



Ziegler School of Rabbinic Studies

OF AMERICAN JEWISH UNIVERSITY

Today's Torah

Pesah

March 27th (Sundown) - April 4, 2021 | Nisan 14 - 22, 5781

Freedom: American vs. Jewish Concepts

By: Rabbi Elliot Dorff

**Rector and Distinguished Professor of Philosophy
American Jewish University**

American Jews like to think of the American and Jewish sides of their identity as being congruent, that they not only agree with each other but reenforce each other. This was articulated, for example, in one of my hometown rabbi's favorite readings in the *Sabbath and Festivals Prayer Book*, edited by Rabbi Morris Silverman and used widely in Conservative synagogues from 1946 to the publication of *Siddur Sim Shalom* in 1985. The reading, "America- Founded on Biblical Precepts" (pp. 353-4), quoted eight American texts, each followed by a biblical passage that asserted more or less the same thing.

It is indeed the case that American and Jewish values overlap in some important ways. Both systems of thought, for example, are strongly committed to government by law, such that even society's authorities are limited in their powers by its rules. Both, although for different reasons, respect and protect each individual to a much greater extent than dictatorships or communist nations do.

These similarities, though, should not blind us to important differences between American and Jewish perspectives on life. One such difference is embodied in the origin stories of the American and Jewish nations and then subsequently in their laws. Specifically, the American Declaration of Independence asserts as "self-evident" truth that all people "are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." So as an American, I am an individual with rights.

In contrast, in the Exodus story, we leave Egypt not as individuals but as a group, and when we get to Mount Sinai, we do not get a single right; we get instead, by traditional count, 613 duties. Rights and duties are sometimes reciprocal. So, for example, my right to my property establishes a duty in you not to steal it. But rights and duties are not always reciprocal. My duties to my children, for example, are not the same as their duties to me, and my duties to my country are not the same as its duties to me. More importantly, if I get up in the morning as an individual with rights, then the world owes me; but if I get up in the morning as a member of a community with duties, then I owe the world. So my whole orientation to these around me is vastly different in the American and Jewish

[Subscribe](#) to our email list

This, then, has implications for what freedom means in the two traditions. The American concept of freedom is that I, as an individual, have the right to do anything I want to do as long as I do not harm you. American law can and does define the limits of my freedom so that I do not harm you, but the burden of proof is on the government to show why it must limit me in anything I want to do. Freedom in American ideology, then, is freedom from government constraint to do whatever I want, although within limits to avoid harm to you.

In contrast, Passover, the holiday Jews know as our holiday of freedom, is about freedom from slavery in Egypt. The Hebrew word for Egypt is Mitzrayim, straits, called that because the Nile empties into the Mediterranean not as one river but in a series of straits. As a result, Jews can and do interpret the Passover story as celebrating not only freedom from physical slavery, but also slavery from the other straits of life – poverty, illness, prejudice, war, ignorance, etc. That freedom, though, is not intended to enable me to do whatever I want; it is instead to enable me, along with all Jews, to fulfill the commandments we received at Sinai as a free nation.

Along with these differing understanding of freedom come very different views of my duties to others. One graphic example of this is that in the Common Law that we Americans inherited from England, I have no duty to rescue someone in dire straits or even to call 911, and that is the law in 40 of the 50 states. Ten states have established by statute that I have a duty at least to notify authorities that someone is in distress, but none requires me to do more than that. In Jewish law, though, I have a duty not just to notify others to help but actually to rescue people who are drowning or accosted by highway robbers, which the Talmud (Sanhedrin 73a) based on Leviticus 19:16, “Do not stand idly by the blood of your neighbor.” Furthermore, “all Israelites are responsible for one another” (Shevu’ot 39a).

This is not to denigrate either way of thinking. We gain independence, initiative, and creativity from American individualism. We gain social connection, mutual support, and moral sensitivity from Jewish communitarianism. As American Jews our task is to balance these parts of our identity in order to reap the benefits of both. Hag kasher v’same’ah.



Rabbi Elliot Dorff is Rector and Anne and Sol Dorff Distinguished Professor of Philosophy at the American Jewish University, Visiting Professor at UCLA School of Law, and Chair of the Conservative Movement’s Committee on Jewish Law and Standards. Author of over 200 articles and 14 books on Jewish thought, law, and ethics, and editor of 14 more books on those topics, his most recent books are *For the Love of God and People: A Philosophy of Jewish Law* and *Modern Conservative Judaism: Evolving Thought and Practice*.

Jews have always been a community drawn together by virtue of Torah. In addition to providing holiday inspiration, we are pleased to offer you continuing access to a vast library of Ziegler Torah commentaries on each weekly Parashah throughout the entire Torah cycle. To delve deep, please click [here](#).



Ziegler School of Rabbinic Studies
American Jewish University
15600 Mulholland Drive

[Subscribe](#) to our email list

Share this email:



Manage your preferences | **Opt out** using **TrueRemove®**

Got this as a forward? **Sign up** to receive our future emails.

View this email **online**.

15600 Mulholland Dr.
Los Angeles, CA | 90077 US

This email was sent to .

To continue receiving our emails, add us to your address book.

emma[®]