

דבר אחר | A Different Perspective



Corruption Begins at Home

Dr. Hillel Gruenberg, Director of Israel Engagement

Only here are three prime ministers investigated and don't cooperate.

Only here do I feel belonging, Even though I'm angry about the corruption.

רק פה שלושה ראשי ממשלה
נחקרים
ולא משתפים פעולה
רק פה אני מרגיש שייכות
למרות שאני כועס על השחיתות

—From “Only Here” (“*Rak Poh*”) by Hadag Nahash

In the first verses of this week's parashah, the children of Israel are instructed to pursue justice and are warned against taking bribes and making biased legal judgments. These directions are closely followed by an injunction to limit the wealth, spouses, and possessions of a hypothetical future Israelite king. These admonitions constitute an explicit acknowledgment that, however idyllic the dream of an independent and sovereign political community might seem, it must by definition be run by humans, even the most noble of whom are vulnerable to the temptations of power.

The Israeli band Hadag Nahash touches on this same theme in the quote above from their song “Only Here,” which reflects frustration with corruption in the Israeli government—referring specifically to the investigation of three Israeli prime ministers on suspicion of corruption (at least two more Israeli prime ministers have faced allegations of corruption or bribery since this song was released in 2004). The Zionist movement, along with other national movements, has had to face the post-independence challenges of providing transparent government and equal opportunity for all citizens, and not just for the wealthy or those affiliated with political factions that spearheaded independence.

By warning against bribe-taking, partiality in public institutions, and self-aggrandizement by political leaders, Shofetim, like Hadag Nahash, reminds us that national sovereignty is not an end in itself, but rather a means to creating a just and fair society for the people who constitute the nation.

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Shofetim 5776

שופטים תשע"ו



Our Eyes Did Not See

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The history of murder begins with Cain's slaying of Abel. That murder itself has a prehistory. When Adam and Eve ate forbidden fruit, God called them to account, and gave them the opportunity to acknowledge their sin and seek forgiveness. Instead, they chose obfuscation and recrimination. Adam shifted blame to Eve, who in turn argued that the serpent was culpable. As when they ate the fruit (Gen. 3:7), their eyes again were opened; each now saw that the other was capable of sin without remorse, and indifference born of self-interest.

Cain was their son, and their sin “crouched at [his] door” (Gen. 4:7). When he grew jealous of Abel, he drew upon their legacy, killing his brother without guilt, pity, or remorse. When God asks, “Where is your brother Abel?” Cain responds, “I do not know; am I my brother's keeper?” (Gen. 4:9)—simultaneously denying guilt and expressing the very indifference toward Abel that allowed Cain to murder him.

Like Cain, every murderer implicitly assumes that the life of another is of lesser value than his or her own. The Talmud anticipates and rejects this premise; in forbidding the killing of another to save one's own life, it declares: “What makes you think that your blood is redder than his?” (BT Sanhedrin 74a). We, in turn, strengthen the hands of murderers when we fail to see ourselves as our brothers' keepers.

Our Sages rule that someone taking on the responsibility of guarding another's property, even if done gratis, is liable to compensate the owner if the object is lost or destroyed as a result of his negligence (BT Bava Metzia 83a). While he may have been doing a favor, he is still duty bound to give no less attention to his neighbor's property than he gives to his own. All the more so, one who sees

a fellow human being in danger may not stand idly by (Lev. 19:16, according to rabbinic tradition). Careless handling of our neighbors' property leads to carelessness with their lives, which in turn emboldens those who would do violence to others.

In Parashat Shofetim, we read of the ceremony of the *eglah arufah*, the broken-necked heifer. It is to be performed when the corpse of a murder victim is discovered and the murderer is unknown. The rite includes the elders of the nearest village breaking a heifer's neck and declaring that "our hands did not shed this blood nor did our eyes see it done" (Deut 21:1–9).

In Hebrew, the text is in fact elliptical—"nor did our eyes see"; no object is stated explicitly. The most plausible interpretation is, as the translation above suggests, that the murder or murderer is meant: the elders declare that they were neither participants in the crime nor complicit observers. However, some of the Rabbis are uncomfortable with this reading: "Would it ever have occurred to us that the city elders are murderers?!" The Rabbis therefore suggest that the elders are speaking of the victim. "It is not the case that he came before us and was dismissed without being provided with sustenance; nor did we see him and fail to provide him with escort" (Mishnah Sotah 9:6).

These two interpretations of Deuteronomy 21:7 identify two different types of indifference as enabling violent crime: First, we encourage murder when we deny any responsibility for the crime taking place in our midst. It may be someone else who is committing the crime, but we are implicated if we stand by and do nothing. Second, even before any murder takes place, if we manifest indifference or disdain toward an individual or a group, we imply that their worth is less than ours. In doing so, we are planting the seeds of exploitation, theft, and murder.

Read in this light, the slaughter of the heifer, which can be understood as a symbolic reenactment of the murder, is perhaps meant to challenge our apathy and disdain. When no perpetrator has been apprehended and no trial has taken place, it is easy to turn away and pretend that nothing has happened. The broken-necked heifer confronts us with the horror of what has transpired and forces us to acknowledge that a human life has been tragically and unjustly extinguished. And the beheading also calls us to consider the possibility of our own complicity. While the killing of the heifer might be regarded as a reenactment of the murderer's actions, it is we who perform it. Were we, through our disrespect and neglect of the victim, in

some sense grasping the murderer's knife, just as we grasp the axe used to behead the heifer?

We are in the midst of a national discussion about race, policing, and violence. The issues are complex, and it is not my intention to make judgments about specific instances. People of good faith can debate where the guilt lies in each case. Nonetheless, videos of black men being shot should function as a sort of *eglah arufah*. (The murder of police officers should call us to account, as well, but this is not my focus here.) In the face of these disturbing images, we can no longer regard these deaths simply as statistics, nor can we tell ourselves that all of these deaths are the inevitable result of necessary and appropriate police response to criminal activity.

Moreover, we are called to ask ourselves: to what degree is the legacy of the discrimination, enslavement, and murder—most egregiously through lynching—of African Americans still with us, and what role does it play in the disproportionate arrest, jailing, and killing of young black men? Finally, we must ask ourselves whether we are complicit in at least some of these deaths, either because we have not called for or supported investigation of these incidents or because we have not valued black lives in the way that we value white lives.

As Jews, we should be particularly sensitive to this issue. Throughout history, Jewish blood has been cheap. We have been labeled "Christ-killers," greedy and amoral capitalists, malicious international conspirators, and subhuman; as such, we have been subject to revilement, discrimination, sporadic violence, and attempted extermination. And tragically, this attitude continues today.

Black lives matter. Jewish lives matter. And when we and others fail to give *each and every* human being the respect, concern, and protection she deserves, and when we and others fail to be moved to action by the death of our fellow human beings, it is time to ask ourselves a question: can we, in good conscience and like the Sages participating in the rite of the *eglah arufah*, wash our hands and say, "Our hands have not spilled this blood"?

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