

## Mishlei 14-34

# Justice

### Key Concepts

Any good system of government depends on the application of uniform justice in which every member of society is equal before the law both in rights and obligations. The law prevents any individual from imposing his will on another. Even so, it is concerned with the well-being of everyone, providing public services on an equitable basis. The system of dutiful justice ensures that individuals who have been victimized by others will gain redress.

The exercise of kindness or charity to needy persons who are handicapped by circumstances is best left to individuals. By its nature it can be practiced properly only by individuals, for the benefit of individuals. For a state it would be preferential treatment or favoritism. Accordingly, it should not be practiced by a state because it will inevitably become politicized and result in distorted grants and dispensations.

An individual has means belonging exclusively to him, and he can therefore utilize them according to his private judgment or inclination, without depriving others. But the state, has no private means at its disposal; it merely has means and rights which belong to the population collectively. Accordingly, it cannot give individual dispensations or grant special privileges to anyone, without at the same time doing an injustice to others. In short, the state cannot practice kindness without at the same time perpetrating a sin.

### Exploring Mishlei

**(לד) צְדָקָה תְרוֹמֵם גּוֹי וְחַסֵּד לְאֲמִים חַטָּאת:**

**(34) Dutiful justice exalts a nation; but the mercy of states is sin.**

This proverb compares dutiful justice with mercy when practiced by a nation or state. Justice, implying equality before the law, elevates the nation and provides the conditions for the well-being of all people. Mercy or kindness when practiced by states risks being politicized so that groups with more power take advantage of their position at the cost of the general welfare.

## Learning Mishlei

(34) Dutiful justice involves equality before the law.

Such **justice exalts a nation** — צְדָקָה תְרוֹמֵם גּוֹי

**But the mercy of states** — וְחֶסֶד לְאֲמִיּוֹת

becomes **sin** — חֲטָאֵת

because it is too easily politicized and the power of the state becomes manipulated for the benefit of special interests.

## Additional Insights

(1) An alternate rendering of this proverb identifies the nation (גּוֹי) with justice as Yisrael. The states which claim to be practicing mercy (לְאֲמִיּוֹת) are often doing the opposite, depriving some of the people for the benefit of others. (רש"י, רש"י)

(2) Another rendering identifies tzedakah with a righteous way of life that exalts the national group that practices it, even if there is no common religious belief system. On the other hand, even a people united by religious faith is shamefully corrupted (an alternate meaning of the root חֶסֶד) if it deviates (חֲטָאֵת) from the way of moral wisdom. (מלבי"ם)

(3) Another rendering refers to a nation whose members practice charity (צְדָקָה). Such a nation is exalted even if they are not motivated by altruistic principles. By the same token the practice of kindness (חֶסֶד) results in forgiveness of sin like a sin-offering (חֲטָאֵת). (רבינו יונה)

(4) *Tzedakah* (צְדָקָה) is the principle of dutiful justice under which every individual member of a nation is held equal, both in rights and obligations, and under which the full benefit of justice is extended to everyone. (רש"י)