



**Teaching Masekhet Zechuyot Ha'Adam:  
The Universal Declaration of Human Rights with Jewish Sources  
Rabbi Rachel Kahn-Troster**

**Materials (all included in the Human Rights Shabbat sources and found at [www.rhr-na.org](http://www.rhr-na.org)):**

- Universal Declaration of Human Rights (UDHR)
- Masekhet Zechuyot Ha'Adam: The Universal Declaration of Human Rights with Jewish Sources (MZA)
- Information sheet: *What is the Universal Declaration of Human Rights and why do we celebrate it?* (optional: can be used as background material for facilitator)
- Abridged Masekhet Zechuyot Ha'Adam

**Introduction**

The Universal Declaration of Human Rights, proclaimed on December 10, 1948, is an incredible, collective statement of human values. Developed based on feedback from societies around the world, it is humankind's best attempt to describe the rights that we all share. It is unique in its coverage of the many types of rights: social, economic, political, civil, and cultural rights all find a place in the UDHR. Though the UDHR itself is not binding as law, its concerned have been concretized in international law and the human rights codes of many nations.

How is the UDHR structured? The information sheet describes the different components and general themes of the UDHR:

The UDHR calls for universal respect for human rights and fundamental freedoms, including the principles of non-discrimination and civil and political rights, as well as social, cultural and economic rights. The foundations of these freedoms are laid out in Articles 1 and 2 with their principles of dignity, liberty, equality and brotherhood. Articles 3-11 constitute the rights of the individual, such as the prohibitions on torture and slavery. Articles 12-17 detail the rights of the individual within civil and political society. Articles 18-21 are concerned with collective freedoms such as freedom of religion and articles 22-27 contain social, economic, and cultural rights. The final three articles, 28-30, relate to the duty of the individual to society at large and prohibit the use of rights in contravention of the purposes of the United Nations.

When teaching the MZA, it is critical to recognize (and to admit to participants) that not all of these texts are perfect matches. Not only is the MZA a work in progress, but Judaism does not discuss many human rights directly. One could even argue that Judaism could be seen as being against some of these rights (such as freedom of religion or freedom of association). Moreover, Judaism tends to speak from the voice of obligation or *mitzvah* rather than the language of rights, i.e. the obligation to feed the hungry rather than the right of an individual to eat. It is easier for Judaism to identify with the universal values expressed in the Preamble to the UDHR than it is to align all of the articles of the UDHR with traditional Jewish texts. And even this identification can be problematic,

since while Judaism has universalist tendencies, it also is particularistic. The traditional *halachic* system affords Jews more rights than non-Jews in many instances.

There are two ways to teach the MZA, either using the complete text or the abridged version.

For the complete text study, after introducing the text, divide the room into pairs of students (*chevruta*). Give each *chevruta* a copy of the UDHR and of the MZA. Either assign different articles of the UDHR to each pair or ask them to skim the text and select ones that are relevant. Have each pair consider the following discussion questions about the articles they are considering (please note that not all the questions apply to texts from the Preamble):

- What values are being expressed? Are these Jewish values?
- What might be the impetus behind this statement?
- What values are being expressed in the Jewish text? How might they diverge from the UDHR text?
- Do you think there are different Jewish values at work?
- Why type of right is this (social, political, civil, cultural, economic)?
- Is this an individual or collective right?

After allowing the *chevruta* pairs to work, bring the larger group back together to report back. Some guiding questions for the larger group discussion could include:

- What were common themes in the Jewish texts?
- What rights were you surprised to see in the UDHR? What might be missing?
- Are any of these rights antithetical to Jewish values?
- What other texts could one use to describe the Jewish connection to human rights?

The abridged source sheet contains sources from each area of the UDHR. Since it is shorter, it can be taught to a large group at once, though *chevruta* study is also recommended. Discussion questions are found with each text. When teaching from the abridged source sheet, it is helpful to have copies of the UDHR and the complete UDHR available for consultation. The larger group discussion can be guided by the questions above.

Please also feel free to create your own source sheets based on the MZA, or add additional Jewish texts to the MZA. We ask that you credit RHR-NA for its work (see Article 27!) . Please share the source sheet with us by emailing it to [office@rhr-na.org](mailto:office@rhr-na.org), along with the context in which you taught it and how it was received.

#### **Additional Resources:**

At the 2008 Rabbis for Human Rights-North America conference, Chancellor Arnold Eisen of the Jewish Theological Seminary took part in two sessions (a panel and a text study) describing the Jewish approach to human rights. For transcripts of these sessions, please visit:

<http://www.rhr-na.org/files/Human-rights-in-Abramanic-faiths-panel.pdf>

<http://www.rhr-na.org/files/Texts-of-Human-Rights.pdf>

At the same conference, Rabbi Jeremy Kalmanofsky taught on universalism and particularism in Jewish texts and thought. For a transcript of this teaching, please visit:

<http://www.rhr-na.org/resource/2008-conference-transcript-honor-image-of-god-jewish-tex>

## Masekhet Zechuyot Ha'Adam: The Universal Declaration of Human Rights with Jewish Sources

### Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

### Genesis 1:27-28

God created the human in God's image. In the image of God, God created him, male and female he created them. And God blessed them.

בראשית א: כז-כח

וַיְבָרֵא אֱלֹהִים אֶת הָאָדָם בְּצַלְמוֹ בְּצַלְמֵי אֱלֹהִים בָּרָא אֹתוֹ זָכָר וּנְקֵבָה בָּרָא אֹתָם: וַיְבָרֶךְ אֹתָם אֱלֹהִים

**Questions:** *What can you infer from the biblical statement that every human being is created in God's image? What values is the UDHR trying to address from the beginning?*

### Preamble Continued

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

### Deuteronomy 4:9

But take utmost care and watch yourselves scrupulously, so that you do not forget the things that you saw with your own eyes and so that they do not fade from your mind as long as you live. And make them known to your children and to your children's children.

דברים ד: ט

רַק הַשְּׁמֶר לְךָ וּשְׁמֵר נִפְשְׁךָ מְאֹד פֶּן תִּשְׁכַּח אֶת הַדְּבָרִים אֲשֶׁר רָאוּ עֵינֶיךָ וּפֶן יִסּוּרוּ מִלְּבָבְךָ כֹּל יְמֵי חַיֶּיךָ וְהוֹדַעְתָּם לְבְנֶיךָ וְלִבְנֵי בְנֶיךָ:

**Questions:** *Given that the UDHR was proclaimed in 1948, what acts might it be referring to? Why is memory important for promoting human rights?*

### Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

### Genesis Rabbah 24

Ben Azzai taught: "This is the line of Adam" (Genesis 5:1) is the most important concept in the Torah. Rabbi Akiva taught: "Love your neighbor as yourself" (Leviticus 19:18) is a greater concept, so that no one should say: "Because I have been dishonored, let my fellow person be dishonored." Rabbi

Tanhuma taught, "If you do thus, know that the person you have dishonored was created in the image of God."

בראשית רבא כב

בן עזאי א' זה ספר תולדות אדם כלל גדול בתורה, ר' עקיבה א' ואהבת לרעך כמוך (ויקרא יט יח)  
כלל גדול ממנו, שלא תאמר הואיל וניתבזיתי יתבזה חבירי, אמר ר' תנחומ' אם עשית כן דע למי  
אתה מבזה בדמות אלהים עשה  
אתו

**Questions: Why is it important to acknowledge human equality first? Why do the Jewish texts stress human dignity? Can there be human rights or obligations without this value?**

#### Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

*Rambam, Hilchot Avadim 9:8*

It is appropriate for a person who is merciful and pursues justice, to not make their slaves carry a heavy yoke, nor cause them distress. One should allow them to partake of all food and drink one serves... Similarly it is forbidden to embarrass a slave with one's deeds or with words, for the Torah prescribed that they perform a service and not that they be humiliated. Nor should one shout or vent anger upon them. Instead, one should speak to them gently and listen to their claims.

רמב"ם הלכות עבדים פרק ט:ח

מותר לעבוד בעבד כנעני בפרך, ואע"פ שהדין כך מדת חסידות ודרכי חכמה שיהיה אדם רחמן  
ורודף צדק ולא יכביד עולו על עבדו ולא יצר לו ויאכילהו וישקהו מכל מאכל ומכל משתה... וכן לא  
יבזהו ביד ולא בדברים לעבדות מסרן הכתוב לא לבושה, ולא ירבה עליו צעקה וכעס אלא ידבר עמו  
בנחת וישמע טענותיו.

**Questions: Does the Torah prohibit slavery? Would modern Jewish values prohibit slavery? How do the values expressed by Rambam mesh with the modern prohibition against slavery? Why is slavery such a horrific violation of human rights?**

#### Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

*Babylonian Talmud, Baba Metzia 58b*

One who embarrasses another in public, it is as if he shed his blood.

תלמוד בבלי, בבא מציעא נח:

כל המלביץ פני חבירו ברבים כאילו שופך דמים.

**Questions: How does torture violate Jewish values, both those expressed by this text and by texts we have already encountered? What if torture saves a life, can this human right be violated?**

### Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

### Exodus 12:49

There shall be law for the citizen and for the stranger who dwells among you.

שמות פרק יב: מט  
תורה אחת יהיה לאזרח ולגר הגר בתוככם:

**Questions: Why is equality before the law a critical value? Whose rights are being protected? How does the Jewish text illuminate the needs for this right?**

### Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

### Deuteronomy 23: 16-17

You shall not return a slave to their master that has escaped to you from their master. They shall dwell with you in your midst, in the place which they shall choose within one of your gates, where it is good for them; you shall not wrong them.

דברים פרק כג  
לא תסגיר עבד אל אדניו אשר ינצל אליך מעם אדניו: עמך ישב בקרבך במקום אשר יבחר באחד  
שעריך בטוב לו לא תוננו:

**Questions: What values can we learn from the biblical text, given that Judaism does not directly address the right to asylum? Why is asylum a human right?**

### Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

### Talmud, B'rachot 55a

Rabbi Yitzhak taught, "A ruler is not to be appointed unless the community is first consulted."

תלמוד בבלי מסכת ברכות דף נה עמוד א

אמר רבי יצחק: אין מעמידין פרנס על הצבור אלא אם כן נמלכים בצבור

**Questions: One Jewish value is that the law of the land is the law. How does Judaism feel about secular government? What kinds of governments are valued in the UDHR?**

#### Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

*Rambam, Mishneh Torah, Laws of Gifts to the Poor 7:3*

You are commanded to provide the needy with whatever they lack. If they lack clothing, you must clothe them. If they lack household goods, you must provide them...You are commanded to fulfill all of their needs, though not required to make them wealthy.

רמב"ם הלכות מתנות עניים פרק ז הלכה ג

לפי מה שחסר העני אתה מצווה ליתן לו, אם אין לו כסות מכסים אותו, אם אין לו כלי בית קונין לו, אם אין לו אשה משיאין אותו, ואם היתה אשה משיאין אותה לאיש, אפילו היה דרכו של זה העני לרכוב על הסוס ועבד רץ לפניו והעני וירד מנכסיו קונין לו סוס לרכוב עליו ועבד לרוץ לפניו שנאמר די מחסורו אשר יחסר לו, ומצווה אתה להשלים חסרונו ואין אתה מצווה לעשרו.

**Questions: What are the limits of the social support network, both in Jewish law and according to the UDHR? Whose responsibility is it to provide social security, governments or individual tzedakah?**

#### Article 23

1. Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

*Deuteronomy 24:14-15*

You shall not abuse a needy and destitute laborer, whether a fellow Israelite or a stranger in one of the communities of your land. You must pay out the wages due on the same day, before the sun sets, for the worker is needy and urgently depends on it; else a cry to the Eternal will be issued against you and you will incur guilt

דברים פרק כד : יד-טו  
לא תעשק שכיר עני ואביון מאחיד או מגרד אשר בארצך בשעריך: ביום תתן שכרו ולא תבוא עליו השמש כי עני הוא ואליו הוא נשא את נפשו ולא יקרא עליך אל יקוק והיה כד חטא:

**Questions: What rights does Judaism provide for a worker? What rights does the UDHR provide? Whose responsibility is it to provide others with a job?**

### Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

### Psalms 85:11-14

Loving-kindness and truth met; justice and peace kissed. Truth will spring up from the earth; justice will look down from heaven. God will also bestows good and our land will yield its produce. Justice will go before Him as He sets out on His way.

תהלים פה:יא-יד  
חסד ואמת נפגשו צדק ושלוש נשקו: אמת מארץ תצמח וצדק משמים נשקף: גם ה' יתן הטוב וארצנו תתן יבולה: צדק לפניו יהלך וישם לדרך פעמיו

**Questions: How can we achieve a world where the rights of the UDHR are realized? Why include this article? What is the hope put forward in the biblical verses?**

Rachel Kahn Troster is Director of Advocacy and Education for Rabbis for Human Rights-North America



**Rabbis for Human Rights-North America**

Do Justice and Right.

רבנים למען זכויות האדם - צפון אמריקה

333 Seventh Avenue, 13th Floor  
New York, NY 10001  
office@rhr-na.org 212-845-5201