Removing Obstacles

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In what was probably the greatest Yom Kippur sermon ever preached, the prophet Isaiah enjoins us to "make a path," to "clear the way," to "remove all obstacles" from the path of the Lord's people. We read Isaiah's searing words today because we believe they speak not just to the inhabitants of ancient Israel but to us as well. The prophet's urgent call to the Jews of his day, and to us, to observe Yom Kippur by clearing away all obstacles to our "fasting" in the way the Lord has chosen – to take decisive action ourselves – is consistent with the emphasis that Judaism has traditionally placed on human agency, an emphasis we will see affirmed later this afternoon when we once again recall the trials of Jonah.

Isaiah's injunction that we remove all obstacles raises two immediate questions. First, what are the obstacles to be removed? And second, who should take responsibility for removing them? Yes, we should, of course; but we need to explore just who, and what, are "we" for this purpose. Both questions – the what and the who – turn out to be central to the issues we are confronting now, in our own place and time.

At one level, the prophet is quite specific about the obstacles he has in mind. His sermon is, in the first instance, an attack on the Israelite aristocracy of that day, for its narrow conception of its moral and religious responsibilities. To the contrary, Isaiah's sweep is broad. Our charge is "to let the oppressed go free, to break every yoke." We are to share our bread with the hungry, take the homeless into our homes, clothe the naked, and not turn away from people in need. The

word our prayer book translates as “obstacle” – mikhshol – is the same word that we normally translate as “stumbling block” when parashat Kedoshim commands us, “You shall not … place a stumbling block before the blind.” But there as well, the commentaries interpret both what is a stumbling block, and who are the blind, expansively. Blindness, for this purpose, is not just a physical condition of the optic system but any inherent impediment to one’s living a productive and moral life. In parallel, an obstacle is any spiritual or moral hazard.

The overarching theme is again consistent with the entirety of our tradition. The Hebrew Bible, whether in discussing Sabbath observance, or sexual relations, or the treatment of slaves, or remission of debts, or any of a hundred other specific subjects, prioritizes the dignity of the human condition – and the need to maintain it. Our laws make clear that we are to lead our lives consistently with this precept, and we are to enable others to do so as well. Jewish law and practice are replete with injunctions to insure that every household has the material makings of a dignified Jewish life. The Mishna, in tractate Pesahim, commands that “On the eve of Passover … even the poorest in Israel must not eat unless he sits down to table,” and he must receive “not … less than four cups of wine to drink” – even if they must be bought by the public fund.

This role of specific elements of physical consumption, in a specific context, as an essential ingredient of human dignity has been familiar ever since. Adam Smith, ever the insightful moral philosopher, observed that in “the greater part of Europe” of his day even the poorest day-laborer would be ashamed to appear in public without a linen shirt.

The reason, he explained, was not foolish vanity but moral dignity. “The want of” a linen shirt, he wrote, “would be supposed to denote that disgraceful degree of poverty which, it is presumed, nobody can fall into without extreme bad conduct.” But what provides for moral dignity is clearly a matter of context. There is no reason to presume that “no less than four cups of wine” would be essential to the dignity of a non-Jew, or, for that matter, to a Jew on any evening other than the Passover seder. Smith likewise observed that wearing leather shoes was essential to a person’s dignity in England, while in Scotland leather shoes were essential in this way only for men; and in France, for neither men nor women.

If the obstacles that we are to clear away are those that prevent our fellow men and women from living a life consistent with human dignity, we therefore must address our attention to two groups: those who in principle could be productive and support themselves, but currently cannot – largely, the young and the unemployed; and those who even in principle will not be able to be productive on

their own – for the most part, the old and the disabled. Our charge is to enable the former to become productive so that they will be able to achieve dignified lives on their own; and to provide, ourselves, for the dignified lives of the latter.

Our tradition is clear on both. It is the obligation of every Jewish father to teach his son a trade, and today we would of course extend the obligation to our daughters and include the role of mothers in likewise educating their children. It is the obligation of every Jewish community to establish a school to instruct their young, not only in religious education but literacy. Maimonides, in the Mishneh Torah, in the Laws Concerning Gifts to the Needy, tells us that "The highest degree, exceeded by none, is that of a person who assists a poor Jew by providing him with a gift or loan or by accepting him into a business partnership, or by helping him find employment."

Our obligation is clear, although in today's context the practical rendering of it is less so. The subject is a particular challenge in America today. Our public education system is increasingly failing us. But we may – and as an economist I say this especially reluctantly – we may be coming to the end of the era in which we can look to education, as we know it, as the all-purpose corrective to the lack of individual economic opportunity. If so, whether the answer is radical reform of what we now know as education, or some yet more ambitious undertaking, remains to be seen.

Our tradition is also straightforward about our responsibilities to those who are unable to be productive. In parashat Re'eh, the Torah assures us that "there shall be no needy among you" (if, that is, "you only heed the Lord your God and take care to keep all his instruction"). But just three verses later, the parasha goes on, "If, however, there is a needy person among you, … you must open your hand and lend him sufficient for what he needs." And the tradition takes a broad interpretation of what he needs for this purpose. Maimonides, again in the Laws Concerning Gifts to the Needy, explains the phrase "sufficient for what he needs": "You are commanded to give to the needy person according to that which he lacks. If he has no raiment, one clothes him. If he has no wife, one finds him a wife, and if the needy person be a woman, one finds her a husband. Even if the particular person, before falling from his wealth, had formerly been accustomed to ride out upon a horse with a servant running before him, and then became impoverished and lost his wealth, one acquires for him a horse to ride upon and a servant to run before him – as it is written, 'sufficient for his need'."

In our approach toward the needy, especially including those who have fallen on hard times, Judaism presents a sharp contrast with some forms of Christianity,

including some that have historically played a particular role in shaping American attitudes on such matters. Calvin concluded that “Adversity is a sign of God’s absence, prosperity of his presence.” Russell Conwell, one of America’s leading Protestant clergymen in the latter half of the 19th century and on into the 20th, repeatedly preached that “There is not a poor person in the United States who has not been made poor by his own shortcomings or by the shortcomings of someone else. To sympathize with a man whom God has punished for his sins, thus to help him when God would still continue a just punishment, is to do wrong, no doubt about it.” Echoes of these views, especially in discussions of our public policy toward the disadvantaged in America, are entirely familiar today. Our tradition points us in a very different direction. The Talmud, in tractate Yebamoth, addresses King David’s puzzlement that the Lord has simultaneously told him that King Saul was guilty of a grievous crime and chastised him for not having cared for Saul in death as he ought to have done, with the proper rites of mourning. “Where the Lord’s judgment is,” says the Talmud, “there you must act.”

If we accept that our charge is to enable those who are not now productive but could be, as well as to provide for those who cannot be, who, then, is to take up these responsibilities? Each of us, to be sure, must shoulder our individual private obligations. But here as well, our tradition is far more expansive. For example, Isaiah tells us we are not to “pursue business as usual.” The prophet’s point is not simply a matter of how we should spend our time on the day of Yom Kippur. Rather, we are to reconsider what our “business as usual” comprises. In the alternative Torah reading for this afternoon, again from Kedoshim, we are commanded not to reap our fields “all the way to the edges, or gather the gleanings” of the harvest, nor to pick our vineyard bare or gather its fallen fruit. “You shall leave them for the poor and the stranger,” the Torah says. In other words, it is not adequate for us to conduct our business as sharply as possible – maximizing profit, as my profession puts it – and then give to the needy out of what we earn from it. The Torah is clear that our making provision for the needy in the course of carrying out our economic affairs themselves is also part of our responsibility.

Importantly, both Isaiah and our other texts are also clear that we bear these responsibilities not just individually but collectively. The point is especially apt today. When we confess our sins – ashamnu, bagadnu, gazalnu – we do so in the first person plural. We then say to the Lord, together, “We have ignored your commandments and statutes.” Shortly after, in the Al Het, we repeatedly use first person plural verbs to describe the many ways we, as a community, have transgressed. And we say to Aveinue Malkeinu, “we have sinned against you.”

Isaiah drives home the point as well. When he commands us to make a path and clear the way, to remove all the obstacles, the verbs are plural imperatives.

How, then should we think, today, about the injunction to leave the corners of our fields, and the fallen grapes, for the needy? In the middle east of nearly three thousand years ago, economic production was almost entirely agricultural, and so in referring to fields and vineyards the prophet was talking about what was then the people's main form of economic activity. Is there any reason to believe that simply by shifting our production from agriculture to manufacturing and services we have somehow escaped what we have been commanded to do? Similarly, today much of our economic production is carried out not in activities owned by single individuals but under the auspices of corporations deliberately set up to have many owners. Many people today, alas including many in my profession, argue that business corporations have no responsibility other than to maximize profits – or, what amounts to the same thing, maximize their shareholders' value – while of course obeying the laws of the land. Their argument is that it is not up to the corporation as an entity to act generously, not toward its workers and not toward anyone else; its shareholders can do that, as individuals, if they so choose. Do we really believe that the Torah's injunction to make our responsibilities to the disadvantaged not just a private matter, but directly a part of how we conduct our economic activity, is vitiated by the mere change in form of business organization?

And what about our collective responsibilities, via our community? And, for that matter, what is our community for this purpose?

Our tradition has always been clear about the communal nature of our obligation toward those who cannot provide a dignified life for themselves. Maimonides, once again in the Laws of Giving to the Needy, writes, "In every city where Jews live, they are obligated to appoint from among them collectors of tzedakah – gabbai tzedakah. They should circulate among the people from erev Shabbat to erev Shabbat, and take from each person what is appropriate for him to give, and the assessment made upon him. They then allocated the money from erev Shabbat to erev Shabbat, giving each poor person sufficient food for seven days." The function of the gabbai tzedakah is the origin of the communal officials whom we today call the "gabbais" of our congregation. We look to our high holiday gabbaim to organize these services; and they do so superbly. Our regular gabbaim keep our minyan running smoothly throughout the year. But the gabbais' original function, and the meaning of the word, is as collectors. Moreover, no one is exempt from contributing. The Talmud, in tractate Gittin,

even tells us that being poor does not release a person from participation in this public, collective responsibility. Even someone who depends on tzedakah himself is obligated to give tzedakah to sustain others.

Today our broader community for these purposes is the nation. Those of us sitting here this morning have not opted out of the Jewish community, and therefore the reach of the gabbaim; but we could. This choice was not open in former times. For us, today's equivalent of the community that Isaiah, or Maimonides, had in mind is the United States of America.

One would have to be living in a closet not to know that what provision those who are productive should make for those who currently are not, including those who never again will be, is one of the topmost questions under debate in our country today. The issue is a serious one, and it goes to the heart of who we are as a society. It is altogether right that we should have that debate. We do not advance our consideration of the matter, however, by conducting it in confusing euphemisms that misdirect our attention away from what the real questions are.

Today, at the federal level, our public debate over this issue focuses on what we call "entitlements." Our government has many programs classified as entitlements, ranging from food stamps to subsidized housing to farm supports to retirement benefits for the government's own civilian employees. But just two of these programs, Social Security and Medicare, account for two-thirds of the total spending. Adding in the portion of Medicaid that pays for nursing home stays by patients aged 65 or older brings the share of the entitlement budget now devoted to the support and care of America's retired elderly population to 72 percent. And, for reasons both demographic and technological, over the next decade that share will rise to 77 percent. At what level to provide income and medical care for our retired elderly is a fundamental question for our society. We do not advance our ability to resolve it by pretending that the issue is something other than what it is.

This challenge is an economic one, to be sure, and so is the challenge of enabling the young, and others who are not now economically productive members of our society, to become so. But we should see these challenges in not just economic but moral terms. Both are fundamental to the moral character of who and what we are as a society. Both are squarely in the range of what this morning's Haftarah, written long ago but addressing eternal issues of the human condition, charges us to see as our particular obligation. Isaiah commands these responsibilities upon us in the same way as we are commanded on this day to abstain from eating and to come together to confess our failures. And, in parallel

to the communal way in which, on this day, we together make our confession, both the prophet and our rich tradition tell us that it is in part communally, through collective action undertaken by our community which has now become the state, that we are to meet these challenges.