

Ki Teitzei, 5776

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Deuteronomy 21:10-25:19

This is not going to be a comfortable *dvar torah*. There are going to be parts of it that address some worldly ugliness which keeps rearing it's head. There are adult themes in it which I will endeavour to handle as delicately as possible.

This is a *parashah* which is short on narrative and long on laws. Laws of sex, laws of helping others, laws of libel, laws of war, laws of refuge, laws of protection, laws of charity, and many more. We're focusing, today, only on the first two I listed: laws of sex and laws of helping others.

Why? I could speak today about protecting current populations that are being turned into demagogues, though we have spoken out about that as a community. I could talk about giving to the needy and destitute, though I think we work well on that front and inspire others by our examples.

I want to talk about a shifting mindset in a fight that has been going on too long for too many people. I want to talk about how recent events should infuriate us and drive us to change how people treat something.

Deuteronomy 22:4 tells us that we should not pretend we don't see our brother struggling with their donkey after it has fallen down. That we should help them out and pick up their load with them. Rabbi Yitzi Hurwitz in Temecula, CA, who is restrained in his own body by ALS probably knows how hard it can be to pick up your donkey alone – he is forced to record his words of wisdom using only eye tracking technology. He wrote something profound: that helping lift one's donkey is a simple *mitzvah*, extending that to lifting one's fallen spirituality is a deeper one.

He writes: "...Realize that it is his animal that has fallen—not him. His *neshamah* [soul] is pristine. He is essentially holy and wants to be G?d's. It is only his 'animal'—his circumstances, nature and upbringing that put him where he is today."

This is simple: it is incumbent upon us to lift up our brothers and sisters who are are broken, who are weary, who are driven down. We get to determine who our brothers and sisters are: whether they're fellow Jews, colleagues, or people with similar struggles. The bonds of sisterhood and brotherhood are bonds which we know can transcend genetics and familial lineage.

Let's bring in the second part of this. Deuteronomy Chapter 22, verses 23-29 lists three very specific punishments for sex. The first is the death penalty for both a woman and a man sleeping together consensually if the woman is betrothed to another, the second is the death penalty for a man raping a woman betrothed to another, the third is a man being required to offer himself as a husband to a woman he rapes if she is not betrothed.

First, I'm sick of the word "betrothed." Let's go with "spoken for." Second, this could be the basis of a pernicious cultural phenomenon where men stop trying to pick up women only when they say "I have a boyfriend." "No" should be sufficient, though this is not even a *d'var Torah* about that.

This is a *d'var Torah* about believing women, about consent, and about that big scary F-word: feminism.

Before I dive into this, let's table the idea of virginity being a commodity and the one of the values a first-time bride brings to her husband. I have eight minutes, not an hour.

One of the most astounding things I see in almost every rape case is how much of an uphill battle it is for women to have their side listened to. People blame these horrific incidents

on what these women are wearing, what they're doing, whether they've been drinking, what situations are unfolding, but each one has one simple thing in common: a rapist.

The very first example I listed is a consensual encounter. We know this because only in the second example does it mention that she was overpowered. I am not advocating putting two people to death for getting it on when they shouldn't; just drawing a distinguishing line of consent.

What strikes me is that our Torah, our truth, our book of life doesn't tell us the hurdles a woman must jump through to prove a rapist. Its silence on that front tells us something incredibly powerful: the elders of our ancestors listened to women.

Time and again we see, hear, and find that the one thing women want in situations where they are left unequal, such as sexual harassment at work, sexual harassment in social situations, casual condescension, and so much more, is just to be *believed*. To have someone say "I believe you" without a "but..." to negate the entire statement.

Our ancestors listened. Which is more than what our societal peers are doing today.

Something which strikes me as a sad irony is that women are believed to do 75% of the speaking in co-ed situations. That if a man and woman are talking, men and women both believe women are speaking 75% of the time to a man's 25%. In fact the literal opposite is true: men do 75% of the speaking to women's 25%.

Is it any wonder millennial women are sick of this? They see the uphill battle their mothers and their mothers' mothers have fought, they see the social media bullying, they see the gross sexualization, they see unfair uniform and dress codes that seek to undermine their autonomy and agency.

In an age where “boys will be boys” is no longer an excuse for childhood sexual harassment; in a time where rapists are still being let off easy because they’re star athletes; in an era where women still earn less than male counterparts, it’s time to end it. This is oppression, plain and simple.

Since we’ve acknowledged these problems ages ago, since we have the data, we cannot say it is accidental any longer. Any company which is successful knows its numbers and can easily see their data. Any company which acts in this manner has been complicit in their oppression. Any man who has been presented with these issues and who still hurts these people is complicit in his oppression of women.

This is the fallen donkey of all of our sisters. This is the fallen donkey of *all* of our sisters. This is the load which must be picked up. This is the burden which we must bear together until the next injustice is brought to light, and there will be more. There will always be more.

So what can we do? We can call others out. We can make them uncomfortable when they reinforce these stereotypes or when someone thoughtlessly dismisses a claim of casual sexism.

We’re all too familiar with what has come to be known as dog whistle racism, we experience it as Jews when someone talks about our people being cheap or thrifty. Our own Anti-Defamation League is excellent at calling people out and even gave a stern warning to a certain candidate who said he likes the people “counting his money to be wearing yarmulkes”.

When a woman comes forward it must become habit to support her. It must become as reflexive to give her ear and credence as it is currently to dismiss her.

President Obama’s staff has an unprecedented number of women on it. The women who make up his top aides have started a procedure they call “amplification.” When a woman makes a key point another immediately repeats it, says it’s a good point,

and then credits the original woman who said it.

We must all be the amplifiers for our sisters. Their minds, experiences, and knowledge only enhance everything society is and can be. Their struggles *must* be validated, believed, and supported. I have to repeat this, *their struggles must be validated, believed, and supported.*

Just as the man whose spirit has fallen still has a pure *neshama*, soul, that wants to return to G-d, our mothers, sisters, and daughters just want to be accepted as fully autonomous, fully capable, fully human people.

As I close out, remember our prayer came from sacrifice. Literally: our prayer is meant to take the place of the energy and pain of animal sacrifices. So this prayer will take energy, focus, and time. It will take intention. That said, my hope and prayer is that we can influence our own actions, mindsets, and those of others to lift our women up to equality. That our sisters struggling with this donkey that fell so long ago will finally be able to pick it up. Shabbat shalom.