

# LAWS AND LOUISIANA

*by Rabbi Berel Wein*

A lawless society is the worst of all curses. The rabbis in Avot cautioned us to pray for the welfare of government for without the presence of its restraints and police powers, "one person would swallow the other person, whole and alive." The current chaos and unspeakable tragedies visiting the people and city of New Orleans, Louisiana, testify to the accuracy of this comment upon human nature by the rabbis of Avot. Tragedies often bring about the revelation of the most exalted and noble of human instincts. But they invariably bring into focus the worst and most base elements of human behavior - looting, price gouging, violence and cruelty. Those who campaign on the platform of no government - anarchists and the like - in times of dire emergency are forced to plead for governmental intervention and help. They and we are witness to the somewhat depressing fact that technology may advance and progress but the dark side of human nature has never really changed over the thousands of years of human civilization. Therefore the opening words of this week's parsha that admonishes the Jewish society to establish an effective and efficient system of police powers and judicial decision is most relevant to our society, as it has been relevant to all previous generations of our people as well. Without effective policing and institutions that defend the rule of law, civilized societal life as we know it would cease to exist. Eventually, Torah and the performance of mitzvot will also disappear in a lawless atmosphere and a society of chaos and anarchy.

However, police and courts also must be restricted in their powers. Mussolini made the trains run on time and there was little non-governmental lawlessness in Hitler's Germany or Stalin's Soviet Union. In fact, all totalitarian regimes are the model of law and order, but unfortunately of an evil type of law and order. The Torah therefore limits the powers of the police, the courts, of government itself, by demanding that their actions and policies conform to the oft-stated standards of righteousness, compassion, fairness and tolerance that the Torah emphatically espouses. Moral inhibitions are the brake against enslaving others in a totalitarian world of all-powerful police and courts. The rabbis of the Talmud enjoined us to pursue the finding of a fair, equitable, wise, "beautiful" court - *beit din* - before which our disputes should be resolved. The "beautiful" *beit din* is in reality a metaphor for the entire society and its government. The pursuit of righteousness, of fairness and incorruptibility, both in the private and public sectors of Jewish life is a commandment of the Torah. It is a lofty goal to achieve, but the mere attempt to do so already introduces into our society the presence of those moral forces that can inhibit totalitarian behavior by government, police and courts. In the balanced view of life and society that the Torah always provides us with, the necessity for police, courts and government is emphasized. But side-by-side with this, the Torah's moral inhibitions on power and

base human nature are clearly spelled out and defined. "For its ways are ways of pleasantness and all its paths lead to peace and harmony."

Shabat shalom.

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