

THE UNITED JEWISH CONGREGATION OF HONG KONG SHABBAT SHALOM

21 - 22 August, 2009

2 Elul 5769

Parashat Shoftim
(Deuteronomy 16:18–21:9)

Rabbi Stan Zamek
Cantorial Soloist Shani Ben Or

From the Rabbi's desk

Our parasha this week presents us with a murder mystery. The very last law of the long catalog of halachot in parashat Shoftim specifies what must be done if the body of an unidentified murder victim is found in an uninhabited place. The Torah requires a very elaborate ritual in such cases:

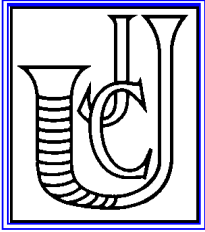
If, in the land that the LORD your God is assigning you to possess, someone slain is found lying in the open, the identity of the slayer not being known, your elders and magistrates shall go out and measure the distances from the corpse to the nearby towns. The elders of the town nearest to the corpse shall then take a heifer which has never been worked, which has never pulled in a yoke; and the elders of that town shall bring the heifer down to an everflowing wadi, which is not tilled or sown. There, in the wadi, they shall break the heifer's neck. The priests, sons of Levi, shall come forward; for the LORD your God has chosen them to minister to Him and to pronounce blessing in the name of the LORD, and every lawsuit and case of assault is subject to their ruling. Then all the elders of the town nearest to the corpse shall wash their hands over the heifer whose neck was broken in the wadi. And they shall make this declaration: "Our hands did not shed this blood, nor did our eyes see it done. Absolve, O LORD, Your people Israel whom You redeemed, and do not let guilt for the blood of the innocent remain among Your people Israel." And they will be absolved of bloodguilt. Thus you will remove from your midst guilt for the blood of the innocent, for you will be doing what is right in the sight of the LORD.

This odd ritual raised many questions in the minds of the Rabbis and later commentators. What is the purpose of this procedure? Why do the elders, who presumably were not party to the crime, declare "Our hands did not shed this blood?" Why do "the people Israel" as a whole need to be absolved for a crime committed by just one of their number?

According to Maimonides, the principal function of the ceremony is to make the crime widely known. The dramatic *eglah arufah* (broken-necked heifer) ritual was meant to attract attention and stimulate public conversation about the crime. The rite was a sort of ancient "Eretz Yisrael's Most Wanted" program, the aim of which was to elicit information leading to the capture of the murderer.

Maimonides' analysis is interesting, but it does not explain the declaration made by the elders, which for many commentators is the most puzzling aspect of the ritual. The Rabbis of the Babylonian Talmud crystallize this central problem of the text when they ask: "But can it enter our minds that the elders of the court of justice are shedders of blood?" Clearly the elders' declaration cannot be meant literally. The Rabbis teach that the ritual formula should be read as an assertion that "the man found dead did not come to us for help [but] we dismissed him without supplying him with food, we did not see him and let him go without escort."

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The death of a stranger outside of town could easily be dismissed as a matter of little importance and quickly forgotten. The Rabbis, however, will not allow us to look away. In their view, the ritual is meant to raise uncomfortable questions. Did this happen because we failed in our duty to welcome the stranger? Was this someone who perished because we viewed him as undeserving of our care and concern? The practice is meant to reinforce the idea that no one is to be left to his or her fate and that to close our hearts to fellow human beings makes us allies of those who victimize the weak.

While this ritual was abolished in the 1st century, the underlying principle common to all interpretations of its meaning remains relevant. The Torah's view of what is "our business" is much broader than most people are comfortable with. We are not permitted to draw circles of concern tightly around our friends and family, or even around our own community, however we may define it. To place a person beyond the reach of our interest and compassion is potentially a death sentence.

Living in an interconnected world as bearers of a tradition that views all people as children of God, we cannot truthfully claim "our hands did not shed this blood, nor did our eyes see it done." We know. We see. The world teems with those left to wander in a wilderness of neglect and want. We do not need to break a heifer's neck to know that all the world's hurt is our concern.

All Blessings
Rabbi Z
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