

Drasha Parashat Shofetim 5768—Justice from both sides

I began my illustrious political career in the fourth grade, by running for office—in the Solomon Schechter Day School Student Council. It was a short-lived career, by all accounts, lasting just long enough for me to lose the election to a rival classmate. While I have thankfully recovered from the devastation of that day, I learned from the process something invaluable. When I was preparing my campaign speech, my father taught me how every speech should go: “Tell them what you’re going to tell them; then tell them; then tell them what you’ve told them,” he said. While I never ran for student council again, those instructions stayed with me.

One of the reasons I held onto this piece of advice is clear—I had many opportunities to put it into practice—I was a lawyer on my high school’s mock trial team; throughout college and rabbinical school, I was often called upon to give *divrei Torah* or *drashot*; and now my post as a rabbi of this community gives me weekly chances to speak in public. The other reason this advice has remained so clear in my mind has nothing to do with its content; rather, it’s all about the way it’s said. The word “tell” appears four times, five if you count “told.” The word “them” comes in with just as many appearances. Together that makes 10 of the 18 words in this motto. It’s the style of the instruction, the way that the key phrase of “tell

them” is repeated, that makes this advice so memorable. This short saying, which my father employed in trying to teach me how to give a good speech, itself employs a rhetorical feature common to all great speeches—the tool of repetition.

Think of Martin Luther King’s immortal “I have a dream” speech. We remember most vividly the passages beginning with the eponymous phrase “I have a dream.” Repetition is also a powerful tool for learning, one which our tradition knew well. One has only to study a chapter of the Mishnah, the earliest compilation of our rabbinic tradition, to see how repetition comes into play. Numerous statements of one sage are often strung together without concern for the topic being discussed. What links these passages? The introductory phrase רבי פלוני אמר, *Rabi Ploni amar*, Rabbi So-and-So said. Repeating the author of the statements as each one was introduced served as a memory aid for our sages, just as it does for us.

We also see this tool employed in our parasha, *Parashat Shofetim*, where we find ourselves smack in the middle of one of the greatest speeches ever given—Moshe’s final speech to the people of Israel, comprising the entire book of Deuteronomy. The parasha begins with a discussion of how the Israelites should set up their court system, and how judges should behave. In chapter 16, verse 20, we read: צדק צדק תרדף, *Tzedek tzedek tirdof*,

“Justice, justice shall you pursue, that you may thrive and occupy the land the Adonai your God is giving you.” Justice, Justice. This phrase is striking, rhetorically, because of the repetition, and rabbinically, out of the traditional understanding that the Torah does not contain any superfluous words. This phrase jumps out at us, makes us remember it, and causes us to ask, Why two “justice”s? What is the meaning we draw from this memorable repetition?

Our traditional commentaries offer us many answers. Rabbi Sa’adiah Gaon, who lived in the 10th century, writes that the doubling of the word קִדְשׁ, *tzedek*, teaches that we must pursue complete and thorough justice. Rabbi Abraham ibn Ezra, the Spanish commentator of the 12th century, explains that the word קִדְשׁ, *tzedek*, is repeated as a way of describing the kinds of justice we must pursue in court cases. As participants in legal proceedings, we must pursue justice, whether it brings us profit, or causes us loss. Alternatively, Ibn Ezra suggests, it’s there for emphasis. Nahmanides, the Catalan scholar of the 13th century, offers yet another interpretation of this repeated phrase. He says that the word קִדְשׁ, *tzedek*, is doubled because it gives a double message. First, judges must judge the people fairly, offering just verdicts. Second, we must pursue justice in our own lives, following in the steps of people who serve as great examples of this principle.

In more recent months, this repeated instruction has weighed on the collective spirit of the Jewish community, as we have confronted the upsetting events surrounding the Agriprocessors plant in Postville, Iowa. While Agriprocessors may be new to the news, they are not that new to the world of kosher meat. In 1987, Aaron Rubashkin, a butcher and member of the Hasidic Lubavitch community, purchased a defunct slaughterhouse in Postville, relocated dozens of Hasidic families to the town, and opened a kosher slaughterhouse. In order to keep his production levels where they needed to be, Rubashkin hired local workers, as well as others from outside the town, including a significant number of immigrants from Central and South America. The new plant, known as Agriprocessors, marketed *glatt* kosher meat under a number of labels, all of which guaranteed the highest of quality and adherence to *kashrut* standards. For the first time, kosher meat was widely available in regular supermarkets, in a diverse group of locations. This itself, while obviously profitable for the Rubashkin family, was a great example of *תְּדֵק*, *tzedek*. By mass-producing kosher meat, Rubashkin was making a kosher lifestyle, an essential facet of Jewish observance, affordable and available to more people than ever before.

Over the past few years, however, the Postville plant has committed some serious violations of this principle. In 2004, People for the Ethical

Treatment of Animals released graphic video depicting violations of ritual slaughter, which led to the undue suffering of the animals. In response, some Orthodox authorities withdrew their supervision of the plant, and our own movement publicly raised concerns. The Rubashkin family investigated these charges, tightened their supervision, and invited in experts to witness the improvements they made. Owing to their quick and conscientious response, Rubashkin's once again became the premier producer of kosher meat.

This past May, US Immigration and Customs Enforcement officers staged a surprise raid on the Agriprocessors plant, arresting hundreds of illegal immigrants—nearly two thirds of the plant's employees, and leveling charges that ranged from identity theft and use of stolen Social Security numbers to unsafe working conditions and worker abuse. Despite having gotten their ritual slaughter in order, Agriprocessors somehow lost their grip on the obligation to pursue justice—and in return, justice pursued them. The raid on the plant threw the kosher world into an uproar. Communities, including ours, decided to boycott their meat in protest. Their inattention to justice also had repercussions beyond the realm of *kashrut*. Many of the illegal immigrants arrested were the sole sources of financial support for their families. Delegations of rabbis and other concerned citizens flooded

Postville, to offer their support for the families of those arrested, and to help ensure that their needs were being met. This time, the problems have not been so quickly solved.

Certainly, the controversy surrounding Rubashkin's has given us another interpretation of the doubling of the word תְּדֵק, *tzedek*, in today's *parasha*—we must at once do justice to our ritual traditions **and** act justly in our treatment of our ethical mitzvot, those that touch on business practices and how we relate to those less fortunate than we.

This double-layered pursuit of justice has been reflected by our movement in the past few months by the launch of a new initiative—the *Hekhsher Tzedek*—the justice certification. While not explicitly related to the events in Postville, the *Hekhsher Tzedek* initiative emerged around the same time as this controversy and has been extremely vocal in responding to the violations at Agriprocessors. The initiative seeks to give an additional level of certification to kosher food manufacturers—a *hekhsher*, or seal, certifying that the producer of a given product not only adhered to the ritual requirements of *kashrut*, but did so in a just way, keeping business ethics, the needs and safety of workers and the fragility of our environment in mind. We began teaching about this inspiring project of the Conservative Movement over Shavuot, and look forward to having more opportunities in

the near future to explore the important work of the *Hekhsher Tzedek* Initiative. We have been invited to become charter members of a nationwide, synagogue-based partnership that helps to support and extend the work of the *Hekhsher Tzedek*, and we are excited to take advantage of that opportunity as well.

While the actual *Hekhsher Tzedek* does not yet appear on food items, I hope you will join me in looking forward to a time when we will be reminded of the twofold command to live justly not only once a year when we read *Parashat Shofetim*, but every time we bring food to our tables.

Shabbat Shalom.