



## Edah Staff:

Rabbi Saul Berman, Director

Rabbi Bob Carroll, Program Director

Rachel Craig, Administrator

Marisa Yammer, Asst. Program Director

Esther Berman, Administrative Assistant

## Edah Happenings:

Rabbi Yehuda Sarna on  
"Judaism as an Art Form"  
March 1, 8  
@ JCC in NYC

## The Persistence of Slavery

By Rabbi Saul J. Berman

As the Sages worked out the division of the Torah into weekly public readings, and each Parasha into seven Aliyot, they paid particular attention to beginnings and endings. They clearly assumed that the focus of attention of the congregation would be strongest for the opening few sentences and for the close. It is common to this day to hear the congregation join in the reading of the last few words of a section despite the fact that it almost drowns out the voice of the reader.

Therefore, if we attend to the placement of those divisions, we can observe the Rabbinic mind at work in defining central elements of Jewish faith, hope, ethics, historical consciousness and core values. Within the limits of the text, such distinctive elements very often start and finish each Parasha and each Aliyah.

It is strikingly odd then, that Parashat Mishpatim, which immediately follows the narrative of the revelation at Sinai, begins the account of Jewish civil law with the regulation of the institution of slavery. What are we to make of the manifest ambivalence of Torah towards slavery? And, why grant it such a position of prominence, honor of place, in the Parasha?

First, as to the ambivalence. On one hand, the Torah allowed for the preservation of the institution of slavery despite the experience of the Jewish people in Egypt. This itself is surprising. We might have expected the Torah to rail against anything even smacking of granting legitimacy to slavery. Instead the Torah ameliorates the conditions of slavery, limits violence against and control over the person of the slave whether he/she be Jewish or non-Jewish. Torah even continues to call the Jewish indentured servant a "slave," when it could at least have changed the status designation to manifest its opposition.

On the other hand, Torah is vigorous in its opposition to the prolongation of slavery for Jews, providing a distinctive punishment for the slave who chooses voluntarily to continue in that state beyond the initial six years. Such a slave is to be punished by the piercing of the ear. Rashi cites the Midrash in explaining the propriety of that particular punishment. The ear which, at Sinai, heard God proclaim that the Jewish People are "my slaves, not slaves unto slaves," but now chose to remain

a slave, is to be pierced in punishment for its rebellious disregard of the Divine message.

I offer a gloss to this Midrash based on Hammurabi's code, the common law of ancient Babylonia since the time of Abraham. That code provided that an escaped slave who is captured, proven to be a slave and remanded to the custody of his master, is to be punished by having his ear cut off.

Note the stark contrast of underlying values between the two criminal penalties, despite the fact that they both involve the ear. In Hammurabi's code, the primary value is the protection of the property interest of the slave owner. The slave is punished for his attempt to escape, for his desire to be free. By contrast in Torah, the slave is punished for his desire to remain a slave, for refusing to accept the responsibilities of freedom.

The fact that the Torah keeps the penalty in the ear, while humanizing it (I am told that piercing of the ear is not experienced as a serious assault), serves to emphasize the transformational intent of Torah. Torah thereby teaches us that the ultimate value should not be the owner's property interest in his slave, but the liberation of the slave and his restoration to his proper position as a free citizen.

Is this ambivalence? No. Torah does here what it does in many places. It provides us with a goal to which we need to aspire, the total elimination of slavery, while it moderates the evil of the reality as a stage in the direction in which it points us. It then leaves in our hands the challenge of pushing the social reality towards the fullness of implementation of God's will.

Torah, therefore, insists on continuing to call the ameliorated, moderated state, "slavery", lest we think we can rest on our laurels with our having improved over the earlier absolute evil form of slavery.

We indeed cannot yet rest. Estimates are (see [www.islavery.org](http://www.islavery.org)) that there remain over 27 million persons enslaved throughout the world. As we focus our attention to hear the very beginning of Parashat Mishpatim, we need to hear God's call to us to complete the vital Jewish task which he began with the Exodus, to free all of mankind from the curse of slavery.

*Rabbi Saul Berman is the Director of Edah and teaches Jewish law at Stern College and the Columbia University School of Law.*

# No Campus Crusade for Judaism

By Rabbi Yehuda Sarna

We don't proselytize on campuses, do we?

Jews in particular tend to cringe at the name of the evangelical organization, Campus Crusade for Christ. Not that it's so effective in converting Jews. We just instinctively recoil at the notion that a group could take advantage of the safe space of a university to pack converts onto their wagon. The college experience is not about being subject to other people's crusades, but about student-driven exploration and mutual respect.

Speaking on interfaith panels at NYU, I usually open by saying that Judaism doesn't look to convert non-Jews. This introduction earns Jewish campus professionals the trust of students, fellow clergy, faculty and administrators – without compromising our own integrity. The question of whether or how to target students with intermarried parents, a surging population, is a new one with which Hillel, as a good-faith citizen in campus life, must now contend.

During a panel on engagement strategies at the recent Hillel conference, the following line appeared on a large projector screen: 47% of college students identifying as Jewish have only one Jewish parent, Hillel Survey 2005. One person commented from the audience that he doesn't see "why it makes a difference what kind of parents a student has." He's right in two ways. First, the Jewish address on campus must proactively preserve an openness towards anyone who wants to find it; there's no Jewish parent detector at the door to any Hillel, nor should there be. On the other hand, there cannot be a focused, aggressive agenda - in a college environment - to claim a population which has been raised, at least in part, in another faith.

It is vital for Hillel strategists to think through how it plans to "target" students with conflicted religious identities, remembering that the 47% merely affirmed "having Jewish heritage" but not an exclusively Jewish identity. How will other churches or campus branches thereof interpret a major Jewish organization painting a bull's eye on "their members"?

To them, it seems irrelevant that we already consider them Jewish or potential converts.

True, Hillel often only promotes Jewish culture, not Jewish religion, theoretically avoiding the label of proselytizing. Holding low-content holiday events, bagel brunches or book clubs aim simply to enhance a piece of a student's heritage and to encourage Jewish socializing, with no mikveh on the horizon. But would we acknowledge and honor the distinction between Christian religion and Christian culture if Campus Crusade argues it? Even if our goal is not conversion, but some sort of identity repatriation, doesn't that erode the line between religion and culture? We'd like to believe the line exists, but if we start a campus-wide battle for conflicted or confused souls, we have to be prepared for other groups to follow our lead.

Synagogue policy is a different story because synagogues do not operate in the same sacred space that Hillels do. The recent Reform and Conservative conventions this fall prioritized the conversion of non-Jewish spouses. But we cannot let statements made at those conferences trickle into campus policy. Saying, for example, that "the pool of potential converts is easily more than a million people" (Jerome Epstein, Conservative) or that "it is a mitzvah to help a potential Jew become a Jew-by-choice" (Eric Yoffie, Reform) may suit interfaith families who would like to join a synagogue, but they should not become universally applicable Jewish values – especially not in a campus environment.

Feeling responsible for the children of intermarried parents is an instinctive, spiritual and deep conviction. But we have to realize that aggressive targeting has to end at the foot of the quad. Our goal is to reach unaffiliated Jewish students, regardless of descent. A mere 36% of students with two Jewish parents, compared with 15% where one parent is Jewish, participate in Hillel. I'd rather not target the uninvolved 85% and validate crusaders who consider us 100% potential converts.

Let's leave the campus crusades to those who have a history of it. The real challenge is how to make Hillel a home to all students identifying as Jewish, regardless of descent..

*Rabbi Yehuda Sarna is the Manager of Religious Life at the Edgar M. Bronfman Center for Jewish Life; Hillel at NYU.*

**Edah**

**1501 Broadway, Suite 501  
New York, NY 10036**

**www.edah.org**

**1-212-244-7501**