

Ethical Business Practices and the Release of Debt throughout Jewish History

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Chapter Page

Acknowledgements . . . . .4

Explanation of two parts. . . . .5

**Part I**

**Character Biographies. . . . .6**

I: Moses. . . . .7

II: Hillel. . . . .13

III: Maimonides. . . . .18

IV: Hermann Cohen. . . . .24

**Part II**

**Play. . . . .29**

Act I. . . . .35

Act II. . . . .77

Bibliography . . . . .115

Dedication:

For my wife,  
the one who allows me to see light and color in a dark word.

### Acknowledgments

I would like to thank my capstone advisor, Dr. Mark Washofsky. His wisdom and guidance is the real reason I was able to efficiently and knowledgeably delve into the interesting subject of the release of debt. He has helped me understand that charity is wonderful, but in the Jewish religion care for the less fortunate is not charity, it is commanded.

### Explanation of Two Parts

When I first brought this capstone proposal to my advisor, we both thought it would work best in two parts. The first part would be the academic piece, and the second part would be the play. In the play I wanted to explore what different Jewish thinkers thought about the release of debt. All of these thinkers would be characters in the play. Therefore, the first part of the capstone are character biographies which explore each thinker's view on the release of debt. The biographies guide the action in the second part of the campstone.

## Part I

### Character Biographies

## Moses and The Release of Debt

There are a couple of problems when it comes to writing a position for Moses and his relationship to the release of debt, and social justice as a tenant in the business world. First, Moses, more than any other character in this play, is expounded upon to the point of near complete saturation. The authors of the rabbinic period, the medieval period, all the way up to the modern period take Moses and use his words to help prove or disprove certain decisions of the time. This means each generation has a different understanding of Moses and his ideals. To solve this first issue, I would like to look at Moses specifically in his Ancient Near East setting. I will compare his ideas with other cultures from that time and try and get to a better understanding of what is meant in the bible in and of itself, with no influence from later periods. I imagine this will also give some good dialogue between Moses and later Jewish thinkers on what Moses actually understands as the correct understanding of the law as it is formulated in Deuteronomy.

The second issue when dealing with Moses and the laws from the Torah, is the issue of authenticity. As a biblical critic, I understand it is very possible Moses was an amalgamation of many laws from different time periods which were then connected using Moses to bring together many different cultural and religious groups. If this is the case, the character of Moses is not a single character, but many characters representing different places and times. This has been an issue for a long time. For instance, talmudic sages discussed the authenticity of Deuteronomy 34: 5-12. These verses deal with the death of Moses, his funeral and the subsequent mourning by the Israelites. How could Moses have written these verses if he was dead. In the middle ages, Rabbi Abraham Ibn Ezra found several additional verses which could not have been written by Moses. Modern scholarship see a relation to the

book of Deuteronomy with “the book of teaching” found in the temple in the year 622 B.C.E. This caused King Josiah to make a religious reformation. The book was ascribed to Moses, but there has been much written modern scholarship to show that these laws were created right before they were “discovered.” As Jeffrey Tigay says in his commentary on Deuteronomy, “Building on these observations, modern scholars since W.M.L. De Wette (1805) have argued cogently that several of the Deuteronomic prescriptions that Josiah carried out were actually created for the first time shortly before he did so, in the late eighth and seventh centuries B.C.E.”<sup>1</sup> Although this idea, of there being a later, or perhaps authors to the book, is incredibly compelling, it does not help in creating a character which is representative of the Torah. Moses was used as the promulgator of all these laws. It is because of this that my solution to this problem is to keep Moses as one character who may have occasionally conflicting ideas.

Looking into the torah and its many laws, we see a very specific law which outlines Moses’ understanding of release of debt.

“Every seven years you must grant a release. This is the manner of the release: everyone who holds a debt claim against a neighbor must release it. He must not press his neighbor, his kin, because a release for Yahweh has been declared. You may press the foreigner, but whatever you have against your kin, you must release from your control.” (Deut. 15:1-3)<sup>2</sup>

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<sup>1</sup> Jeffery Tigay, *Jewish Publication Society Torah Commentary: Deuteronomy* (Jewish Publication Society, 2003), Intro xx.

<sup>2</sup> All translations are mine unless otherwise noted.



It seems from these verses that Moses is in favor of releasing people of debt. It must be done for all kinsman who are in debt.

Looking at this law against the background of the Ancient Near East, we do see some similarities. These characteristics are akin to the household based economics of the Ancient Near East. Mesopotamian kings would release people of debt and free slaves when they started their rule as a way to gain favor among the people. We learn in Richard Lowery's book, "Deuteronomy's debt release is based on royal proclamations of liberty, common in the ancient world."<sup>3</sup> This is seen in Egypt as well from the 3rd millennium on. "A hymn celebrating the coronation of Ramses IV speaks of fugitives returning home and prisoners released. A hymn to Merneptah says, "He liberated prisoners in every district, gave gifts to temples... had the property of the great restored, and the poor returned to their villages."<sup>4</sup> All over the Ancient Near East kings and princes released people of debt, released slaves, and even released prisoners as a way to boost their public image.

Can we see the law from Deuteronomy the same way? I don't believe so. In fact, I see a shift for the reason of this proclamation in the bible. The releasing of debt, and other things in Deuteronomy, is not to boost image or clout of a public figure for two reasons. One, there is no king. Moses was a leader, but was never referred to as a king. It can be argued that Moses was referred to as king in the final farewell poem of Moses, "Then he became king in Jerushan (Deut 33:5)." It is argued in the JPS Torah commentary that the king, referred to in this verse, is actually God. "This probably refers to God: He became Israel's king after coming to them from the south and delivering them from their enemies."<sup>5</sup> In addition to this, it should also be noted that Moses' children did not succeed him as the leaders of the Israelites, which is indicative of a king. He was not in a position of wanting support from the Israelites.

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<sup>3</sup> Richard Lowery, *Sabbath and Jubilee* (St. Louis: Chalice Press, 2000), 37.

<sup>4</sup> Moshe Weinfeld, *Social Justice* (The Hebrew University Magnes Press, 1995), 143-44.

<sup>5</sup> Tigay, *Jewish Publication Society Commentary*, 322.

Two, it was a recurring cycle. Because this law takes place every seven years, it is not meant as a political ploy, but as something which has inherent value to the society. “The Torah’s aim here is primarily to state the principle that indebtedness is not to continue indefinitely, and to identify the authorized legal remedy for long-term debt.”<sup>6</sup> It is because of these two reasons, I don’t see this law as one with clandestine goals; it is a genuine law which does good for the society of the Israelites in the 1st millennium BCE.

In looking in this law, it can be debated who is and who isn’t kin. As the law states, “You may press the foreigner, but whatever you have against your kin, you must release from your control. (Deut. 15:3)” There are many clans within the Israelite nation. Is it possible to see another Israelite clan as foreign? Richard Lowery answers the question of what is meant by “kin and foreign” in his book, *Sabbath and Jubilee*. “Loans to ‘your neighbor, your kin’ are subsistence loans to households that fall within the creditors zone of responsibility, that is, a household in the creditor’s own village or clan.”<sup>7</sup> The real differential in this is not the “kin and the foreigner,” but subsistence loans versus commercial loans. Subsistence loans were something which people needed to just live. It was incumbent on the wealthier of the village or clan to help the others live well. This idea is even further proven when the hebrew of this verse is examined. The word for “foreigner” is the hebrew *nokri*. It could be assumed that this word could be also be *ger*, resident alien. However, the reason for *nokri* is not arbitrary. It is there to show the resident aliens in a society are just as entitled to subsistence loans as are everyone else. This can also be seen in 1st Kings when the word *nokri* is used again, “and do according to all that the stranger calls upon you for; that all the peoples of the earth may know your name, to fear you, as the people of Israel do (1st Kng 8:43).” When *nokri* is used, there is an effort to show the stranger as one of the people of

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<sup>6</sup> Tigay, *Jewish Publication Society Commentary*, 145.

<sup>7</sup> Lowery, *Sabbath and Jubilee*, 40.

the world. This fits in well with the idea taken from Exodus of who is a neighbor. When the Israelites are about to leave Egypt, they must ask for gold and silver from their neighbors. “Speak now in the ears of the people, and let them ask every man of his neighbour, and every woman of her neighbour, jewels of silver, and jewels of gold.” (Ex. 11:2) It would make no sense if the Israelites were asking other Israelites for silver and gold. The only other people to ask are the Egyptian neighbors. This would mean that there is no one in the world who should not be given a loan in order to help sustain their lives. Everyone, at times of need, are entitled to subsistence loans which would not need to be paid back.

This idea is further explored in Leviticus. “And if your brother is waxen poor, and his means fail with him; then you shall uphold him: as a stranger and a settler shall he live with you.” (Lev 25:35) As we see here, loans are to be given to anyone who needs it. Our wallets, as long as they are big enough, should always be open to those who are in need. It is encouraged. The Torah, and by extension Moses, want a stable community where poor people are allowed the means to succeed.

Another idea which Moses has about loaning money, is that of interest. It has been seen that the Torah encourages people to give money to their poor neighbor; and the definition of neighbor can be extended to most. The Torah continues in this fashion by making interest illegal on loans given. “Take no interest of him or increase; but fear your God; that your brother may live with you.” (Lev 25:36) No one who gives a loan should accept anything more than what was given back. This idea is called, *Ribbit*, and is expounded upon in rabbinic literature. Rabbinic literature also deals with the issue of why anyone would make a commercial loan if there was no possible way to benefit from the loan. What is developed is something called *heter iska* where the lender becomes a part-owner of the business venture and therefore can profit from it. With this idea, the giving of loans cannot be a business. Loans must be given

to people in need by people who have the ability to give. This system helps narrow the gap between the wealthy and the poor.

When it comes to ideas of social justice and ethical business practices, beyond that of *shmitah*, Moses has a lot to say. One of the areas Moses delves into is honest weights. In Leviticus it is promulgated, “Just balances, just weights, a just ephah, and a just hin, shall you have: I am the Lord your God, who brought you out of the land of Egypt.” (Lev. 19:36) The issue of weights comes about a lot in the Torah. Moses is very concerned about everyone keeping things fair. The issue of weights is very interesting because of how easy it is to change scales. This crime is one a lot of people could do which would attract little attention. Even though it is not as immediately detrimental as a large back heist, changing scales did have a very negative long term effect on the early Israelite community. Doing this would cause inflation and have a chain reaction of dishonesty. In this law, we see a very important spirit; staying honest, and doing what is good for the community, will benefit you more than trying to take every advantage. In other words, living in a community and playing by the rules is more beneficial to good life than only looking out for yourself.

Moses sees a society as a place where everyone can benefit; as long as people play by the rules. There is no understanding of hierarchy; everyone is entitled to a good life. Moses is an amazing character because with him we begin to see the great benefits of living in a community which serves the society and not one person or select group of people.

## Hillel and the Release of Debt

Trying to get an understanding of what people in the rabbinic period felt about the *Shmitah* year and the release of debt can be difficult. In the Talmud, there is a very famous passage which discusses the idea of keeping people accountable for their debt even past the sabbatical year. Hillel is the one who institutes this idea. Although it may seem like this was a way to inhibit the needy, I contend that Hillel, like Moses, understood the value of the distribution of wealth. Holding people accountable for loans was to help the wealthy feel more comfortable in giving the loans. If a loan was given, the borrower would try and elevate their financial status and eventually be able to pay back the lender; as long as there is no interest it is still beneficial to the borrower. When we first look at this idea from Hillel, it does look like it is sacrificing the ideal of equitable wealth distribution for something more practical, but I do believe he is keeping up the ideal. What this does is allow the lenders more comfort in loaning money. It also highlights a problem of abuse from the side of the borrower. Not lending was a violation of Torah as is seen later on.

When dealing with the Rabbis, from the rabbinic period, it is important to know there is rarely a decision made which works for everyone. There is a lot of discussion and persuasion, but ultimately few things, from this period, are decided upon with one answer. This is not to say there were not many halachic rules put in place by the Rabbis, it is just there are different schools of thought on how to do things correctly. These schools of thought still are in place today. There are many times when Jews today will get together and discuss the best option for following a certain law. There have been people who have tried to create systems of laws which would forgo any discussion, but as different circumstances present themselves, new discussions must take place. For instance, the Rambam had, in

many respects, a successful attempt in creating a set of laws which could just be followed. However, there are many things we use today which could not have been predicted by the Rambam. Driving to synagogue on Shabbat is one of the issues. Some say it is forbidden and some say it is permitted as the discussion over the right path continues.

This entire concept asks the question of authority. Who or what is the ultimate authority when it comes to Jewish topics? It would be great if every problem we needed to solve had an answer, but that is not the case. There are many times, even as early as the 2nd temple period, where the Torah was interpreted in a way which may have gone against what was originally said in the Torah. When interpretations on the text are used to help create solutions, people will argue on the correct interpretation. This will lead to different understandings of the intent of the Torah.

Although there are many schools of thought, one of the big themes which runs through rabbinic literature is the creation of *takanah* and *gezeirah*, or laws which prevent the violation of the Torah. This is often translated as a fence around the Torah. This legal idea is a way to elevate the holiness of law from the Torah. The law which is created by the rabbis is much more stringent, so people are further away from any significant violation. This idea is used in the creation of a rabbinic kashrut. In the Torah, there are many laws which forbid people from eating certain foods. One of the most famous states, “you shall not boil a kid in its mother’s milk.” (Ex. 23:19) When this law was interpreted by the rabbis, there is an effort to make this law more difficult to transgress, so the law in the Torah could never be violated. Not only is it not permitted to boil a kid in its mother’s milk; but we cannot even put together meat and a dairy product from a milk producing animal (cow or goat). This is how that law was interpreted. The rabbis take this even further and say dairy products cannot be paired with fowl as well. This is a rabbinic *takanah* on the toraitic law. The law which calls for the separation of milk and meat in the

talmud is so rigorous because the Rabbis were fearful of getting close to a violation of a law from the Torah. This idea also creates two separate sets of laws. There are laws from the Torah *D'oritah*, and there are laws from the Rabbis *D'rabbanan*.

Other laws change because of a different understanding of a well run society. When the Rabbis saw an issue given with the power of a man giving a Get to his wife by the Torah, they set out to change it. There was an issue with possible abuses which could occur if the law of the Torah were followed literally. "In the past, a man was allowed to call together a *Beit Din*<sup>8</sup>, wherever he was and cancel the Get<sup>9</sup>. Rabban Gamliel, the elder, instituted a law which stated this should not be done, to prevent abuses."<sup>1011</sup> Even though the Torah allowed a man to create a *Bet Din* to cancel his Get, the Rabbis forbade this right. They were worried about a women who did not know she was still married and the eventual outcome of a married woman marrying another man.

Finally, there are laws which are changed from the Torah, because they prevent the fulfilling of other laws from the Torah. This is the case for the Shimitah year and releasing people of debt. In the Torah, the release of debt was great for a society. There were many people who depended on the loans given to them and were able to enter a position of financial security. However, in the time of the early rabbinic period people were taking advantage of the loan system which was in place.<sup>12</sup> The people in need of loans would take them out right before the sabbatical year and therefore would not need to pay

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<sup>8</sup> Counsel of three Jewish men.

<sup>9</sup> Since a *get* is valid as an instrument of divorce only if it expresses the husband's will, he is empowered under Torah law to declare that the *get* no longer reflects his desire and is thereby annulled. This leads to obvious abuses, particularly when the wife lives in another city and will receive the *get* without knowing that her husband has cancelled it. She may remarry, thinking erroneously that the *get* is still valid.

<sup>10</sup> All translations are my own.

<sup>11</sup> Mishnah, Tractate Gittin, Chapter 4, Mishnah 3.

<sup>12</sup> Although it is not specifically stated in the Talmud that people were taking advantage of the loan system, it does discuss the idea of people not wanting to loan money to their fellows. It was this that which caused the problem; however it is the abuse of the system by the borrowers which would have led to this Prosbul.

them back. This in turn led to a larger problem where people refused to give loans to people, even if they were in need and intended on paying back the loan. Hillel saw this as a big problem. People were refusing to lend money to their fellows. Hillel was in a position to do something about it. He had been given the title *nasi* (prince). This was done after he ruled on a matter of ritual sacrifice and proved to be superior to the heads of the sanhedrin and was therefore promoted to the head.<sup>13</sup> He saw this breaking the law from the Torah in a couple of ways. It first went against the law which helped the needy, “If there are those among you who are in need, from one of your clan in one of your cities, in your land *Adonai*, your God, is giving you, you shall not harden your heart, and you shall not close your hand from your needy brother.” (Deut. 15:7) It is also against the law from the Torah, “Beware, don’t let there be in your heart an unfaithful thought, saying, ‘The seventh year, the year of release has arrived,’ and you will scorn your needy brother and not give him, and he will cry out to *Adonai* against you, and it will be a sin to you.” (Deut 15:9) It is because of this that Hillel instituted something called a *Prosbul*. This word comes from the Greek and means, before the assembly of counselors. In addition to this reasoning Hillel was also able to forgo this toraitic law, because the situation had changed. When the Jubilee year was observed, then it was obligated for everyone to release debt at the end of the 7 years. However, the Jubilee year was not observed after the fall of the first temple in 586 BCE. Therefore, the release of debt also did not need to be observed. It is shown that when all of Israel occupies the land of Israel then the two kinds of release will be in effect. However, when the release of land is not operative, then the release of debt is also not.<sup>14</sup> The reason it still was in place was because of an earlier rabbinic decree at the beginning of the second temple period. This is what Hillel was changing when he instituted a *Prosbul*.

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<sup>13</sup> This story is taken from the Tosefta, but considered to be not historical.

<sup>14</sup> This is shown at the end of Gittin 36a in the Babylonian Talmud.



The Prosbul was a legal tactic which was able to get around the law of releasing people of debt. If it was approaching the sabbatical year, or if the borrower was likely not to be able to pay back the loan before the sabbatical year; the two parties could go before a court and be free from the obligation of releasing the debt in the sabbatical year. All this would take was a formal declaration. It was possible before this Prosbul that the court could take on the debt of the borrower; this Prosbul, however, made it even easier for the loaner to make sure his funds were returned.

I believe that Hillel, like Moses, understood the importance of a society which was free to give out loans to people who were in need. It is true that the breaking of the other laws of the Torah perhaps gave Hillel the authority or the justification to institute this *Prosbul*; it was Hillel's understanding of a moral economic society which helped motivate this new law. People needed to be free to give to their neighbors. Just because there may have been a few people who had sinned, it was still better for the society to be able to distribute wealth. No interest loans are good even if there is always the obligation of paying them back. This was a very practical law.

For the most part, the Rabbis agreed with Hillel's take on the importance of giving loans. Some rabbis wished to abolish the law, but all understood there was a need for no interest loans to be given to the people. Going back to the question of authority, there was a question about if this was something to be followed only in the time of Hillel, or was this an institution for all generations which followed. This is left undecided, but the *Prosbul* was used all through the rabbinic period.

It is stated that Hillel instituted this *Prosbul* for the sake of the *tikkun olam* or for the good ordering of society. We know that we do not live in a perfect world; we have not since the exile from Eden. We do know we can make an effort to make this world ideal. For Hillel the more ideal world comes with the distribution of wealth through practical means which then lead to an ideal.

## Maimonides and The Release of Debt

The issue with the Talmud rarely coming to a unanimous decision it is not an issue in the Mishneh Torah, the *halchic* work created by Maimonides. Maimonides was a true renaissance man, and he would have been called that if the renaissance had come when he lived. He was an incredible Jewish scholar, a doctor, a mathematician and artist. He was born in Spain the 12th century. He spent in his life not just in Spain, but in many places in North Africa, like Morocco, Egypt and the Land of Israel. He is also often called Rambam which is short for “Rabbi Moshe ben Maimon.” Maimonides wanted people to stop discussing the law and just follow it. He very much recognized that people got lost in the enormity of rabbinic literature and were unclear on what to follow. In a letter to the dayaan of Alexandria he said, “This was the ultimate purpose of my work, for it is beyond all human capacity to remember the whole of Babylonian and Palestinian Talmuds and the *baraitot* - all three- which form the main source of the laws.”<sup>15</sup> Another intent of his Mishneh Torah was to cut out these discussions on law. He thought a lot of intellect was going into discussion of law which could have been used for more fruitful endeavors such as physics or medicine. Isadore Twersky illustrates this theory, “Other savants developed a colorful theory that depicts Maimonides as a protagonist of philosophy who endeavoured to diminish the stature of exaggerated, exclusivist talmudism and thereby pave the way for the philosophical studies which are the true and vital element of the Torah.”<sup>16</sup> In any event, the halachic decisions Maimonides made in the Mishneh Torah were very much based on halachic sources. He was very sure of his book. He felt this was the only book which one would need to consult in any matters of halacha. “Thus, I have called this work the complete restatement of the oral law, Mishneh Torah, for a

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<sup>15</sup> Isadore Twersky, *A Maimonides Reader* (Behrman House, 1972), 2.

<sup>16</sup> *Ibid* 8

person reads the written law first and then reads this work, and knows from it the entire oral law, without needing to read any other book between them.”<sup>17</sup> He did very much to back up his assertions; he looked into the rabbinic and toraitic sources and brought forward what he really understood as truth. Even today, this work is big influence on our understanding of halacha and the correct way of practicing Judaism.

Going back to the time of the Rabbis we see some halachic sources<sup>18</sup> which declared that according to the law of the Torah the cancellation of debts no longer applies because the entire people (i.e., all 12 tribes, even if some or many of the people of Israel still lived in the land) did not live in the land of Israel anymore. According to this theory, The release of debt was obligatory only when the Jubilee year was observed and that will not be observed until all 12 tribes are back in Eretz Israel. It has not been observed since the fall of the first temple in 586 BCE. For instance, laws on agriculture are specific to the land of Israel. So many were not followed in Babylon or Spain. Interestingly enough, now that a large amount of Jews do live in the land of Israel, some of the agricultural laws have been reinstated (or at least new ways to get around the biblical laws). Although these laws were not required from the written torah, they were still required from the oral torah. “The Rabbis, however, ordained that it should be operative, in order to keep alive the memory of the Sabbatical year, and when Hille saw that people refrained from lending money to one another, he decided to institute the *prozbul*.”<sup>19</sup> Maimonides continues this tradition, as he says in his Mishneh Torah, “According to Rabbinic Law, the nullification of debts applies in the present age in all places, even though the Jubilee year is not observed. So that the concept of the nullification of debts will not be forgotten by the Jewish people.”<sup>20</sup> There is a

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<sup>17</sup> *Mishneh Torah*, Introduction

<sup>18</sup> These sources come from the *Talmud*, Gittin 36 a and b.

<sup>19</sup> *Talmud* Gittin 36b

<sup>20</sup> *Mishneh Torah*, Shmetah Ch. 9, Halacha 2.

spirit of law which Maimonides wants to maintain which was first promulgated in the Talmud. He does not want the Jewish people to forget that their brother's and sister's well-being is just as essential to the community as theirs. He is able to show this with the continuation of the restrictions he puts on the releasing people of debt. There is the obligation for the lender to give to his fellow, but there is also the obligation for the borrower to understand what it means for him in the society as well. There is a balance that Maimonides tries to find, I believe this balance to be different for each generation, between personal responsibility and community support. The spirit of the law does require all of us to bring up our fellow, but there is an added understanding of personal responsibility on the part of the borrower.

Maimonides understood this idea of communal support, just like Hillel did. Similar to Hillel, Maimonides put up some restrictions on realising people of debt. The restrictions put in place were not restrictions to keep people from giving, but put in place for people to feel more comfortable in giving so it happened more. Again, the spirit of law is to raise up our fellows. Hillel instituted a *Prozbul* which allowed the debt, which the borrower would incur, to be paid back despite the rule which the early rabbis put in place to keep the release of debt in the 2nd temple period. Maimonides accepts Hillel's *prozbul*, but does add some more parameters to keep the borrower safe. For instance, "A *prozbul* should be composed only by very great Sages like the court of Rabbi Ami and Rabbi Assi, for they are suitable to release financial obligations which are due to others."<sup>21</sup> Maimonides says that it is not possible for just any court to cancel this biblical law. Only the great courts can do this, because they have the best perspective on the society. As Rambam himself says: "for only such courts are sufficiently prestigious to confiscate money that belongs to people (in this case, the borrower), who is entitled under the law of Shmita to keep the lender's money."<sup>22</sup> If a lower court took this on, they may be swayed by

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<sup>21</sup> *Mishneh Torah*, Shmetah Ch. 9 Halacha 17

<sup>22</sup> *Ibid*

their own small perspective. Nowadays, any rabbinic court can grant a *pruzbol*, because none would get written if they couldn't, but the understanding of the weight of the decision must still be known. Another example to make this law more stringent, "A *pruzbol* may be composed only when the borrower possesses land. If the borrower does not possess land, the lender should grant the borrower even the slightest amount of land even enough to grow a cabbage stalk in his field."<sup>23</sup> I understand this law to be here so it is known that the loanee, who is part of the *prozbul*, has enough to fall back on even if they must pay the debt back without an increase in their own income. A person who has nothing cannot have a *prozbul*, because their loan would be only for subsistence and therefore may not be able to paid back. They should not be burdened by this institution of a *prozbul*.

Promissory notes are possible for Maimonides, in his understanding of the Talmud. Two parties can create a promissory note together and an agreed upon payment can be demanded at the agreed upon time. This debt would not be nullified by the sabbatical year. However, it does nullify a loan, even with a promissory note, when there is a lien on people's possessions. "The Sabbatical year nullifies a loan, even a loan supported by a promissory note which creates a lien on one's possessions."<sup>24</sup> I understand this to be a law which protects the borrower when they have more than just the debt at stake. If the debt is not paid, the loaner would be able to seize possessions and it would create a dire situation for the borrower. This is not in the spirit of raising up our fellows. This is why this debt would be nullified in the sabbatical year.

It is possible for there to be a debt which is not nullified by the sabbatical year and there is a lien on possessions; however, the court must be involved. If the court is not involved the loanee may be coerced by a dire situation and pushy loaner. If we are not careful, this could lead into a situation where

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<sup>23</sup> *Mishneh Torah*, Shmetah Ch. 9 Halacha 19.

<sup>24</sup> *Mishneh Torah*, Shmetah Ch. 9 Halacha 6.

someone is profiting on giving loans. Someone may find people who are in dire situations and offer them a loan they could not pay back and after a few years own any number of personal possessions. This would go completely against the spirit of the biblical law. This law shows us that there is a personal responsibility on the part of the lender. Loaning money is essential for a society, but it cannot be done for profit.

We have seen the protections of the loanee in the Mishneh Torah. Hillel was worried about the distribution of wealth and thought of a very practical law which helped this. Maimonides was looking more to an ideal and helped protect the loanee. Maimonides was trying to strike a balance between communal responsibility of raising our fellows up and personal responsibility of repaying loans, and only taking loans when they were truly needed. For instance, in the Mishneh Torah when Maimonides discusses the realising of debt for a store credit we get a different understanding of the responsibilities of the loanee, “An account at a store is not nullified by the Sabbatical year. If it is established as a debt, it is nullified. The wage of a worker is not nullified. If it is considered as a debt, it is nullified.”<sup>25</sup> I find the reason for this law is to show that store credit is different from a subsistence loan which would be nullified. The store, although it may be selling essential items, is not responsible for the raising up the fellow, the community is. This also puts responsibility on the loanee to only buy things from a store which they can afford without credit.

It is also clear when Maimonides discusses the ideal lending situation that he understands a responsibility on the part of the loanee. “Whenever anyone returns a debt despite the fact that the Sabbatical year has passed, the spirits of our Sages are gratified because of him. When receiving the

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<sup>25</sup> *Mishneh Torah*, Shmetah Ch. 9 Halacha 26.

payment, the lender must say to the one who is making restitution: 'I am nullifying the debt and your obligation to me has been released.' If the debtor says: 'Nevertheless, I desire that you accept it,' he should accept it. For the Torah states: 'One shall not demand payment,' and payment was not demanded."<sup>26</sup> In a perfect world, people would be raised by the initial loan and able to pay it back; this way is the best possible situation for loanee and loaner. However, if it is not ideal the law should protect the loanee.

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<sup>26</sup> Mishneh Torah, Shmetah Ch. 9. Halacha 6.

## Hermann Cohen and the Sabbatical Year

For understanding the more progressive denominations of Judaism from the end of the 19th to early 20th centuries, it is important to study the life and ideas of Hermann Cohen. Cohen's main field of study was philosophy, and his specialty was the works of Immanuel Kant. As a *privatdozent*<sup>27</sup> at the University of Marburg, he co-founded the Marburg School of Neo-Kantianism. Although it is difficult to sum up Kant in just a short sentence, I do believe Kant's pertinence here is in his understanding that all we can know about the world is how we view it and behave in it and that, from this, we gain our idea of morality. In order for there to be a collective morality, there needs to be a collective input in the understanding of morality.

Although Cohen is often criticized today for his anti-Zionist views, his critics still acknowledge that contemporary Jewish views on social justice began with Cohen and his contemporaries. Cohen's vision of the world and how we live in it greatly influenced the Reform movement. With his understanding of God as an ideal morality, Cohen identified social justice as the main mission of life. One of Cohen's greatest focuses was on creating an ideal world through reason. Even though Cohen was completely assimilated into the German secular world of the late 19<sup>th</sup> Century, he remained profoundly Jewish. He was able to integrate Judaism and secularity because he understood Judaism as an ethical monotheism, and as a religion of reason. He showed that religion could be attained through reason by the uniqueness of Judaism's God. God is not part of the world, but instead transcends the world and is eternal. An eternal God is the reason for potential success of universal ethics. Ethical rules

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<sup>27</sup> A professor who has the requirements to teach independently at a university.



may seem to be voluntary (i.e., we don't have to hold ourselves to them), but with an eternal God we have the imperative to act ethically. It is instructive to take some of the laws which are promulgated in the Torah and ask whether they can be upheld in Cohen's view of universal ethics. The law I would like to look at involves the release of debt. In the Torah, this law states that all people who take out a loan are released of the debt during the sabbatical year if they cannot pay the loan back. It is my contention that Cohen would support the release of debt, however, there must be a specific set of circumstances which leads to the release. The set of circumstances which would be required for a release would be a legitimate effort to raise oneself up which failed because of unforeseen reasons that were not the fault of the borrower.

It is true that Cohen was very much for the people; in fact, he is considered to be a socialist: "His philosophical ethics and political theory provided the foundation for a non-Marxist, Kantian democratic socialism that informed his more popular and topical writings."<sup>28</sup> However, even more than a system of wealth distribution (whenever someone asked for it), Cohen was concerned with establishing a system of personal responsibility where all act consistently toward an ethical ideal. In order for that to happen there needs to be an effort from all sides to not abuse a system of loans and repayments. It is possible both for a loaner of money to take advantage of someone in a desperate situation, and it is possible for a borrower to abuse the generosity of a loaner. Neither of these situations would bring the world closer to an ideal morality.

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<sup>28</sup> Stanford Encyclopedia of Philosophy. 2014 The Metaphysics Research Lab, Stanford University.

One major difficulty in ascertaining Cohen's understanding of the release of debt is the lack of any law code written by Cohen. He, unlike all of the other thinkers I have looked at, was not focused on Jewish law. He was focused on highlighting the ideals of universalism which were explored in the books of the prophets. Cohen felt that the universalist vision of the prophets was the ethical ideal the world should aspire to. Cohen's philosophical background led him to seek the betterment of the entire world. It can be argued, of course, that previous thinkers saw the law as helping the world, but Cohen emphasized that religious belief and practice must be justified by reason. Reason is what links people with the divine: "God endowed man with reason, which he could not have attained by himself, for reason is the hallmark of divine creation. Through reason man becomes the image of God."<sup>29</sup> There are times when a social ideal can also be furthered by religion. "A social ideal represents a fusion of two basic components: a scientific mode of cognition and an ethics formalized as religion." Cohen had no objection to Halacha, provided that was coherent with reason. The release of debt, therefore, is for Cohen a marriage of these two ideas: the science which leads us to ethics and the religion which helps carry those ethics through to the ideal. However, a reasonable law must fall within certain parameters.

In Cohen's ideal world, there would not be a great disparity between the wealthy and the poor. It would also be impossible for a worker to be exploited. A worker could not be treated as a means and therefore would have a financial stake in the profit of a company.<sup>30</sup> It is possible to use reason to see why the release of debt is important for a society. When people are greatly in debt, their perspective on the ideal can be lost, because their financial situation would be so dire they would not be able to

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<sup>29</sup> Eva Jospe, *Reason and Hope: Selections from the Jewish Writings of Hermann Cohen* (Hebrew Union College Press, 1997), 132.

<sup>30</sup> This is paraphrased from his 1904 essay; *The General, Equal and Direct Right Vote*.

think of anything but their immediate situation. This preoccupation would preclude their perspective on an ideal society which is needed in the creation of an ideal morality. The need for wealth distribution and care for the working class is very evident in Cohen's writings. From this, it can be argued that Cohen would be completely in favor of a law which promulgates the release of debt. There should always be an effort to raise up our fellows. Cohen reasons that there can be no self without the other. If this is true, the other deserves a perspective which is free from the worry of obtaining everyday necessities. "We Jews know, however, that the isolated self exclusively engaged in thinking cannot be an ethical self. The ethical self must be engaged in action. For this self, there exists no I without a Thou."<sup>31</sup> It would stand to reason then, that there must be an effort to give our fellows access to funds which would allow them to appropriately be a thou. This could be emotionally, physically and, in the case of this study, financially. There needs to be an even playing field for everyone. In Judaism there is no way to God that is not a communal path. Reconciliation with God is Cohen's main goal, but this does not come from finding a spiritual leader. Rather, this comes from a collective understanding of what is good. What is good for the whole society is paramount, and this comes from reason.

We have the line from the Torah, "If there be among you a needy man, one of your brothers, within any of your gates, in your land which the lord your God give you, you shall not harden your heart, nor shut your hand from the needy brother; but you shall surely open your hand to him, and shalt surely lend him a sufficient amount for his need in that which he needs." (Deut 15: 6-7) It is reasonable to help the needy in order to create an ideal world, but religion illustrates why this must be done: "You shall surely give him, and your heart shall not be saddened when you give to him; because that for this thing

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<sup>31</sup> Eva Jospé, *Reason and Hope: Selections from the Jewish Writings of Hermann Cohen*, 218.

the lord your God will bless you in all your work, and in all that you put your hand to.” (Deut 15:10)

Reason brings us to the ideal, and religion shows us why.

Though a release of debt may be needed for a society, it can, in some cases, conflict with universal ethics. In his book, *Religion of Reason*, Cohen talks about how we must address our own moral failings. In a system where there is a release of debt every seven years, it is possible for people to rely on loan money. Such reliance would impede self-reflection. Self-reflection is needed when debt is released. If the debt was released because of something the borrower failed to do, the release could actually be a detriment to self-reflection and improvement. Or, instead, was there a legitimate need for the release because of an unseen issue which was not the borrowers fault? Not granting the release in the latter situation could create a potentially dire situation where the borrower's perspective on the ideal is lost because of his own financial barrier.

Self-knowledge is the deepest ground of religion.<sup>32</sup> A balance must be found, however, between raising our fellows and allowing them the proper tools for self-reflection and improvement. Only after finding this balance can we approach the ethical ideal. For Cohen, Judaism provides a process to discover the right balance of communal help to improve an individual and individual help to improve a community, as seen with the release of debt.

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<sup>32</sup> This is paraphrased from Cohen's book; *A Religion of Reason; Out of the Sources of Judaism*.

## Part II

### The Play

The Temporary Crown

by

Ricky Kamil

## The Preface

As a rabbinical student, and I imagine it will follow me into the rabbinate, people often ask me where Judaism stands on many topics, ideas, rituals, morals, and many more things. Depending on the question I may or may not have an answer ready, but even if I do I take issue with the question. There are very few, if any, issues where Judaism stands in complete agreement. It would be easy to think that this is because of our modern culture; where the generation today has no respect for tradition. However, I am pretty sure no generation completely followed the generation before it, and in Judaism we are fortunate to be able to trace how laws were formed, changed, and molded to fit a certain society.

Now, I do plan on becoming a rabbi and one of the reasons for that is because I think there is a common bond between all Jewish people. However, this bond does not come from the same understanding of the correct way to a perfect world. There are many different answers. Rabbi Chaim Volozhin, a nineteenth century rabbi in Vilna, tries to show how we should be arguing with our great thinkers from the past; always challenging them in an effort to understand them and reform them.

Although there should be an argument, it must always be one of respect and humility. Therefore, the approach to Torah is one of the ways which binds us, as Jews, together. We will never be able to say Judaism says a certain thing about a particular topic, but that does not mean we cannot have a Jewish answer

to a question. This is because of the way we approach the topic.

We are fortunate to have texts which discuss issues from their time and the times which preceded them. Rabbi Chaim spoke about these texts as people with whom we can have our own discussions about issues in our day. We can bring them into our home and trace a Jewish answer.

Another way to think about our tradition is as a tree. The tree is constantly growing, and each generation is in a different position than the one preceding of it. However, if there is an intention of growing taller and flourishing, we must be connected to our roots. Our preceding generations may not know what it's like to be the top of a tree, or crown, this high up. At the top (not saying the best, but the current generation) there needs to be a gaze up to see where the tree can grow, and a reliance on the roots of the tree. As the crown, there is the responsibility to grow, but without the base of tradition the growth would be impossible.



## THE TEMPORARY CROWN

### Characters

**Rebecca,** A late 20s something rabbi. She is just out of school and at her first congregation.

**David,** Rebecca's kind senior rabbi.

**Moses,** The prophet and writer of the Torah.

**Hillel,** A rabbi from rabbinic literature.

**Maimonides,** A Spanish rabbi from the medieval period.

**Joseph Caro,** The author of the Shulchan Aruch.

**Moses Isserles,** The author of the Mapa.

**Hermann Cohen,** A philosopher from the modern period.

### Setting

The play takes place in an office. There is a desk stage left and a table center stage. Upstage there are a few bookcases full of books.

### Time

A week into the assistant rabbi's new job.

### ACT I

Scene 1	An office.	Now.
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### ACT II

Scene 2	An office.	Now.w
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ACT I

SCENE 1

(A young woman is sitting at a desk. She is reading a large book which is placed on the desk.)

REBECCA

(Reading aloud)

Genesis. By the sweat of your face, you shall eat bread.

(Turns page of the book.)

REBECCA (Continued)

Leviticus. But, you should act lovingly toward your neighbor. So, who is sweating and who is eating, Torah?

(Knock on the door.)

REBECCA (Continued)

Come on in.

(David walks in the office  
and stands by the door.  
Rebecca stands up.)

DAVID

Oh, please sit down.

REBECCA

Why don't we sit at the table?

(David and Rebecca both take  
a seat at the table.)

DAVID

Thank you. So, how are you getting along? It's  
almost the end of your first week.

REBECCA

I am doing alright, Rabbi David. I finally got all  
my books on the shelves.

DAVID

Good. They'll be some of your best guides. Also, you  
can just call me David. I'm not all about the formal  
here, and I think if we're going to work together we  
should be on a first name basis.

REBECCA

Well, alright, David. I was just working on my sermon for this Shabbat.

DAVID

Oh yeah? What are you going to speak on?

REBECCA

I wanted to talk about the balance between our personal responsibility to a larger society and the communal responsibility to the individual members of a society.

DAVID

That sounds like a nice sermon... and it fits with what I wanted to talk to you about today.

REBECCA

Oh?

DAVID

So, as you know the last assistant rabbi here did not leave under the best terms. I think one of the reasons for that was because I did not do the best job supporting him. I just kind of let him go on his own and I think it was a detriment to this synagogue.

REBECCA

I don't think you can blame yourself. It sounds like he was a little off. I mean, didn't he ultimately lose his job because he was arrested for public... indecency? You can't help it when someone does that.

DAVID

True. But, for every pinnacle of crazy action; there is a lot of not so crazy behavior on which the pinnacle stands. I could not have helped him on the top, but could closer to the bottom. In any event, I just want to make sure you are feeling supported, and that you know my door is always open to help you with whatever you need.

REBECCA

Thank you for your concern. I am sure that I will take you up on your offer of support. However, this week has not been bad. I mean, compared to rabbinical school it's a breeze. All I've done this week was write part of a sermon and unpack my books.

David

Well, it will get more difficult. And, if you think you're ready, I do have an assignment for you.

REBECCA

Oh, I am ready! What do you have for me?

DAVID

So, a congregant is in my office. She is asking for advice on a financial matter.

REBECCA

Oh? What's the issue?

DAVID

She has a son who has incurred a large amount of debt. Some of this is because of the college he went to, and the rest is the result of... poor choices, as she puts it. The son has graduated and is now out in the business world, but was only able to get a low paying internship. At the amount he is being paid, his debt's interest is growing more than either of them thought it would.

REBECCA

What do you mean, poor choices?

DAVID

From what I understand there were some, more or less, impulse purchases that were unwise.

REBECCA

That is an issue...

DAVID

I haven't even gotten to the problem yet. She wants a Jewish answer on what she should do. You see, she has the money to pay off the debt. However, she does not want to contribute to a cycle of dependency; and she would like our input.

REBECCA

Well, it's an interesting question.

DAVID

I know that trick, it means you don't know.

REBECCA

Haha. It just means I want to think about it for a second. My initial reaction would be to say she loves her son, so she should help him out. Then again, is there a lesson in here about pulling yourself up by your bootstraps, or any footwear straps for that matter. I guess...



DAVID

Let me stop you there. She wants a Jewish answer. I do want you to handle this, so there will be a lot of you in the answer, but it needs to have a Jewish base. A Jewish answer of course is never clear, as there are always arguments among us. However, I am confident there is a Jewish thread on which our laws are based. It's the circumstances which change the outcome. See if you can bring out that thread.

REBECCA

Okay. What do you think the best way to do that will be?

DAVID

Check out what some of our thinkers have thought about this idea of releasing people of debt. See if you can come up with a modern understanding of shmitah, or release.

REBECCA

I can do that.

DAVID

I am sure you can. Try and make sure you look at many sources. It's always a little more difficult than you may think. We are always coming to texts with our own biases, and if someone disagrees with us...

REBECCA

I think I will be ok.

DAVID

Alright, so you think this is something you can do?

REBECCA

Yes! I would be happy to do it. I don't know a lot about the topic, but I'll start at the beginning and see what I can find.

DAVID

Great! I look forward to seeing what you come up with.

(David stands up and starts  
heading towards the door.  
Rebecca also stands up.)

DAVID (Continued)

Let me know if you need any help with anything.

REBECCA

I will, and I am excited for this new project.

DAVID

Well, I will see you later.

(David leaves)

REBECCA

I'll see you later.

(Rebecca goes and sits back  
at her desk and opens a  
book.)

REBECCA (Continued)

Okay... now what?

(There is a knock on the  
door.)

REBECCA (Continued)

Come in...

(Rebecca stands up and in  
walks Moses. He is wearing a  
long robe and has a long  
beard.)

MOSES

Hello. I am Moses.

REBECCA

Oh my God!?

MOSES

Not quite. But, I've taken a look at the face.

(There is a few seconds of  
silence.)

MOSES (Continued)

May I sit down? I have been walking for... quite a  
while.

(Another moment of silence.)

REBECCA

Of course! Of course! Please, sit down.

(Rebecca gestures to the  
table and Moses takes a seat  
in a big plop. Rebecca goes  
and stands next to the  
table.)

REBECCA (Continued)

So... you're Moses!?

MOSES

I am. And, you're the priestess?

REBECCA

Rabbi...

MOSES

Oh right. The Akiba thing. I took a class at the Beit Midrash once. I was happy to see what I wrote influenced their laws.

REBECCA

You mean... what God wrote?

MOSES

Ehh. Dictated, but not read.

(Moses puts his feet up on the table to reveal two very worn out sandals.)

MOSES (Continued)

So, what do you want to know?

REBECCA

Well, I have an issue with a congregant and her son.

MOSES

I am pretty sure I was clear on that in Leviticus 18.

REBECCA

No, not that. I have a lady who is wondering if she should help her son repay a debt he cannot afford.

MOSES

You're talking about *shmitah*.

REBECCA

Ah, right. I have a question about *shmitah*.

MOSES

Just let the the field grow without intervention every seven years.

REBECCA

Not the release of land, the release of debt.

(Moses sits up in his chair.)

MOSES

Same thing. Just make sure you are releasing people of debt every seven years. Of course, this is not unprecedented. There were other communities around my time who were releasing people of debt.

REBECCA

Oh yes! I heard about that. A lot of kings would release people of debt when they came into power.

MOSES

Yes. But, as you know, I was not a king. I also made the law to happen every seven years. It was something the people in the community could rely on. So, if it has past the allotted time, he should be released of debt.

REBECCA

It's not that easy, Moses.

MOSES

Alright. I see that things have changed. Was the mother the one who loaned him the money? Or did he get it through someone else?

REBECCA

No, that was through a bank.

MOSES

Ah, yes. Well, the question I have for you is what did he spend the money on?

REBECCA

It was mostly for education.

MOSES

What type of education?

REBECCA

Is there more than one type?

MOSES

Of course. There is education to help with performing an occupation, and there is education which is done for the benefit of just the learner.

(Rebecca sits down at the table with Moses.)

REBECCA

I see what you're saying.

MOSES

So, which one was it?

REBECCA

This time the education was to help a vocation.

MOSES

Ah, good. Well everyone does need a job. Something to help in the betterment of a society. Loans of this kind are good because the whole society will benefit from this kind of loan.

REBECCA

So, there are different kinds of loans?



MOSES

Of course. There are loans which help someone live and eventually contribute to a community. This is a subsistence loan. The other kind of loan which one may receive is a loan where someone wants something which is not essential to life or the contribution one has to a community.

REBECCA

Well there was another part to this person's loan.

MOSES

Oh?

(Rebecca stands up and walks  
towards the bookshelf.)

REBECCA

Some of the money was used for things from which only the loanee benefited.

MOSES

Well that does complicate things. Was the bulk of it used for education?

(Rebecca moves back to the  
table and sits down.)

REBECCA

Almost all of it was used for education.

MOSES

Well that is good. I have to ask, why can the borrower not repay the loans on his own?

REBECCA

From what I understand, the borrower was unable to find a position which paid well enough to repay the loan in a timely manner. The interest is piling up much more than what was expected.

(Moses stands up.)

MOSES

So there was interest on this loan?

REBECCA

Yes there was.

MOSES

Well, that is something which I said was against the law.

REBECCA

Really?

MOSES

Yes, I called it ribbit. Which is different from what you are, which I guess would be a rabbit.

REBECCA

I prefer just rabbi.

MOSES

Yes. Well, in any event. Any Jew cannot loan to their fellow and charge interest. That is a big issue.

REBECCA

I am afraid that is something which happens a lot in our times today.

(Moses goes to the  
bookcase.)

MOSES

Well, that is a problem. Do you see why this may cause trouble for people?

REBECCA

I do. If someone were to take out a loan, they may become crushed by the debt.

(Moses goes back to the  
table.)

MOSES

Yes, but there is even more of an issue. Debt of course can be crippling. There was a precedent for that in the Torah. If someone were to take out a loan and not be able to pay it back, then they could be taken into servitude.

(Rebecca stands up.)

REBECCA

Well that's not good.

MOSES

No, that of course was an unfortunate outcome. However, everything would be released at the end of the seven years. Therefore, debt would not be the biggest issue. There is something more important behind it.

REBECCA

Could it be people would be too afraid to borrow money and not be able to advance their lot in life?

MOSES

You're getting closer. I understand this law more to be an understanding of how we view others in our society. What are the good things which might elevate someone's status in the community?

(Moses gestures to the  
chairs and they both sit  
back down.)

REBECCA

Well I would have to say if someone works really  
hard and is able to pull themselves up by their  
bootstraps.

MOSES

Bootstraps?

REBECCA

Sandal thongs.

MOSES

I see what you are saying. I would agree with you.  
If someone does have the right ambition and works  
hard, they should be able to see some of the fruit  
of their hard work. What else?

REBECCA

Intelligence. If someone is smart, they can become  
the leader of part of the community. That will  
elevate their status.

MOSES

Great. I would agree. But, how do you define smart?

REBECCA

Someone who can understand the situation and see a way forward.

MOSES

Good answer. However, where must the plan come from? What should the person consult to move forward? Just their smarts?

REBECCA

No. I would say that there has never been a great leader who was just smart. They would also need compassion.

MOSES

Now we are getting somewhere. Compassion is where all wisdom must start.

(Moses stands up.)

MOSES (Continued)

This is where I see the interest is so troublesome. There is a lack of understanding when interest is charged. People forget that there is a connection between them and to whomever they're giving the loan. Do you know what that connection is?

REBECCA

I would much rather have you tell me.

MOSES

I am happy to do that, but remember, this will be your ruling. The answer is luck, or mazel. You see mazel can be seen as an acronym. The mem is makom for place, the zion is zman for time, and the lamed is limud for study. Study, preparation, and hard work are great, but the time and place are also a factor. When interest is charged, at least for subsistence loans, we are saying that people are forbidden to find themselves in bad circumstances beyond their control.

REBECCA

We are all people and even the most hard working, intelligent person can have bad luck.

MOSES

This is also why a debt release program is so essential. No one wants to default on a debt, but there are certain circumstances which make that an unfortunate outcome. The ideal, of course, would be people would advance their status, contribute to the community and repay the debt.

REBECCA

Well, that gives me a lot to think about.

MOSES

What's to think about. A jewish institution gave money to someone. If they cannot pay the money back, it should be absolved after a certain amount of time.

REBECCA

Well I don't think we can classify the bank as Jewish.

MOSES

It's a public institution?

REBECCA

Yes.

MOSES

And the public means more than just Jews, huh?

REBECCA

Yes. So it can't really be Jewish.

MOSES

I do believe it would be ridiculous for a public institution to have a religion. Even, in these funny times of yours, I would believe your lawmakers to think that would be preposterous.



REBECCA

You'd be surprised, but that's a different conversation.

MOSES

Well, even if the institution cannot be classified as Jewish, there is still an understanding of this being a fellow.

REBECCA

Really?

(Moses sits back down.)

MOSES

Yes. When we were leaving Egypt we asked all of our neighbors for precious items.

REBECCA

Your neighbors?

(Rebecca sits back down.)

MOSES

Yes the Egyptians.

REBECCA

The Egyptians were considered neighbors?

MOSES

There were many good people in the Egyptian camp.

REBECCA

But, the plagues affected them just the same!

MOSES

Which is why leadership always needs to understand the plight of everyone in their community. However, we are getting off track.

REBECCA

Okay.

MOSES

If we, the Israelites who were slaves for four hundred years, were able to consider the Egyptians our neighbors, our fellows, then all the more so should we consider people who are not enslaving us to be our fellows.

REBECCA

But, it is not us, the Jews, who are giving out the loans.

MOSES

True, but there are laws which are put in place so everyone in the society knows that their success is dependent on the success of everyone else in the society. This is again why loan release is so important. There is an understanding that failures are not just placed on an individual, but everyone.

(Moses stands up.)

MOSES (Continued)

Don't you agree?

REBECCA

I do. So, if his mother is in a place to help with the debt, then she should do it.

(Moses sits back down.)

MOSES

I can't think of anyone who would disagree.

(There is a knock on the door.)

REBECCA

Excuse me.

(Rebecca goes to the door  
and opens it up. Hillel is  
standing in the doorway.)

HILLEL

Hello, Moses. Hello, Rebecca.

REBECCA

You know my name?

HILLEL

I saw your smicha on the wall. Would you like to let  
me in?

REBECCA

Oh yes. I am sorry. Come on in.

(Rebecca clears the doorway  
and Hillel heads over to the  
table.)

REBECCA (Continued)

Join the party.

HILLEL

So, what is all this talk about releasing people of  
debt?

(Hillel sits down and Moses  
stands up.)

MOSES

We were just discussing releasing people of debt. I  
don't see any issues with...

HILLEL

Well, let me stop you there, Moses. I think there  
are some big issues of releasing people of debt.

(Hillel walks over to  
Moses.)

MOSES

I didn't write these laws, from the mind of God who  
was the author by the way, so they could be changed.

HILLEL

For the most part I agree with you, Moses.

(Rebecca walks back to the  
table and sits down.  
Everyone takes a cue from  
her and sits as well.)

HILLEL (Continued)

We, the Rabbis and I, do want to make sure the laws in the Torah are followed. In fact, a lot of the laws from the Torah are made more stringent in the Talmud.

MOSES

Oh yeah?

HILLEL

Yes. For instance, kashrut. What's the line in the Torah?

REBECCA and MOSES

You shall not boil a kid in its mother's milk.

HILLEL

That's the one. Well from that we created a *gezeirah*, a fence around the Torah. Now it is impossible to have any dairy product with a meat.

MOSES

Well that's all well and good...

HILLEL

I am not done. We also created a *takanah*, which said dairy could not be combined with any fowl as well. And that's how it is today. Right, Rebecca?

REBECCA

Well, I went to Hebrew Union College, so...

HILLEL

In any event, the law was expanded upon to make sure it was not transgressed.

MOSES

Okay, if that were the case, then why would you object to the release of debt?

HILLEL

I think you know the answer. Why would there be a need to change a law?

(Few seconds of silence.)

REBECCA

I can think of a couple reasons.

HILLEL

Alright, Rebecca.

REBECCA

There could be something wrong with the law.

MOSES

Wrong?

REBECCA

Well, not wrong for the time perhaps, but something which did not age well.

MOSES

Like what?

HILLEL

I have an example.

(Hillel stands up.)

HILLEL (Continued)

There is a law in the Torah which allows a man to become divorced from his wife whenever he wants. In order for this to be done a Get must be made.

REBECCA

Our ritual divorce document.

HILLEL

Ritual and legal document. Moses, let's say this man's wife lived in another city. He could send her a Get under the law in the Torah, and then cancel it if he changed his mind while the Get was in transit.

REBECCA

Maybe that's why they wanted the divorce. Long distance is the wrong distance. Am I right?



(Hillel and Moses stare at  
Rebecca for a few seconds.)

MOSES

Yes it is true. He could cancel it.

HILLEL

However, the Get would still arrive and there would  
be a married woman who felt she could remarry. Don't  
you see that this law could lead to abuses?

MOSES

I suppose so. But, in a perfect world...

HILLEL

We are not living in a perfect world.

(Hillel sits down.)

HILLEL (Continued)

Why else could a law be changed?

REBECCA

Well, times change. Something which may have been  
practical and good at one time, and be bad at  
another time.

HILLEL

Very true, Rebecca. What would be an example of something we could have done with the Temple but cannot do anymore?

MOSES

You're talking about sacrifice.

HILLEL

I am.

MOSES

Without the Temple, laws on sacrifice were obsolete.

HILLEL

There needed to be another system put in place to communicate with God.

MOSES

God just talked to me. Why didn't God just talk to you.

HILLEL

Even if God did, there would be no guarantee we would listen.

(Moses stands up.)

MOSES

Blasphemy. Why would you not listen to God?!

HILLEL

God may go against the majority. If that's the case, how could it be seen that God is right, when it would be worse for the society if God were correct?

MOSES

What about authority? How can you be sure of what to say and do?

(Moses gets right in  
Hillel's face.)

HILLEL

In a perfect world, we would only have to read Torah and understand how to create the perfect society.

MOSES

Well laws should reflect a perfect world. If law does not bring people to an ideal, then what is the point?

HILLEL

I agree, law should create a more moral society, but it is one step at a time.

MOSES

So, you don't think people should be absolved of debt?

(Hillel stands up and gets very close to Moses.)

HILLEL

That is not the most important part of your law!

MOSES

Well then what is?! Please, tell me what I thought was the most important!

HILLEL

It is the redistribution of wealth!

(Rebecca stands up and gets in between Moses and Hillel before they can come to blows.

REBECCA

Let's all calm down before we re-distribute each other's faces.

(Rebecca makes a motion so the two will go back to their seats. The two go back, but do it begrudgingly. Rebecca also joins them at the table.)

REBECCA (Continued)

Moses, let's let Hillel say his piece.

MOSES

He can say his piece, but I don't know if I can keep the peace after I hear it.

HILLEL

Very clever.

REBECCA

Alright, guys. Hillel go ahead. Why do you think the redistribution of wealth is the most important.

HILLEL

Well, you see people need to be able to loan money out to their fellows. Don't you agree?

MOSES

Yes, I spoke about this at some length already...

HILLEL

Well, good. But, what if people stopped loaning money?

MOSES

That would be bad. There would be no disenfranchised member of the community who would be able to elevate their status. Unless, of course all success is based on merit.

HILLEL

Unfortunately, that is not the case.

MOSES

Well, what was the reason that no one would loan money then?

REBECCA

Same reason I don't want to loan money to my brother.

MOSES

Oh yeah, what's that?

REBECCA

He's a deadbeat.

HILLEL

Very good, Rebecca. That was the case in my time as well.

MOSES

Everyone was defaulting on their loans?

HILLEL

Not everyone, but there were enough for there to be a problem. There were abuses made by the people who were receiving loans.

MOSES

So, people ultimately stopped giving loans.

HILLEL

Yes. This is why I said the most important thing was loaning money. Making sure people could elevate their status.

MOSES

So, in order to make sure people loaned money, debt could not be released? I still think that is not the best way to go about it, Hillel. I cannot believe you can be so brash with law from the Torah.

HILLEL

Two things, Moses.

(Hillel stands up, however he is much calmer than before.)

HILLEL (Continued.)

First, is it possible to not follow the law of *smitah*?

MOSES

I'm sorry...

(Moses starts to stand up,  
but Hillel assures him he  
can stay seated.)

HILLEL

Well the sabbatical year, which is where the release of debt would happen, is not obligatory. This is because the Jubilee year is not observed after the fall of the first temple.

MOSES

It should have still been done.

HILLEL

It originally was. The rabbis who came before me wanted to keep this law, but it was only a *takanah*. That is one of the reasons I felt it was okay to get rid of it, because it was preventing the adherence to another of your laws.



MOSES

Which law?

HILLEL

You should not harden your heart, and you should open your hand to the neighbor in need.

MOSES

So, what you're saying is after people abused the loan system, the members of the community with the wealth did not want to lend any money, and hardened their hearts.

HILLEL

This was the big issue. People had stopped loaning. So, we made it so if you thought someone may default on their loan, then it would be possible to go before a court and and declare in the public institution they wanted to forgo the release of debt. This was the *pruzbol* I instituted.

REBECCA

And what does that mean?

(Hillel goes back to his seat.)

HILLEL

It's actually a greek word. It means to state in front of a court.

MOSES

I am still a little uncomfortable here.

Hillel

I know you are, Moses, but we are not living in a perfect world and there needs to be steps which lead us to that ideal. If we assume that just because someone is disenfranchised means they are automatically good and worthy of help, then a system is created where people can abuse the good nature of others.

MOSES

Yes, but there are still people who are suffering. Now they're being abused by people on the other side.

HILLEL

Moses, no matter what law is promulgated, there will always be people who use it to their own advantage.

REBECCA

In my time they're called assholes.

HILLEL

We are not going to agree, Moses, about where the balance between personal and communal responsibility lies in a community. Me and my contemporaries couldn't even agree.

MOSES

Oh yeah?

HILLEL

We rarely came to a consensus.

REBECCA

I know. It's frustrating.

MOSES

Everyone was interpreting me a different way, huh?

HILLEL

That is correct. However, I think we can agree there needs to be that balance.

MOSES

I can agree on that.

REBECCA

I can too. I wonder if there is someone who can get you two guys to agree all the way.

MOSES

No one thinks that much of themselves...

(There is a knock at the  
door.)

REBECCA

Oh excuse me.

(Rebecca gets up from the  
table and opens the door.  
Maimonides is standing on  
the other side.)

MAIMONIDES

Hello...

END OF ACT I

ACT II

SCENE I

(Moses and Hillel are sitting at the table. Maimonides walks in, and goes to the table. Rebecca closes the door and walks over to Maimonides.)

MAIMONIDES

Feeling a little star struck?

MOSES

And you are?

MAIMONIDES

How rude of me. I am... Maimonides.

(Maimonides stands in a stoic pose for a few seconds.)

REBECCA

I know you.

MAIMONIDES

I know you do. However, your friends don't seem to be too impressed.

MOSES

It's nice to meet you.

HILLEL

Yes, it is our pleasure. We were just having a conversation about the proper way to construct a Jewish society.

MAIMONIDES

I can help you there.

REBECCA

Oh yeah?

(Rebecca gestures for Maimonides to sit down at the table. He goes around the table and sits in the chair next to Rebecca's desk. He spins it around so he is facing the table. Rebecca sits at the table.)

MAIMONIDES

Yeah. Here is what you need to do. Stop arguing.

MOSES

Haha. We all want to stop arguing.

HILLEL

I also think that when we argue, we come to a better understanding about which we are arguing.

MAIMONIDES

It can go that way, unless there is a right answer. If that's the case then there is a lot of mind power wasted on studying the law.

MOSES

I thought that I gave everyone a set of laws which were all the correct way.

HILLEL

There were some issues.

MAIMONIDES

I know that there were. However, I created a work which weighs in all societal issues on law. I worked with all the sources and came up with the best answer to each problem.

MOSES

You mean like the Torah?

HILLEL

You mean like the Mishneh?

MAIMONIDES

No. This is a set of laws which everyone can easily understand and follow.

MOSES

So what do you call this thing which is nothing like the Mishneh or the Torah?

MAIMONIDES

Not important. What is important is that people can stop discussing law all the time. Let's take you...

(Maimonides points to  
Rebecca.)

REBECCA

Rebecca.

MAIMONIDES

Rebecca, what do you do?

REBECCA

I am a rabbi.

MAIMONIDES

Really?

REBECCA

Yes. Women can be rabbis.



MAIMONIDES

We can come to that later. However, I was curious on why there were still rabbis. Shouldn't you be using your mind on something more fruitful?

HILLEL

More fruitful?

MAIMONIDES

Yes. Maybe medicine, philosophy, or physics. Something which can actually contribute to society.

HILLEL

I think an understanding of law is important to a society. It helps people understand and follow. Frankly, I am surprised and a little perplexed on why you would want to take the discussion out of law.

MAIMONIDES

If you are perplexed, I have a book for that. However, lets go back to Rebecca. She wastes her entire day studying law.

REBECCA

Well, actually. Although I do study law, I also spend a lot of time visiting people in the hospital, or caring for the poor.

MAIMONIDES

Okay, I am on board with that.

REBECCA

Also, I spend a lot of time planning creative Shabbatot.

MAIMONIDES

Like what? Doing the Shabbat service correctly? I don't like any kabbalistic stuff.

HILLEL

I would agree with Maimonides on this one. What kind of creativity?

REBECCA

Well you know... like an ice cream shabbat.

(All three thinkers stare at Rebecca for a few seconds.)

MOSES

We're getting off track. I am curious about something...

(Moses looks at Maimonides.)

MAIMONIDES

Moses.

MOSES

Well that's going to be confusing.

MAIMONIDES

Fine. Maimonides. What are you curious about?

MOSES

I want to know how you got Hillel and I to agree?

MAIMONIDES

Well, that depends on what's the issue. I was never always able to get you two to agree.

HILLEL

We are talking about the issue of the release of debt.

MAIMONIDES

Ahh. *Shmitah*. I wrote a whole chapter on it.

MOSES

Oh, good. You'll know what you're talking about.

MAIMONIDES

I always do.

REBECCA

Okay.

MAIMONIDES

So, it was considered after the fall of the first temple, to extend the law of *shmitah* even though the Jubilee year was no longer observed.

HILLEL

I already talked about that.

MAIMONIDES

Alright, well I wanted to keep the *shmitah* to keep the spirit of what the law represented.

HILLEL

And what do you think that was?

MAIMONIDES

Raising up our fellows.

MOSES

So, you agree with me?

MAIMONIDES

Well, no. I also upheld the *pruzbol* which Hillel put in place.

(Hillel stands up and points  
at Moses.)

HILLEL

Haha, Moses.

REBECCA

Hillel.

Hillel

I'm... sorry.

(Hillel sits down.)

MOSES

It's alright.

MAIMONIDES

Anyway. Although I did uphold the *pruzbol*, I did add  
some things to it.

(Everyone looks at Moses for  
a few seconds.)

MOSES

Oh... Haha?

MAIMONIDES

I was trying to focus on what the ideal of the law was.

MOSES

Well that's interesting.

MAIMONIDES

I do agree there needs to be a responsibility on the community to make sure everyone can improve their financial status.

MOSES

Yes, there does need to be that responsibility.

MAIMONIDES

However...

HILLEL

Yes.

MAIMONIDES

We also need to understand that people with wealth can get taken advantage of as well. So, I do agree with you, Hillel, but I think there needs to be more laws to make sure our fellows can be risen up. I did uphold the *pruzbol*, which by the way was not something your contemporaries were sure of.

HILLEL

Yes, I know.

MAIMONIDES

In any event, to guard the law of the Torah, I instituted a few more parameters on the *pruzbol*.

REBECCA

Oh. Like what?

MAIMONIDES

There are only certain, famous courts which can grant a *pruzbol*.

REBECCA

What makes it a famous court?

MAIMONIDES

Like Rabbis Ammi, and Assi. Perhaps famous isn't the right word. It just needs to be a court which understands the gravity of demanding money from someone.

HILLEL

Shouldn't all courts know that?

MAIMONIDES

They should, however it's not always the case. That is why a court which is well renown is better. They are renown for a reason, and that is because of their fair judgement.

REBECCA

That makes sense. Famous means a little something different in my time.

MAIMONIDES

Famous people should only be the most intelligent in the community.

REBECCA

That... is not a requirement today.

MOSES

What else, Maimonides?

(Maimonides stands up and walks over to the bookshelf.)

MAIMONIDES

Well, there is also the question of property. You see, someone without any land would not be granted a *pruzbol*.



REBECCA

Why would someone with no land want to loan out money? I am sorry, I am asking so many questions, I just don't remember learning this in school.

HILLEL

I think he means the person who would borrow the money would need land.

MAIMONIDES

That is what I meant.

REBECCA

Oh, sorry.

MAIMONIDES

Not a problem. However, if you're going to make it as a rabbi, you're going to need to study more. A person is only as good as what they know, not what they are capable of learning in the future.

REBECCA

Now this reminds me of HUC.

MOSES

Can we get back on track?

MAIMONIDES

Yes. So, if a borrower does not have land and the lender wants to be granted a *pruzbol*, the lender must also give the borrower land.

HILLEL

I see, so if the borrower is forced to pay the loan back, and was unable to improve their financial status, then they would still have at least some land.

MAIMONIDES

Exactly.

HILLEL

I still think there may be some people who may not want to loan money to others. I mean if someone wants money from you, the only way to guarantee they will be required to pay it back is by giving them land. That's not enough of an incentive to have people loan money. I just don't think they would give, and then the community would be in a bad situation where a wealth gap would grow between the rich and the poor.

MOSES

No, people would. They just understand that giving is for the good of the society.

HILLEL

Well, I can help address your issues, Hillel. It is also possible for the two parties to create a promissory note.

REBECCA

What is that?

(Maimonides sits back in  
Rebecca's chair.)

MAIMONIDES

A legal note that says the borrower will pay back the money at an agreed upon time.

MOSES

I feel like we're getting back to putting the majority of responsibility, and therefore potential blame, on the borrower. This is not in the spirit of raising our fellows.

HILLEL

This is what is needed for people to lend money.

MAIMONIDES

Well, I think you're both right. For two people to be in a position to lend and borrow money with a promissory note, the loan must not be for something which would threaten the survival of the borrower if it were paid back. For instance, if there is a lien on land.

REBECCA

A what?

MAIMONIDES

If the loan is forfeited, then the lender will get land as collateral. When land is involved there cannot be a promissory note.

MOSES

So, a subsistence loan, which is needed for someone to survive, should always be given. This will raise up our fellows and diminish the wealth gap.

HILLEL

And loans which are beyond bringing someone out of poverty, will cancel the sabbatical year.

MAIMONIDES

You are not saying it as eloquently as I would, but yes.

REBECCA

Alright. That was good. We hardly fought at all. I may have enough to make a Jewish ruling; I think that our bickerings maybe have come to an end and...

(There is a knock on the door.)

REBECCA (Continued)

Oh crap.

MAIMONIDES

Don't worry. It may be someone who agrees with us.

(Rebecca gets up to answer the door.)

REBECCA

I hope so. I am sick of the fighting.

(Rebecca opens the door to reveal Joseph Caro and Moses Isserles.)

JOSEPH

I am not sure what you guys are talking about. However, I can tell you Moses Isserles, the Iss, and I have different opinions on the subject.

ISSERLES

I disagree. We... may agree.

JOSEPH

So, what are we are talking about?

(Joseph and Isserles walk  
into the room. Rebecca  
closes the door, and the  
pair walk over to the  
table.)

JOSEPH (Continued)

This table you have here...

(Joseph looks at Rebecca.)

MAIMONIDES

Rebecca.

JOSEPH

Thank you.

MAIMONIDES

Happy to do it.

JOSEPH

This table, Rebecca. It's not really... that nice.

REBECCA

I'm sorry.

JOSEPH

Let me help you.

(Joseph goes to the  
bookshelf and grabs a few  
books and sets them nicely  
on the table.)

REBECCA

Can I help you with that?

JOSEPH

I am alright.

(Joseph then goes to  
Rebecca's desk and grabs a  
cup and a plate and set's  
them nicely on the table.)

JOSEPH (Continued)

There we are.

(Joseph steps back and  
admires his work.)

REBECCA

Thank you?

JOSEPH

My pleasure. Happy to do it.

ISSERLES

You're missing a table cloth.

JOSEPH

Oh that's it, Iss!

(Joseph lunges at Isserles.  
Hillel, Moses, and  
Maimonides get up and stop  
them from fighting.)

MOSES

Come on, guys!

(Joseph and Isserles are  
split apart. Hillel, and  
Moses sit back down at the  
table. Maimonides goes back  
to his chair. Joseph stands  
at one side of the table and  
Isserles at the other.  
Rebecca stands near the back  
of the room.)



REBECCA

Come on, fellas. We've had enough fighting today.

JOSEPH

I'm sorry, Rebecca. I'm sorry to you too, Iss.

ISSERLES

Yeah, I apologize. It's tough for us to be in the same room.

HILLEL

We understand.

MOSES

Believe us. We do. Hey, why do they call you, Iss.

ISSERLES

Well, I usually go by Moses, or Rabbi. However, I think that would be a little confusing here.

MAIMONIDES

I can agree with that. Iss it is.

JOSEPH

So, what are we talking about again?

REBECCA

The release of debt.

ISSERLES

In the sabbatical year?

REBECCA

Yes.

JOSEPH

I... didn't really write on that.

ISSERLES

Yeah. And because he didn't write on it, I didn't really comment on it.

REBECCA

So, you guys aren't going to be much help.

JOSEPH

Well, we can agree that it is an important issue.

ISSERLES

I'm not sure about that.

JOSEPH

No. It is.

ISSERLES

Oh yeah?

JOSEPH

It is important. As sure as we eat beans and rice  
over pesach.

(Isserles mumbles  
something.)

JOSEPH (Continued)

What was that?

ISSERLES

As sure as beans and rice are a shanda!

JOSEPH

That's it! You and I. Outside. Now.

(Joseph and Isserles head  
towards the door and go  
outside.)

ISSERLES

I am going to mess up that nice table of yours.

JOSEPH

Oh yeah?!

ISSERLES

Yeah! The table's your face!

(Joseph and Isserles leave  
the room completely and  
close the door behind them.)

REBECCA

Well. That helped nothing.

HILLEL

I think we can all agree on that.

MOSES

One of our first agreements of the day.

REBECCA

There has got to be a modern thinker who can help me  
with this problem.

MAIMONIDES

That would be nice. I would like to talk to modern  
thinker. I have always been a little bit ahead of my  
time.

(There is another knock on  
the door.)

REBECCA

Let's hope this is someone who can bring this discussion  
to an end.

(Rebecca heads to the door.)

HILLEL

Hey! Another thing we can agree on.

(Rebecca opens the door and  
Hermann Cohen is standing at  
the other end.)

HERMANN

Gutentag. I am Hermann Cohen.

REBECCA

Hello.

(Rebecca gestures to invite  
in Hermann. He walks in and  
stands near the table.  
Rebecca closes the door,  
follows him in, and also  
stands near the table.)

REBECCA (Continued)

So. What's your take on this?

HERMANN

My take? My take on what?

MOSES

Your take on the release of debt.

HERMANN

Well. As a modern liberal, I would agree mostly with Moses.

MOSES

Haha. Another one with me... Wait. Which Moses?

HERMANN

You Moses.

(Hermann points to Moses.)

MOSES

Good.

HERMANN

As an early, German, Reform Jew. I don't think too much about the rabbinic and medieval law.

MAIMONIDES

Oy.

HILLEL

I agree with Maimonides on this one.

MOSES

Let's hear him out. Why do you agree with me?

HERMANN

Well. I think that the Bible, more than the other Jewish works promulgates a universalism.

MOSES

We... may not agree all the way.

HERMANN

In any event, I would think that the utmost good is one where we, everyone in a community, can be raised up. Therefore people would not be held back by financial bonds to offer their version of an ideal morality.

REBECCA

Huh?

HERMANN

Yes. For it is only when we are able to get a clear view of the everyone's subjective view of the good can we begin to think about an objective view of it.

REBECCA

So, you're saying that if people are bound in financial slavery, then they cannot contribute to a universalist idea.

HERMANN

Yes. That's what I am saying.

HILLEL

Hermann.

HERMANN

Yes.

HILLEL

How do you see a society which will not allow the lending of money because the borrowers take advantage of people's generosity?

MAIMONIDES

Yes, Hermann. How do you expect people to give in that situation? When they know people are just taking their money and will never pay it back?

HILLEL

People will stop lending. You have to see a problem with this.

HERMANN

Well, I do see a problem with it. However, not in the way that you two are putting it.

REBECCA

What's the problem then?



HERMANN

There are other issues when it comes to having a clear view of the ideal. You see, we cannot allow people to be bound by their financial situation.

MOSES

That's why we release the captives as well.

HERMANN

Admirable for your time. However, there needs to be an effort for all of us to work on our faults.

REBECCA

Ok?

HERMANN

If there is a time where borrowers are abusing a situation, then they are not working on their foibles. The system allows for stunted growth. This cannot happen. What is your situation, Rebecca?

REBECCA

You know my name?

HERMANN

It was either Rebecca, Rachel, or Sarah.

REBECCA

Very true. Well, the situation I am in is with a young man who is having trouble paying off his student loan debts.

HERMANN

So this was for education?

REBECCA

Yes.

MOSES

Can education be considered a subsistence loan. Do people need it?

MAIMONIDES

Guess what Moses.

MOSES

What?

MAIMONIDES

That is something else we can all agree on.

REBECCA

There was the matter of the unwise purchases.

HERMANN

What were those?

REBECCA

Just things he didn't need, but bought on credit.

HERMANN

Well that was a mistake.

REBECCA

I would think so.

HERMANN

If it was a mistake, then he will not learn if he is bailed out.

REBECCA

I think so?

HILLEL

What's giving you pause?

REBECCA

In our society today, everything is marketed to us as if we need it. If we didn't have it, we would not survive. No matter how useless the product is.

HERMANN

I've seen similar things. That is unfortunate.

MOSES

Yes it is.

HERMANN

However, I feel that is a different conversation.

MOSES

Let's talk about it now!

HILLEL

Come on, Moses!

(The thinkers all get up to argue. Rebecca looks exasperated and kicks Maimonides out of her chair. Maimonides goes to sit at the table. She thinks for a few seconds then sits up confidently.)

REBECCA

Enough!

(All the thinkers stop fighting and sit down.)

REBECCA

Okay. I think I have what I want to say.

HERMANN

You do?

REBECCA

It will be taken from all of your answers and filtered in through what I know of my community today.

MOSES

It needs to be a Jewish answer, yes?

REBECCA

Yes.

HILLEL

Will it be Jewish enough.

REBECCA

Look. All of you have been arguing since you've come into this room. We all see the world differently. This is because of our position on our tree of tradition. This answer does have Jewish roots, but reframed for a modern context. I know I need to look at what is happening today in order to flourish, but I know that I need to look at what happened before in order to grow taller.

MAIMONIDES

That is similar to what, I feel, we all have done.

HILLEL

Yes.

MOSES

Yes.

HERMANN

If you need us again, you know where to find us.

(Moses, Hillel, Maimonides,  
and Hermann all get up and  
walk towards the door.)

REBECCA

Until next time.

(The four men leave, and  
close the door. Rebecca  
takes a few deep breaths.  
She pushes a couple numbers  
in her phone.)

REBECCA (Continued)

David?

DAVID

(Over intercom)

Yes?

REBECCA

I think I have my answer.

DAVID

(Over intercom)

Great. I'll be right in.

(A few seconds later the door opens up and David walks in. Rebecca stands up and they both walk over to the table and sit down. David looks down at the books Joseph set there. The books are parts of the Torah, Talmud, Mishneh Torah, Shulchan Aruch, and A Religion of Reason.)

DAVID

Ahh. Well, these are all good books.

REBECCA

Yes they are.

DAVID

I often wonder what these guys would say to each other.

(There is a couple second  
pause.)

REBECCA

I do too.

DAVID

So, what do you have for me?

REBECCA

So, I looked at a lot of the passages about the  
release of debt. I agree with some things, but not  
others.

DAVID

Okay.

REBECCA

However, I came to an understanding that if money is  
given for someone who needs it to live than it  
should be forgiven if it cannot be paid back. There  
is some concern on where the balance is between  
personal and communal responsibility in the matter.  
However, in our society today, education is one of  
those things we need to live.

DAVID

So, his mother should help out?



REBECCA

Yes, but only on the education loans. There is a lesson that must be taught on the unwise purchases. He should pay those off himself, and in doing so, learn a lesson of responsible monetary decisions.

DAVID

This is a Jewish answer?

REBECCA

I believe so. I built upon our sources and modernized it. Our generation is now the current one. We won't be forever, but now we are on the top of the tree.

DAVID

The crown.

REBECCA

Yes. The crown.

DAVID

Great. That is what we will go with.

REBECCA

Good.

DAVID

You look a little tired.

REBECCA

I am a little tired.

DAVID

Well, I'll leave you alone.

(David gets up, and goes to  
the door he opens it up, and  
then turns around.)

DAVID (Continued)

You know, since you did such a good job struggling  
with these Jewish thinkers, I think you're ready to  
help a congregant who is struggling with their  
feelings on God. What do you say? Are you up for a  
little more struggle?

(Rebecca looks a little  
defeated and then perks up.)

REBECCA

What else is Judaism about?

END OF ACT II

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