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**JEWISH VALUES IN PUBLIC LIFE**

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**PUBLIC VALUES IN JEWISH LIFE**

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**Thoughts on the relationship  
between Jewish core values and  
secular standards of public life**

**Daniel Greenberg CB**

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## **Jewish Values in Public Life – Public Values in Jewish Life<sup>1</sup>**

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### **Introduction**

Thank you very much for inviting me to open this year's Tikun Leil Shavuot.

The brilliant title assigned to this evening's program is "Inside Out Judaism – Religious Values in the Public Space"; and I have been asked particularly to talk on the subject of Jewish values in public life. In the spirit of the title of the program, I will address my topic inside out: I will see if we can use an examination of secular ethical standards in public life to illuminate Jewish values and their symbiotic interdependence.

### **Three questions about tikun leil**

But first I have three simple questions.

It is well known that in Midrashic literature, the commemoration that we keep tonight reflects our eternal shame at the fact that having made their technical ritual preparations to receive the Torah at Mount Sinai, the Jewish people laid down to sleep and had to be roused in the morning by Moses himself.

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<sup>1</sup> Tikun Leil Shavuot Talk at Finchley Federation Synagogue, May 2023.

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This talk was given in a private capacity; this text has been mildly edited since delivery.

I have the following questions—

- (1) Why did they go to sleep?
- (2) What should they have been doing instead of sleeping?
- (3) And why does it matter for all eternity, more than all the many shameful episodes that the Torah recounts between our exodus from Egypt and our entering Israel, such that we commemorate it and atone for it by our wakefulness every year from then until today?

### **Preparation for Mount Sinai**

As so often happened in the desert, the people of Israel had the best of intentions, and the worst of executions. In this case, I have no doubt that they laid down to what they perceived as a deserved and necessary sleep, in preparation for the spiritual ordeal of receiving the 613 commandments on the following day. They had been given instructions as to ritual preparations to be taken, and I have no doubt that each of them complied with those instructions to the letter. Having done that, what else was there to do? So was not the most important and useful thing that they could have done was to refresh themselves physically, mentally and spiritually by going to sleep?

Different Rabbis offer different explanations for why they slept and why it was wrong, but it is common Midrashic lore that Moses roused them the following morning, exasperated at their ability to sleep in such close temporal proximity to the defining spiritual event, not only for the Jewish people, but, according to Rabbinic tradition, for the entire world. The Rabbis portray in vivid imagery the entire natural world, so to speak, holding its breath to see whether

the Jewish people would accept the 613 Commandments, thereby justifying the continued existence of the world; or whether they would reject it, and bring about the inevitable, immediate cessation of the continual miracle called nature, without which the sun would not rise on any given day.

But what exactly was Moses angry about? Again, what should they have been doing instead of sleeping? As the Lubavitcher Rebbe o'h says, they thought that sleep was the best spiritual preparation they could make; and whether to refresh themselves physically or spiritually who is to say that was an unwise, or at least an unreasonable, approach?

### **Mount Sinai and Purim**

The question of the Jewish people sleeping has to be assessed against the other great mystery of this evening, the fact that the Talmud in Shabbos 88 asserts that the acceptance of the Torah at Mount Sinai, was essentially defective, or at least incomplete, until what had been notionally accepted at Mount Sinai was affirmed in the days of the Purim story generations later.

The Purim story begins with the paradigm example of what happens when ritual religious observance is divorced from any kind of basic human values and sensitivity to human values. The verse in the Book of Esther reminds us that there was every kind of licence for every kind of debauchery at the banquet hosted by King Achashverosh for all his subjects. The Midrash Pirkei d'Rebbe Eliezer in particular interprets this as including those who chose to tear limbs of meat from a living animal to eat fresh, thereby breaching one of the seven Noachide Laws, the fundamental principles of Divine Humanity – or Human Divinity if you prefer – laid down for all humankind and for all time.

As I remarked in my Thought For the Day contribution to the Today Programme earlier this year, some mitzvos relating to the treatment of animals are not, as the Sefer Hachinuch reminds us, necessarily reflective of actual pain or sentience on the part of animals; the point of the mitzvah for us is not to behave in a way that makes us feel that we are being cruel and insensitive, irrespective of the actual impact on the animal.

### **Which is the most fundamental Torah principle?**

It is this notion of sensitivity to our own צלם אלוקים – fundamental human worth – that underlies the disagreement between Rabbi Akiva and Ben Azai as recorded in variant forms, in particular in the Sifra to Parashas Kedoshim, in Bereishis Rabbah and in the Yerushalmi in Nedorim.

Rabbi Akiva says “ואהבת לרעך כמוך (you shall love your fellow as yourself) – this is the great principle of the Torah; but Ben Azai says, “This is the book of the generations of humankind’ (Bereishis 5:1) – this is a principle greater than that”.

How is the statement “This is the book of the generations of humans” a principle at all, let alone the greatest principle of the Torah? Simply because it is an affirmation of the Divinity of the human – that the Torah is first and most fundamentally about human beings, and only secondly about Jews. And Ben Azai is quoted first in the Midrash Rabbah on Bereishis because he is expounding the importance of humanity; while Rabbi Akiva is quoted first in the Sifra in Kedoshim because he is expounding the importance of the mitzvos. But neither disbelieves the importance of the other: the world would not exist without the Jewish people; but to become a Jew capable of maintaining the existence of the world, you first have to become a human being.

## **Derech Eretz Kodma LaTorah**

The Rabbis express this in their aphorism דרך ארץ קדמה לתורה – that basic human decency is a necessary precondition for Torah. That aphorism is understood and explained in a wide variety of ways, all nuancing the same fundamental theme slightly differently.

The Alter of Slabodka o'h in Ohr Hatzofun 1, 173, 175, says (as quoted and translated in a brilliant article on דרך ארץ קדמה לתורה by Rabbi Elchanan Adler, Rosh Yeshiva RIETS):

“However, upon reflection we will see that character traits and attributes are an introduction to the Torah and the primary foundation of the essence of a person, without which a person is not worthy at all of Torah. ... This is the intent of the Rabbis: דרך ארץ preceded Torah by 26 generations, for all of the good character traits and attributes are included in דרך ארץ; they were engrained in human nature ... The giving of the Torah came to build on these traits and attributes and to command a person to continue to rise heavenwards to ever higher levels transcending those which are in the realm of דרך ארץ.”

## **Three answers about Tikun Leil**

And we have now answered our three questions.

- (1) Why did the Jews go to sleep? Because they had completed all the ritual preparations they were commanded to make, and being at that point focused purely on ritual felt they had nothing particular left to do so they might as well go to sleep and rise refreshed for קבלת התורה.

- (2) What should they have been doing? Focusing on humanity – on the fundamental principles of kindness and justice that underpin the worth of the human being. When all those generations later the Jewish people at the time of the Purim events achieved the consummation of the partial adoption of the Torah, what is the secret that they had that the generation of Mount Sinai lacked? Rav Bakshi Doron explained “צומו עלי...” as Queen Esther saying, the way out of our predicament is for you to concentrate on worrying about me, and for me to concentrate on worrying about you. The chessed that Abraham introduced into the world as a natural concomitant of monotheism, is the recognition of humanity and its demands that befits a generation to receive the Torah fully.
- (3) And why was theirs such a terrible sin? Because to deny the importance of humanity is to mistake the entire nature of Divinity.

Human sensitivity must underly acceptance of the Torah, and Rabbi Akiva and Ben Azai disagree only as to whether that sensitivity is to be found in an individual analysis of interpersonal relationships, or in examination of the human condition at an overarching and theological level. And the reason why we follow Rabbi Akiva is that we find the most practical help in identifying and absorbing human sensitivity in individual personal relationships, and not in theoretical speculation; for the same reason, we believe that a theoretical religiosity can never be as spiritually enriching as an observance, that may be less perfect, or exactly, but reflects and nurtures the human condition. Or, as the Shabbos paytan puts it, “I will raise my eyes to the hills in accordance with the dictates and habits of Beis Hillel, and not of Beis Shammai”.

So the Jews could have been doing chessed – or they could have been studying ethics. But they could not do neither and go to sleep, and expect to build a

satisfactory קבלת התורה on purely ritual preparations. They should have been concentrating – one way or another – on the human condition and extracting from the human instinct, which represents the Divine image in which we were created, so as to be able and ready to receive and implement the ritual commandments in the proper spirit.

And that they did not was finally rectified in the days of Purim as we have explained.

### **Challenge of Judaism today: irrelevance**

We live in remarkably challenging times for Judaism and indeed for many if not all religions. We have faced physical persecution in our times and we are still here. We have faced spiritual persecution in our times and we are still here.

For the first time in our millennia of history we face a challenge of simple irrelevance.

For centuries and centuries we were the voice of radical spirituality – from Abraham's iconoclasm to the radical voice of the Jewish nation down the ages. Chessed was radical. Honesty was radical. Decency was radical.

But now we have the privilege and delight of living in a time, only developed in the last three hundred years or so, when the world has established the foundations of human morality as the basis for shared international harmony and understanding, focusing fundamentally on the individual worth and dignity of every human being and the rights and freedoms that are inextricably associated with that status.



As we lurch towards the realisation of that ideal and its establishment as a universally accepted norm, very often with more lapses than apparent progress along the way but with the shared understanding becoming an inexorably and undeniable voice that will be heard, we as Jews can see in it the final march towards our long-promised redemption. Without seeking to impose religious values on a secular world, we can embrace in the development of secular morality an opportunity to celebrate the penetration of religious values within a secular world. What were radical religious ideas of kindness to others based on a siblinghood of humanity under a single common creator have ceased to be radical or religious: as the generation that performed its rituals and then went to sleep, we can continue to focus on our own separatist rituals and thereby choose to become increasingly marginalised and irrelevant to a world that has forged ahead: or we can accept the world's challenge to found our ritual more and more deeply in fundamental and eternal principle, allowing eternal Torah values their fullest expression in a world that celebrates the human as a reflection of the divine.

The Messianic vision that we celebrate each Rosh Hashanah is not one of the triumph of Judaism over other ideologies and nations: it is one of universal acknowledgment of the divine spark in the human soul – it is a time when divisions between and within religious become completely irrelevant –  
כי ביתי בית תפילה יקרא לכל העמים

The Third Temple is a place for the worship of all humanity – “אשר נשמה באפו” כל”. So perhaps we do not so much need to battle irrelevance as to prepare to embrace it: refining and challenging secular humanity until we polish it into the מקדים לתורה that is able to be דרך ארץ.

## **Secular values of public service**

And I think we can see our roadmap to that aim – על פי תורה עם דרך ארץ – by examining the symbiosis between fundamental secular values and our own meta-halachic values, the ones the Jews should have been studying or practising tonight instead of sleeping.

## **Nolan principles: introduction**

The quintessential values of public service have remained in a single and obvious form throughout the years. Even when they were honoured more in the breach than in the observance, as parodied faithfully by Dickens a.m. the description of the circumlocution office in *Little Dorrit*, or in the equivalent discussions of trollop in *The Three Clerks*, long before the Northcote Trevelyan reforms, people knew good public service when they saw it. And when the Committee on Standards in Public Life, under its first chairman Lord Nolan in 1996, articulated the Seven Principles of Public Life, it was certainly doing no more than codifying what would have been recognised as best and proper practice since the inception of a centralised public service.

So let us take those principles and compare them and see where they fit into the canon of Jewish thought.

If one takes the seven principles of public life – the Nolan principles – and attempts to match them to Torah precepts, one will find no correlation at all with any of the 613 Mitzvot which we are about to accept. But for every one of those principles there is a Torah equivalent in the form of a Biblical principle or a prophetic or rabbinic aphorism underpinning the performance of one or more of those mitzvos.

And it is very important that there should be no mitzvah exactly corresponding to any of these principles, because they each capable of either being spoilt by conversion into dry ritual or technicality, or being expanded into the implementation of every mitzvah so that it becomes a microcosm of the whole, which is what the Rabbis say of the עשרת הדברות which we are about to read and which have a more directly moral underpinning than most of the rest of the Torah.

The “commandments that have no measure” – a list including certain agricultural social commandments including leaving the corner of the field for people in need – ends with the proposition that the “study of the Torah is equivalent to them all”; a slightly puzzling proposition until one translates “כנגד” not as “equivalent” but as “relevant”, a meaning that it bears better in this context, as suggesting that while there are some mitzvos with an obvious ethical component lying on the surface, there is no mitzvah that cannot be given an ethical underpinning or aspect by careful study of the principles of the Torah.

(In a similar way, The House of Commons Code of Conduct expressly prevents me as Parliamentary Commissioner for Standards from investigating breaches of the Nolan principles themselves despite their being set out as the founding principles of the Code, but it expressly requires me to examine alleged breaches of the specific rules of the Code through the prism of the underlying principles.)

So while the Nolan principles may not correlate directly to individual mitzvos, we can expect them to be reflected in the Torah in one way or another, and that is indeed exactly what we find.

## **Nolan principles: Integrity**

The Nolan principle of integrity has a direct equivalent in Jewish thought – “ישרות”, or acting in a straightforward manner.

The Ramban on Devarim 6:18 in his explanation of the directive “והטוב בעיני ה'” – “ועשיתה הישר” – “and you shall do what is proper and good in the eyes of Hashem”, effectively creates ethical and religious categories for the mitzvos. He writes that it would be impossible for the Torah to indicate in detail the proper behaviour in every circumstance, so after outlining the correct behaviour in numerous circumstances it sets out a general rule to do what is straight and good.

As to how to tell what behaviour satisfies the tests of integrity in this way, the Rabbis in the Mishneh in Avot give an illuminating piece of advice. They ask “what is the path that a person should choose for themselves?”; and they answer “whatever brings a person honour from human beings”. This is discordant given the amount of time the Rabbis spend warning us away from seeking honour. But it means simply that when there is a gap in the direct halachah so that my course of action is not indicated by a simple application of a particular mitzvah, if in doubt as to what is the proper behaviour in the circumstances I can do no better than consult ordinary human beings, whose human instincts are a reflection of the Divine image in which they were created, and who can be trusted therefore instinctively to guide me where my own self-interest or other factors may cloud my own judgment.

## **Nolan principles: Honesty**

The Nolan principle of honesty is reflected in a number of specific mitzvos, of course. But the Torah also adds a wider dimension with the injunction to stay distanced from falsehood – Shemos 23:7 (מדבר שקר תרחק).

There is a famous disagreement between Hillel and Shammai about how to answer a question about the beauty of a bride whom one considers objectively unexceptional. Shammai says one should give an objectively accurate answer; while Hillel says one replies that the bride is beautiful and graceful (or however one wants to translate “נאה וחסודה”). This is often presented as being about when one can tell a “white lie” in the interests of a higher purpose. But that is to do Hillel a gross injustice. The incident is about how one understands the nature of truth, not about whether it is ever permitted to lie (which it is not). The Hillel school of thought is concerned that by giving an objective assessment of the bride’s physical beauty compared to others one has seen is actually failing to stay away from falsehood in accordance with the dictates of the Torah: in the situation described the meaning of the question is not an objective physical comparison at all – listening to the question more carefully one sees it as an invitation to express one’s support for and congratulations to the father of the bride, and “נאה וחסודה” is a response far closer to the truth of the situation than anything else. Shammai are content to take the question at surface value, and not probe to the human sensitivities underpinning it. And it is for this simple reason that the composer of the Shabbos song Chai HaShem includes a surprisingly definite expression of partiality for one side of the debate, in a striking declaration “I will raise my eyes to the hills, like Hillel and not like Shammai”.

Honesty is not merely about objective accuracy: it is about seeing the world through a prism of human sensitivity and responding to each situation in a way that reflects the underlying need.

### **Nolan principles: Accountability**

The Nolan principle of accountability is reflected in a number of ways in Jewish thought. One of the most striking, as well as one of the most fundamental, is when Moses accepts the recommendations of an audit of the organisation of the developing Jewish community by his father-in-law, an objective observer from beyond the community (as a Midianite priest with reputedly extensive experience of a range of religious and cultures), who identifies the need for a hierarchical structure of accountability in the transmission of decisions about developing halachah.

And the concept of accountability is encoded into the laws and principles of the Jewish communal structure, from the highest in the form of the king, who is required on state occasions to hold a copy of the Torah to indicate that he is as much accountable to Divine law as anyone else, all the way down to minutiae such as communal charity collectors being required to account for money collected by way of receipt following counting in the presence of at least two people, each of whom can vouch for the findings of the other.

### **Nolan principles: Openness**

When it comes to openness, there is an interesting contrast between two ideas presented in rabbinic literature. The tent of Abraham is famously described as having been kept open at all four sides, in what can be seen both as a gesture of open hospitality and also a more general image of transparency. On

the other hand, the famous blessing pronounced by the prophet Bilam – “מה טוב אהליך יעקב משכנתיך ישראל” – how good are your tents Jacob, your dwellings Israel” is treated by the Rabbis as referring to the fact that with inherent modesty, the tents of the Bnei Yisroel in the desert were positioned, so that no one’s tent’s opening looked out directly into another tent. There is, of course, no contradiction in the idea of one kind of tent being thoroughly transparent, and the other being private and closed off from scrutiny: the tent of Abraham refers to the public apartment where he welcomed visitors and, in effect, conducted communal business, all of which should be carried out in the open; while the מה טוב tents of Bnei Yisroel in the מדבר were their private living quarters as to which a degree of privacy (although not without its dangers – and it is not surprising that the blessing of Bilam sometimes masks a two edged sword) is necessary and praiseworthy.

Fundamentally, Jewish practice is open and we are instinctively suspicious of anything that requires privacy in order to demonstrate its authenticity. Symbolically, the entire process of worship in the Temple is conducted in full communal view with representatives of each segment of society required to attend to oversee the proper performance of their duties by the Kohanim and the Levi'im (with the single exception of one part of the Yom Kippur service which takes place as a private observance between the Kohen Gadol and God).

Incidentally, this balance between privacy and transparency reflects a general requirement of balance between competing ideals that permeates the implementation of the Nolan principles of public life in the same way that it permeates the implementation of Torah principles. Openness and accountability are paramount principles of both, but they require to be modified by a principle of confidentiality where necessary to protect sensitivities and vulnerabilities. Once again, a merely technical application of principles will lead to insensitivity and considerable harm; what is required is the overarching leadership principle with the person responsible for

implementing the principles prepared to take an overarching view and balance all relevant criteria to produce the result that is most in harmony with the needs of everyone concerned.

### **Nolan principles: Selflessness and objectivity**

We have already in effect discussed the Nolan principles of selflessness and objectivity, in the context of the discussion of Rabbis Akiva's emphasis on the importance of the principle of "ואהבת לרעך כמוך".

I will add here only this. The bird known as the חסידה – the stork – is allegorically credited by the Rabbis with having acquired a name which derives from the root "חסד – kindness" because of a biological characteristic in accordance with which it is "עושה חסד אם חברתה" – one of a pair of storks guards the nest to give the other respite. The question is asked, in that case why is the stork not a kosher animal (as the Rabbis generally associate kosher animals with benign characteristics and treif animals with malign or displeasing characteristics)? The revealing answer is that kindness done to one's family is not really kindness; it is self-interest rather than altruism. The most depraved criminals are frequently kind to their family and friends, as that is no more than obvious self-interest. The kindness that underpins the selflessness of ואהבת לרעך כמוך is the truly disinterested kindness that underpins the objectivity principle of public life.

### **Nolan principles: Leadership**

The Rabbis adjure is in the Mishneh Pirkei Ovos: שאין איש השתדל להיות איש במקום – in a place where there is no human being (sometimes translated as



leader, and certainly carrying connotations of leadership), strive to be a human being.

As I said on the Radio 4 Today Program Thought For The Day slot this morning, now yesterday morning, we accepted God first, and Moses only secondly and conditionally – we must ultimately each be our own leader.

## **Conclusion**

סוף דבר הכל נשמע – את האלוקים יראה ואת מצוותיו שמור  
In the end all is heard – fear God and guard his commandments.

We will not just do the mitzvos, in a ritual sense as was performed by the Jewish people on the night before Mount Sinai: we will guard them, by surrounding them with the kedushah that as the Alter of Slabodkah explains is attainable only through the דרך ארץ שקדמה לתורה, and we will prepare ourselves now to accept the Torah in a spirit of fusing the human and the Divine.

That may not make us Divine, but it might make us human.

We are all conscious that every year this spiritual high is but a few weeks before the total degradation of Tisha b'Av. Breaking the cycle starts here. ציון במשפט תפדה – Zion will be redemmed in justice. It starts by ensuring that our קבלת התורה this year is purer and sweeter than ever before, as a result of which we will with the help of the Almighty reawaken the true רוחניות of our people, and through our people the whole world, ומושיע במהרה בימינו אמן ואמן, עד שיבא מלך גואל.

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