Friend did for you!” He replied to her: “As far as you are concerned, I swear by the Temple worship that it is all dedicated to sacred use, and you have no more priority claim on it than any of the poor of Israel.”

How do the authors of the text and the characters in the story regard Elazar’s actions? What are the ethical implications of his behavior?

III. Religious Values and Ideas


18 For I [know] their deeds and purposes. [The time] has come to gather all the nations and tongues; they shall come and behold My glory. 19 I will set a sign among them, and send from them survivors to the nations: to Tarshish, Pul, and Lud—that draw the bow—to Tubal, Javan, and the distant coasts, that have never heard My fame nor beheld My glory. They shall declare My glory among these nations. 20 And out of all the nations, said the LORD, they shall bring all your brothers on horses, in chariots and drays, on mules and dromedaries, to Jerusalem My holy mountain as an offering to the LORD—just as the Israelites bring an offering in a pure vessel to the House of the LORD. 21 And from them likewise I will take some to be levitical priests, said the LORD. 22 For as the new heaven and the new earth Which I will make Shall endure by My will — declares the LORD— So shall your seed and your name endure. 23 And new moon after new month, And sabbath
after sabbath, All flesh shall come to worship Me —said the LORD. 24 They shall go out and gaze On the corpses of the men who rebelled against Me: Their worms shall not die, Nor their fire be quenched; They shall be a horror To all flesh.

What is Isaiah’s vision for the end of days? Are there any details here that are particularly noteworthy or surprising?

IV. Historical Messages

10. Maimonides, Mishneh Torah, Laws of the Megillah and Chanukah 3:2

When, on the twenty-fifth of Kislev, the Jews had emerged victorious over their foes and destroyed them, they re-entered the Temple where they found only one jar of pure oil, enough to be lit for only a single day; yet they used it for lighting the required set of lamps for eight days, until they managed to press olives and produce pure oil.

11. Maimonides, Mishneh Torah, Laws of the Megillah and Chanukah 4:14

If a [poor] person must choose between Sabbath lights and Hanukkah lights, or between Sabbath lights and wine for Kiddush, the lighting of his home takes priority, so as to sustain peace in the house, since even the divine name was erased [in the oath of purgation—Numbers 5:12-31] to make peace between [a jealous] husband and his wife. Great is peace, since the entire Torah has been given to create peace in the world, as it is written: "Its ways are ways of pleasantness, and all its paths are peace" (Proverbs 3:17).

Is there any dissonance between these two passages In Maimonides' Mishneh Torah about Chanukah?
A Resolution


As a visitor walks into Yad Vashem, the Holocaust memorial in Jerusalem, she comes upon a long avenue of trees. Each of these trees bears a number, a name or names, and a place. As of December 1995, there are, I believe, 1172 such trees. Each tree honors a person (or couple or family) who risked death to save a Jew or Jews. These people were goyim - French or Belgian or Polish or Scandinavian or Japanese or German, and atheist or Christian or members of some other religion. They had their own local identities and nationalities and, often, religions. They had friends and, in many cases, families. Sometimes some of these loyalties supported their actions; religion was frequently among their sources of support. Sometimes these loyalties opposed their choices-local politics always opposed them. These "righteous goyim," however, risked the loss of all that was near and dear to them to save a stranger. They did not need to do so. Everything pointed the other way. But somehow, against all odds, their imaginations had acquired a certain capacity to recognize and respond to the human, above and beyond the claims of nation, religion, and even family.

The sight of this avenue of trees can strike the visitor with a peculiarly stark terror, made all the more searing by the peaceful leafiness of the young trees, in such contrast to the monumental architecture that surrounds them. The terror, which persists, is the terror of the question they pose: Would one, in similar circumstances, have the moral courage to risk one's life to save a human being, simply because he or she is human? More generally, would one, in similar circumstances, have the moral courage to recognize humanity and respond to its claim, even if the powers that be denied its presence? That recognition, wherever it is made, is the basic act of world citizenship.

We have so many devious ways of refusing the claim of humanity. Rousseau speaks of the imagination's tendency to engage itself sympathetically only with those who resemble us, whose possibilities we see as real possibilities for ourselves. Kings don't pity subjects because they think they never will be subjects. But this is a fragile stratagem, both false and self-deceptive. 'We are all born naked and poor; we are all subject to disease and misery of all kinds; finally, we are all condemned to death. The sight of these common miseries can, therefore, carry our hearts to humanity — if we live in a society that encourages us to make the imaginative leap into the life of the other.
We also easily suppose, Rousseau adds, that people who are not like us do not really suffer as we suffer, do not really mind their pain. These obstacles in the mind were powerfully manipulated by Nazi antisemitism, which situated Jews at a distance from other citizens, constructed their possibilities as different from those of others, and encouraged citizens to imagine them as vermin or insects, who would really not suffer the way human beings suffer. And of course they let people know that to recognize human suffering would bring heavy penalties. Despite these obstacles, the people represented by the 1,172 trees recognized the human, and made this recognition the benchmark of their conduct.

My essay in defense of cosmopolitanism argues, in essence, that we should follow them and try as hard as we can to construct societies in which that norm will be realized in as many minds and hearts as possible and promoted by legal and institutional arrangements. Whatever else we are bound by and pursue, we should recognize, at whatever personal or social cost, that each human being is human and counts as the moral equal of every other. To use the words of John Rawls, "Each person possesses an inviolability founded on justice."

To count people as moral equals is to treat nationality, ethnicity, religion, class, race, and gender as "morally irrelevant" – as irrelevant to that equal standing. Of course, these factors properly enter into our deliberations in many contexts. But the accident of being born a Sri Lankan, or a Jew, or a female, or an African-American, or a poor person, is just that— an accident of birth. It is not and should not be taken to be a determinant of moral worth: Human personhood, by which I mean the possession of practical reason and other basic moral capacities, is the source of our moral worth, and this worth is equal. To recognize these facts is a powerful constraint on what one may choose and on the way in which one attempts to comport oneself as a citizen. What I am saying about education is that we should cultivate the factual and imaginative prerequisites for recognizing humanity in the stranger and the other. Rousseau is correct when he says that ignorance and distance cramp the consciousness. What I am saying about politics is that we should view the equal worth of all human beings as a regulative constraint on our political actions and aspirations.
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