

Justice, Justice: Even during a Pandemic

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When this week's Torah portion opens, the two eldest sons of Aaron the High Priest, Moses's brother, offer an "alien fire" to Adonai, "one which [God] had not commanded them." This ritual infraction evokes a fire of God's own, killing the brothers. Moses explains to Aaron: "This is what Adonai meant in saying: Through those near to Me will I show Myself holy."ⁱ

In short, Moses is saying that community leaders are subject to harsher consequences than others in similar situation.

The human family of planet Earth today faces an "alien fire," if you will, a virus none of us has previously known, wreaking untold havoc on this nation and the world. The consequences, though, are not falling primarily on world leaders. Instead, the poor and people of color are dying in numbers disproportionate to their share of their population and are paying the steepest costs of the accompanying economic collapse.

The Washington *Post* reported, "Majority black counties have three times the rate of infections and nearly six times the rate of deaths as majority white counties..." President Trump has noticed. He asked, "Why is it three or four times more so for the black community as opposed to other people? ... It doesn't make sense and I don't like it."ⁱⁱ Analysis in the *Post* suggests several contributing factors: Black Americans have higher rates of underlying conditions, less access to care, are disproportionately represented in "essential" jobs, lack important information, and suffer housing disparities.ⁱⁱⁱ At a time when social distancing is required to slow rates of infection, living in crowded conditions is deadly dangerous. To be specific about access to care, the Kaiser Family Foundation reported that in 2018, 8% of white non-elderly Americans were uninsured, compared to 11% of blacks and 19% of Hispanics.^{iv}

We are not surprised that economic hardship falls hardest on the poor. The New York *Times* put it best yesterday: "Well before the coronavirus established a foothold, the American economy had been playing out on a split screen. On one were impressive achievements: the lowest jobless rate in half a century, a soaring stock market and the longest expansion on record. On the other, a very different story of economic weakness unfolded. Years of limp wage growth left workers struggling to afford essentials. Irregular work schedules caused weekly paychecks to surge and dip unpredictably. Job-based benefits were threadbare or nonexistent.

In this economy, four of 10 adults don't have the resources on hand to cover an unplanned \$400 expense.”^v The result in the current crisis? “[L]ines of cars stretch for miles to pick up groceries from a food pantry; jobless workers spend days trying to file for unemployment benefits; renters and homeowners plead with landlords and mortgage bankers for extensions; and outside hospitals, ill patients line up overnight to wait for virus testing.”^{vi}

This crisis has opened fault lines of gross injustice—some based on wealth and race, others not at all. I think of our congregants whose loved ones live in care facilities. In a move that properly protects health in those most sensitive environments, Temple members can't visit even their most immediate family members. Worse, one can only imagine the loneliness and boredom that afflicts the residents, confined to their rooms. This particular injustice cannot be helped, but it remains an example of the unjust reality that the burdens of the pandemic fall more harshly on some than on others. Seniors and those with preexisting medical conditions must isolate themselves even more stringently than the rest of us. Again, the hardships of the epidemic are not borne equally.

Some of our congregants are among those who have lost their jobs at this difficult time. They have reported to me long waits to access government assistance that should, and probably ultimately will, be available to them. The difficulty of accommodating a dramatic, sudden, and unexpected increase in unemployment and food assistance claims is understandable, but the fear and privation faced by people who can't access replacement income quickly is real. We can and do support our own congregants through this kind of crisis. Still, as I work with partners to meet the needs in our congregation, I'm acutely aware of the millions of suddenly unemployed Americans who don't belong to houses of worship the majority of whose members enjoy secure incomes and can help the needy among them. The burden is not evenly shared throughout our society.

One of Judaism's most enduring commandments is found in the words of Deuteronomy: “Justice, Justice, shall you pursue.”^{vii} Torah commentators insist that the word “justice” is not repeated merely for emphasis. Instead, it means that one should pursue justice not only for oneself, but also for the other party in a dispute.^{viii} We should take care of our own during this crisis, to be sure, but we must also care for others.

The Centers for Disease Control lists “Harmful Actions Brought About by Crisis-Related Psychological Issues.” The first two items are “Misallocating treatment based on demand rather than on medical need [and] Accusations of providing preferential treatment and bias in providing aid.”^{ix} People with more resources are in a better position to demand, and therefore receive, care. Yes, as the

^v Patricia Cohen, “Stragglers in a Good Economy, and Now Struggling in a Crisis,” *The New York Times*, April 16, 2020.

^{vi} Ibid.

^{vii} Deuteronomy 16:20.

^{viii} Ibn Ezra and Nachmanides to Deuteronomy 16:20.

^{ix} “Psychology of a Crisis,” U.S. Department of Health and Human Services Centers for Disease Control and Prevention, 2019, p 11.