

## **Justice and Civilised Society**

### *Thought for the Day*

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Men in frocks – as they were once memorably described – have been much in the news of late. No, I am not referring either to those currently gathering in Rome, nor to one who sadly is not with them, but to those who also sport a rather fetching wig – judges!

Yesterday the President of the Supreme Court said “anybody interested in justice and democracy will be very troubled” by plans to allow courts to examine secret intelligence without disclosing it to the other side. At the weekend, a row erupted about the possibility of repealing the Human Rights Act. The Scottish legal profession is sharply divided over corroboration in criminal trials.

What this shows is how complicated are the issues of justice and access to justice. It’s not as simple as a TV who-done-it suggests. Governments claim they want an efficient and fair justice system, pointing to savings that can be made; civil society organisations reply that unaffordable justice is no justice at all.

Most of us hope we’ll never make an insurance claim, or need the ministrations of the NHS, but we recognise the importance and cost of these institutions. The same is true of the law – it should be there in the background, not intruding on our lives, but there when we need it, to resolve disputes, to deter aggressors, to enforce our rights.

The law may not be quite “the true of embodiment of everything that’s excellent”, as Gilbert and Sullivan lampooned it, but it is part of the scaffolding of a civilised society. That’s the force of the Jewish tradition that makes establishing a legal system as much an obligation on all of humanity as laws against murder and theft.

"Justice, justice, shall you pursue," says the Bible – the repetition reminding us of the need for balance: the strong with the weak, the rich with the poor, the overbearing with the timid. The aim of the courts must be not just that laws are enforced, but that justice be upheld.