

Parashat Ki Tetzei

Deuteronomy 21:10–25:19

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This week's commentary was written by Dr. Judith Hauptman, E. Billi Ivry Professor of Talmud and Rabbinic Culture, JTS.

In 2001, I lived only one mile from the World Trade Center towers. The morning of September 11, my husband and I went out to vote in the primaries. As we exited our building on Bleeker Street, we saw a gaping hole in the North Tower, probably ten stories high. Not wanting to view with my own eyes whatever awful thing was going to happen next, I said to him, "Let's go and watch this on TV." So we sat riveted to our television screen for the next 48 hours. Our entire neighborhood was eerily quiet because no vehicles were allowed to enter the emergency zone. People called from Israel, from where I had just returned, to make sure we were all right. A wonderful man from our synagogue died in the towers, and so did a neighbor in his 20s, who as a child used to frequent the same playground as my children. His anguished parents survived him. Strangely enough, when I returned to teach at JTS two days later, my undergraduate students wanted to stay focused on the curriculum and not reflect on the catastrophe.

As we approach the 10th anniversary of this tragedy, we can search in Parashat Ki Tetzei for a way to respond to it. The parashah ends with the verses about Amalek's attack on the Israelites, shortly after they left Egypt (Deut. 25:17–19). The Torah says, "Remember what Amalek did to you . . . when you were famished and weary, [they] cut down the stragglers in your rear" (v. 18). According to the JPS translation, the words *v'lo yarei Elohim* (and not fearing God) at the very end of this verse refer not to the Israelites, as one might think, but to Amalek. The enemy did not fear the Divine, and so they attacked. The paragraph goes on to say that when the people of Israel reach their own land and are at peace, they should blot out all memory of Amalek itself, but always remember what Amalek did.

Do these words speak to us today? In addition to remembering the past so that we are not condemned to repeat it in the future, to paraphrase George Santayana, what else can we do? What concrete action can we take?

Torah verses need to be read in context. If we peruse Deuteronomy 25, which concludes with the Amalek verses, we begin to get a sense of their broader message. The chapter, and even most of the parashah, deals with law, in particular with situations that may wind up before a judge. The first several verses say that if men get into a brawl and then go to court to resolve their dispute, the person whom the judges find guilty will be given lashes (vv. 1–3). A law about kindness to animals follows (v. 4). Then a section about one brother dying childless and the obligation of a surviving brother to marry the widow of the deceased in order to maintain his line. This section goes on to say that if the brother of the deceased refuses to take the widow as his wife, he is to be publicly humiliated (vv. 5–10). Following that is a section about what to do if two men physically assault each other and the wife of one of them tries to protect her husband from harm by seizing his genitals. Cut off her hand, says the Torah, have no pity (vv. 11–12). And then a section about

dishonest weights and measures, which, predictably, will lead to physical altercation and then court cases (vv. 13–16).

If we also read the preceding chapters in the parashah, we find more of the same: the rules of punishing a disobedient child (21:18–21), additional rules about kindness to animals (22:1–3; 22:10), the rules of punishing the rape of a betrothed young woman and of an unmarried young woman (22:23–29), and so on. The point seems to be that if a large number of these incidents take place, then society breaks down. When that happens, "stragglers," or the weak, are at risk.

An ongoing response to 9/11 can now be proposed. As the parashah mandates, we can try to forget the man who plotted 9/11, who no longer walks the face of the earth, and others like him who preceded him. But what we have to remember every minute of every day is how to build a society in which the most vulnerable and defenseless individuals—the poor, the physically and mentally disabled, religious and racial minorities, foreign immigrants, the frail elderly, children, women—are not exploited by those in power. We have to create an expectation for brother to protect brother, and sister to look after sister. Our compassion, suggests the Torah, must even extend to animals. In such an environment, the strong will not take advantage of the weak. It may take many years, but ultimately good will flourish and evil atrophy. By reading these verses this Shabbat, and again every year right before Purim, we force ourselves to consider the devastation of the past in order to arrive at a just, strong, caring, and stable society in the future.

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