

Shabbat Ki Teitzei 2012  
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The parasha this week is Ki Teitzei, from Deuteronomy. Our setting is the bank of the river Jordan, just across from the land of Israel. Moses knows he will not be going with the people as he is dying. He makes a series of speeches to recount their past, their journey to this place and the covenant with God that has brought them here. Moses says that the basis of this covenant is a set of divine laws dealing with military, social, legal and ethical situations. This parashah contains 72 commandments or mitzvot, more than in any other parasha, covering such diverse topics as the treatment of captives, disobedient children and lost property. It also includes rules about burial and dignity of the dead, penalties for adultery, rape and a husband falsely accusing his wife of infidelity. Other topics include prostitution, kidnapping, marriage, divorce and arrangements for the widow of a deceased childless brother. The passage ends with God's commandment to "remember what Amalek did to you on your journey out of Egypt."

I am going to talk some more about the returning of lost property, but because it's such a strong statement, I want to say some more about remembering Amalek. When the early Hebrews were leaving Egypt, the Amalekites, led by their king Amalek, attacked the rear of the line which encompassed the most weary, frail and ill. In those times, the customary rules of war forbid attacking the defenseless families that typically followed their soldiers at the rear of the convoy. In contrast to the Egyptians, Amalek was undeterred by the fear of God when he attacked them. In this parasha We are told that once we are safe from our enemies in the land of Israel that we must blot out the memory of Amalek from under the Heavens, a seeming contradiction to the command to remember what he did that came just before.

If you were at my son Cody's Bar Mitzvah, you might remember that Amalek became synonymous with the enemies of Israel throughout history. Amalek became code for the Romans and later Hitler. Here he also represents cynicism and doubt. So, when we are instructed to remember, Zachor, and then wipe out his memory, it might be that we are being asked to forget cynicism and have faith in God and perhaps by extension, in each other. I think this is relevant to what I want to discuss next.

Now turning to the mitzvah of returning lost property, chapter 22, verses 1-3, say "if you see your fellow Israelite's ox or sheep gone astray, do not ignore it; you must take it back to your peer. If your fellow Israelites do not live near you or you do not know who (the owner) is, you shall bring it home and it shall remain with you until your peer claims it; then you shall give it back. You shall do the same with that person's ass; you shall do the same with that person's garment; and so shall you do with anything that your fellow Israelite loses and you find: you must not remain indifferent. These are clear and definitive instructions for taking care of what has been lost by another. Here are two stories from Midrash that illustrate these mitzvot:

The first story tells of Rabbi Pinchas ben Yair who was visited by two men who brought with them two measures of barley. They forgot and left the barley with Rabbi Pinchas. Rabbi Pinchas

sowed the barley for several years and stored the harvest. After seven years the men returned and Rabbi Pinchas gave them all the grain even though it was much greater than the original quantity.

A second story tells of a man passing by the door of Rabbi Hanina ben Dosa. He accidentally left some of his hens. The Rabbi told his family not to take the eggs because they belonged to the man who left the hens. The hens quickly multiplied and there was no place to keep them. Rabbi Hanina sold the hens and purchased some goats. Later, when the owner of the hens returned and asked about them, Rabbi Hanina gave him the goats.

The animals were well care for, nurtured; the barley was sown, not left to rot. Nehama Leibowitz talks about this when she wrote "the mitzvah of restoring lost property involves ,not only the passive taking charge of the article until the owner claims it, but also an active concern with safeguarding a neighbor's possessions so that they remain intact and constitute something worth restoring."

Bachya ben Joseph ibn Pakuda says that restoring property is a fulfillment of the commandment to "love your neighbor as yourself." Abraham Chill sees this as taking care of all that is important to them and that returning lost property is a demonstration of love.

Aharon Halevi of Spain extends this further, saying that the commandment to return lost property is fundamental to society because it is an expression of the trust and faith people have in each other.

The Torah concludes the section on lost property with the words "*lo tuchal l'hitalem*" which means "you must not remain different," also interpreted as you shall not hide or you shall not act as if you were blind.

I work down the street in a community mental health center. Although my training took place in a community mental health center in New Haven, CT, I haven't worked in public mental health for many years. Now that I am older and hopefully a little wiser, I am struck by the incredibly difficult circumstances of my clients. Many of the people I work with live in poverty, have trauma or substance abuse in their past, and depend on public assistance. While I really enjoy my work, I often feel frustrated with the system of public assistance programs. I sometimes feel that my work is like giving dessert to someone who is starving. What good is helping someone with their anxiety when they are about to become homeless or run out of food halfway through each month? What good is helping someone with their depression so that they can realize they have nothing that makes them feel needed or productive? The monetary support they get is just enough to maintain their current level of desperation, not move beyond it. More than money is needed. Something very different from our current system.

The story about Rabbi Pinchas shows us that "taking care" is much more than warehousing. He sowed the barley and nurtured it to grow and multiply. He didn't leave it in a storehouse to spoil. While we no longer warehouse people in institutions, I think we still are doing so metaphorically. We are not nurturing them. Nor are we returning to them the trust and safety

that has been lost by so many of my clients. Our system throws just enough money at the problem so we as a society don't have to feel guilty and don't need to pretend to be blind. But the system rarely promotes growth or independence.

The process of getting onto disability is a good example of something that is broken. It often takes several years, hiring a lawyer, and at least one appeal to be awarded disability benefits through social security. Even if you do succeed, you might have to wait up to two years without health insurance before you are eligible for Medicare. Having had to fight so hard to get disability benefits creates a disincentive to try going back to work. For example, if you were able to go back to work but have a relapse after 6 months you would have lost your benefits and have to start the process all over again.

Imagine a young woman in her 20's who was awarded disability during high school. She has little incentive to try to work and move through the milestones of young adulthood. She is afraid to move forward for fear of falling back into the depression and psychosis that were terrifying. But she also feels bored and lost without meaningful activity. As a consequence she numbs herself with marijuana or prescription medication.

Or consider a 47 year old who wants to feel useful and needed but can't manage the demands of a typical job. It seems easier to stay at home watching TV than to go outside his comfort zone to work as a volunteer.

Medications can play an important role in recovery but rarely suffice as the sole treatment. The problem isn't limited to mental health. For example, on the Oregon Health Plan, Oregon's Medicaid program, someone with back pain can get maintenance pain medication but not physical therapy. I am not sure if this decision stems from cynicism or a case of being penny wise and pound foolish. Without physical therapy and education about body mechanics and self-care, there is the potential for taking an acute problem and making it chronic resulting in permanent disability.

Our current system isn't designed to promote the risk taking that is necessary for growth and development at any stage of life. Getting onto social security isn't enough. People need to feel emotionally and physically secure in order to take the steps that getting better requires. Safety could mean access to health care, housing and food security, flexible work opportunities. But it also means being a part of a community and contributing in whatever way one can. That's the only way we will be able to overcome the situation we are in now which is creating a permanent underclass of damaged and hopeless people with little incentive to change.

Aharon Halevi said that that society's health depends upon the trust that is represented by returning lost property. Without it society collapses into suspicion, selfishness and bitter contention. We see some of that today in the politics surrounding and even in the name of these "entitlement" programs. One side of the argument sees the beneficiaries of public welfare programs as lazy, relying on public money to support themselves, not working hard to become self-sufficient, living the "good life" on the dole. I can tell you, life on disability is not easy in any dimension.

Returning to Amalek who attacked the defenseless; is not looking the other way the same as an attack by omission? Is doing nothing the same as harming someone? There is no one solution to this complicated problem but if we continue to ignore it, it will poison our society. I encourage each of us to think of ways, both big and small, in which we can help find better solutions. For a living Torah to have meaning, we must not remain indifferent. Having faith in the values of Torah means taking action, doing mitzvot and making the world a better place for ALL of us.

Shabbat Shalom.