

Parshat Shoftim: The Rodef, Revisited

Ari Yovel, 8/22/20

I'm very glad to have gotten this particular parsha on this particular day. Five years ago to the day, on a different continent, with a different name and a different gender even, I celebrated my bat mitzvah on my 21st Hebrew birthday (7th of Elul, if you were wondering). Take a moment to reflect with me. Where were you five years ago? For that matter, *who* and *what* were you five years ago, all the way back in August of 2015? Were the people, places, and ideas that are currently central to your life present back then? Did you even know they existed?

While a lot has changed for me between then and now, my drash on that day was also on the topic of social justice, which I'm sure comes as a shock to those of you who have heard me speak before. However, I didn't actually focus on the verse you would associate with that topic. In my bat mitzvah drash, I chose to center my conversation around one of the later verses in the parsha: , תמים תהיה עם ה' אלוהיך, "Be innocent/wholehearted/perfect with the Eternal your G-d". It was a defense of openness, tenderness, and softness in the work of healing the world; in other words, it was quite literally a Jewish take on "the importance of being earnest". Much of that idea still lives in me, but it has taken a vastly different form in light of the vastly different reality I occupy right now, and I don't know if anyone but me could easily connect the perspective I had at 21 to the ones I hold at my newly-minted 26.

The first few times I got called a "radical", it genuinely took me by surprise. I had never consciously conceived of myself as any kind of extremist. My conceptions of justice aren't ones that were inculcated to me by some outside source, but rather were simply a result of my lived experience. However, as time went on, I encountered the term again and again in a far more haunting context. There is a question that, if you search it online, its answers will chill you to your very core.

"What radicalized you?"

That prompt seems like it's about politics. One would think that answers include involvement with elections, reading political theory, or attending a rally. In truth, the process of radicalization comes down to simpler, more basic, and therefore far more harrowing experiences of the banality of evil. It is the realization that the system is not broken; rather, it is working precisely as it was designed to do. Here are just two of mine.

What radicalized me around healthcare? Realizing that as someone who is on antidepressants to manage an ongoing mental illness, there is a literal price tag on my health and safety, and that a bad enough month financially could possibly cost me my life. Seeing my loved ones with diabetes rationing their insulin because they simply couldn't afford to get more. Sharing my inhaler with a classmate who was having an asthma attack because they hadn't been able to buy one for themselves in years. Experiencing all that having been in a country with socialized healthcare, and knowing it doesn't actually have to be this way.

What radicalized me around issues of police and incarceration? Witnessing a homeless woman in a wheelchair get bullied by BART police for the crime of seeking shelter in the station while it was raining outside. Attending a largely peaceful protest and seeing the surly looking guy in civilian clothing less than a foot away from me pull a cap labeled POLICE out of his back pocket and start pushing forward. Staring down an ICE detention officer as he responded to our calls for justice with the fact that he was "just doing his job."

What does any of this have to do with our parsha today? I'd like to draw your attention to the iconic phrase associated with Shoftim. Tzedek tzedek tirdof. Justice, justice, shall you pursue. The root of the word for pursuit here, "tirdof", shows up in another place in Jewish texts that often feels very distant from this topic of justice: the matter of "din rodef". A "rodef", in halacha, is one who is "pursuing" another to presumably murder them. The halacha states that such a person must be killed by any

Jewish bystander after being warned to stop and refusing, the justification for this extrajudicial killing being that you are saving the pursued person by killing their pursuer.

But what of the one who is labeled a rodef- a pursuer? We do not know why they are seeking to kill this person, or what led them to engage in such a drastic act knowing that others have legal permission to stop them. We have no context beyond that which is most immediately seen, and so I have to wonder about the circumstances that bring the rodef to this point: a willingness to break the social contract in order to achieve one specific goal. To be clear: I am not looking to justify their specific actions around attempted murder, but to understand what pushes someone to that breaking point.

In my eyes, someone who is ready and willing to take that risk is doing so because the existing institutions of justice, fairness, and safety in their society have failed them. The systems that were supposed to keep them safe, protected, and cared for refused to do so, and so they had no choice but to take matters into their own hands, even while knowing that they may be stopped from doing so at the cost of their own lives.

What then, does it mean, to be a “rodef” of justice? It is to pursue it radically, with a willingness to go beyond the safe and comfortable boundaries of what is legal to do what is truly moral. This is not news to us: Jews have been doing so for generations. For example, we are well aware of the radical act that is hiding people labeled enemies of the state, and witnessed its contemporary incarnation in Rahul Debey, who back in June opened his home to dozens of protesters to shelter them from the police who were gassing and beating them for violating curfew in Washington DC. For Debey, the possibility of serious COVID exposure and drawing the fury of the police to his house did not stop him from ushering some 70-odd strangers inside at a moment’s notice.

Tzedek, tzedek tirdof. Be radical in your pursuit of justice. Do not trust that the trappings of your position will always protect you on that journey. Know that it may come to pass that in your pursuit of what is right, the structures that have upheld your society

may turn against you, costing you your privilege, your comfort, or perhaps even your safety. Know that building a better and most just world often requires breaking down the one you are in right now. Know that, calculate your risks, and start running anyway.