

Anti – Antisemitism: A Small Suggestion for a Monumental Problem

Parashat Mishpatim

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I would like to speak this morning about some little things, small laws and injunctions. Of course, on this Shabbat, the Shabbat following the Shabbat on which the Ten Commandments are read, any laws recorded for us would seem small. The grandeur, majesty and mystery surrounding the giving of the Law at Sinai is unrivaled in its power and drama. And so, what we read in this week's *parasha*, *Parashat Mishpatim*, seems like little more than minor appendages to what we read last week.

At the very beginning of the *parasha*, however we are given a hint, however, not jump to that conclusion. And that hint is comes in very first letter of the first word of the *parasha* (p. 456). This *parasha* begins not with: **These** are the Laws / *eleh ha-mishpatim*). Rather it begins: *V'elahah-mishpatim* / **And these** are the Laws. This is not an independent/stand-alone series of laws. These are connected to what came before. Rashi explains that the “*vov*” teaches us that this portion begins with **and**, to demonstrate that these laws are connected to the Ten just given. As Rashi puts it: “*Elah' posel et ha-rishonim. V'eleh' mosif 'al ha-rishonim*”. Indeed, these small laws are also from Sinai and carry the same weight as Ten Commandments:

Included in this *parasha* are some unusual laws about how we are to treat the stranger, specifically Ex. 22: 20 – 23, p. 468-469. This verse states: *V'ger lo toneh v'lo tilchatzenu* / Do not wrong or oppress a stranger. One way this law is unusual and unexpected is that it is nearly impossible to measure or enforce: What, exactly, is meant by “wrong” and “oppress”? What distinguishes wronging from oppressing? Moreover, what is the penalty for doing so?

No punishment is assigned here except after the next verse, in reference there to mistreating the orphan and the widow. Some commentaries connect this punishment to the law about neglecting the stranger in our verse. There the punishment is stated:

God's anger will blaze forth and I will put you to the sword. (v.23)

Others commentators say that there is no specific punishment for our verse. Either way, however, the punishment is, likewise, vague and, for that reason, sounds like: If you do that again I'll really give it to ya! It is not all clear what “it” is. I suppose the idea is to use our imaginations to run wild with possibilities.

But here I pose a deeper question: If the law is imprecise and the punishment is not clear, what is this doing here? Why is this here? Is it really necessary to legislate being nice to the stranger and the vulnerable? In a word, yes. Our verse is an appeal for kindness and caring on behalf of those who are alone, for those who are vulnerable, for the stranger. Our verse is here, with no specific punishment, is assigned perhaps to remind us that when we neglect and are cruel to those who are

vulnerable, not only does it anger God but it creates a cruel and evil society: Look at how a society or country cares for its elderly, infirmed and vulnerable and you will know what kind of a society it is.

This verse is here as a reminder that we don't instinctively know how to be kind and nice. I don't believe that kindness is in our DNA. Kindness, I believe is taught and modeled by parents, teachers and by the societies in which we live. Wariness, evil and cruelty come naturally to human beings. To think otherwise is both naïve and dangerous.

And so, the Torah requires us to act in a way that is counter-intuitive. We are required to overcome that which comes more naturally. And, for me, this is the crux of the matter: it is our responsibility first, to teach ourselves and our children to overcome our natural tendencies to be unkind to strangers. We must consciously welcome the stranger, care for and protect those who are on the periphery of society, the vulnerable, the outsider, the *ger*, because, once upon a time, that was us. And today, one senses that history repeating itself.

This week we witnessed an outbreak of anti-Semitic incidents over the course of only a few days, an outbreak which is nearly unprecedented for us in our lifetimes in the country. Dozens of bomb threats made against JCCs in states throughout this country. Over 70 threatening calls nationwide were received by Jewish organizations. Most recently, in an incident widely covered in the news, a Jewish Cemetery in St. Louis was trashed, with dozens of headstones broken and toppled. Why did this happen? A few thoughts:

1. Antisemites hate us because we are different. We are eternally fated to be the other. Antisemitism is the oldest hatred in human history. (We're #1). This was reported and noted very early in our history. The Prophet Bilaam, hired by King Balak, looked out upon the camps of the Children of Israel and proclaimed: *Hinay 'am livad yishkon, u'vagoim lo yitchashev* / This is a People who dwells alone, not reckoned among then nations" (Num. 23:9). From the beginnings of our People, we were seen as being apart from the rest

What we are seeing today is nothing new. Antisemitism will always be part of this world. And even though it cannot be eradicated, it can be stifled. When anti-Semitic acts occur, what impedes its spread is a forceful and unequivocal denunciation. Those who are considered different, those whose religion, faith, race, sexual orientation, place of origin, physical appearance or disability remain at the periphery of society. These are society's strangers, the ones estranged by the larger society. Antisemitism, in part, represents an overt and cruel attempt to target Jews, ostracizing them, rejecting and deporting them as strangers in their midst. As we know, this sort of antisemitism has led, as well, to physical attacks and the murder of Jews. This is antisemitism conceived in fear and fueled by hatred.

2. Why the increase in hate crimes against Jews or Jewish institutions? When leadership fails to act decisively, it sends a message of some degree of acceptance to those who hate. It is the responsibility of leaders and governments, everywhere and at all times, to convey an unwavering message that in our society and throughout our country, there is no place here for any expression of hatred which targets a particular group deemed different, unwelcomed or pre-judged based on one of these characteristic.

We, in this country, have not heard that sort of condemnation from our leaders. We think that the calls to JCCs, threats and the kind of vandalism which has taken place at the St. Louis Cemetery are unfortunate and distressing. But the response must go beyond identifying these as deplorable acts. The message must be stronger. A lukewarm condemnation is actually worse than silence in some ways.

When the rabbi of a congregation fell ill. The President of the shul came to visit the rabbi. When he approached the rabbi, who was in bed, the President had a big smile on his face. "Last night" he said, "we had a Board meeting and we passed a resolution wishing you a *refuah shlema*...The vote was 10 for 8 against ".

A weak condemnation is akin to wishing someone *refuah shlema* based on a vote of 10 - 8: the right message is delivered but the dissent in the vote on the resolution reveals a different reality simmering just below the surface.

Our leaders must realize that neither silence nor a lukewarm response will suffice. Sharing one's personal beliefs is not enough to stop the hatred harbored by others. The recent outbreak of anti-Semitic incidents has not been denounced in explicit, unambiguous and pointed statements which affirm that this behavior will not be tolerated and that the full weight of American law and will fall upon those who perpetrate crimes against the stranger. Hatred and prejudice cannot be legislated away. When that hatred and anti-Semitism rears its ugly head for all to see, our leaders must respond with equal force and determination.

3. Finally, I return to my belief that hatred, fear and antisemitism/racism or bigotry are, to some degree, innate in human nature. A child must be taught not to hate. This is why the verse with which I began is included in the Torah. If it was natural to reach out, assist and care for the stranger and others who are vulnerable, no law would be needed to require us to care for and be attentive to the needs of the stranger. We would do it instinctively. But that is not the case. And so, the educational process, in both religious and secular spheres, must push back hard, against the tendencies to hate and to destroy. That training must begin at home and at school when children are young. Children emulate their parents and teachers and, if they do not learn these lessons from their parents, the results can be seen in the events of the past few weeks.

A wealthy person orchestrates a contest between two people: Each is given a pick-up truck, an open field and \$500. The instructions were as follows: Take the money, find whatever you need in order to build your fire in your open space the biggest bonfire you can over the next 5 hours. The winner will receive a prize of \$5000.

Each contestant races to his truck. Each speeds into town, picking up anything that will burn. Each makes numerous trips into the adjacent woods to load up on tree-branches and dead trees to make the largest flame as possible. After 5 hours, each exhausted contestant doused the pile with gasoline, threw in a match and watched his respective fire. Each was confident that he has won the \$5000.

When each fire has reached full combustion, that wealthy person surprised the contestants with the second part of the instructions. "Now that the fires are burning, the winner will be the one who can first extinguish his fire".

My friends, I fear that the gasoline is being thrown on the fire without a plan to extinguish it. It is hard to look at our country today and not see an increase in antisemitism, racism and other forms of hatred. Like other prejudices and hatreds, antisemitism is percolating just beneath the surface. But when hatred and antisemitism are met with a vote of condemnation of "10 to 8" the condemnation is heard as license. This condemnation includes a "wink and a nod". Without an explicit, forceful and unambiguous condemnation, enforced to the full extent of the law. We must gather, speak as one and become the visible and vocal advocates for those whose voices are not heard. We must raise our voices and we must advocate for ourselves.

In Hebrew, the word for stranger is *Ger*. Over the centuries the meaning of this word has itself migrated from the translation of "alien/outsider" and the estranged one. Today, a *ger* is one who wants, not only to be treated well, but to join our ranks. A *ger* is a convert. And, for the convert, it is our job to open our arms, our doors, our schools and our hearts to embrace those who come as strangers. It is our job to change a *ger* into a *chaver*, one who is a member of our community, one who has a place at the table, one who is drawn in, embraced and nurtured.

Our tradition is clear: do not mistreat the stranger. It's one law among many in this week's *parasha* and some may be tempted to see this and other small law as unimportant, compared to that which comes before. But are they really small? It is the great Sage of the *Mishneh*, Rabbi Yehuda *HaNasi* who addresses this question:

Hevei zahir b'mitzvah kala ki'vachamura/ Be careful and attentive to a minor mitzvah, a small law, as you would a major one. After all, who knows the reward of either. Perhaps the reward for the observance of this small law is equal to or greater than the reward of performing a more prominent law. (Avot 2:1)

Perhaps this little law is not so small. Certainly for the stranger among us it and, increasingly, for the Jew, this mitzvah looms quite large. Indeed, a cure for our increasingly divided society, a safeguard against the mistreatment of the stranger or the Jew, might very well begin in this very small law.