



# DVAR TZEDEK

## Parshat Dvarim 5771

By Shira Fischer

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*Parshat D'varim* is always read on the Shabbat immediately preceding *Tish'a B'av*, the ninth of the Hebrew month of Av—the day commemorating the destruction of both Temples. On this Shabbat, we read the first prophecy of Isaiah as our *haftarah*. It describes the destruction of Jerusalem, “The faithful city that was filled with justice, where righteousness dwelt but now murderers...”<sup>1</sup>

How could this change happen? How could the city that was so faithful and filled with justice become so corrupt? The word ‘how’—*eicha*—is a theme repeated throughout the liturgy of the week preceding *Tish'a B'av*. It is the central question of the book of *Eicha*, Lamentations, which is read on that day of mourning and which begins: “*Eicha*, How she sits alone, the city that was full of people! She has become as a widow! She that was great among the nations, and princess among the provinces, how is she has become tributary!”<sup>2</sup> The *haftarah* bears this same question, though Isaiah’s use is more rhetorical: “*Eicha*—How she has become a harlot, the faithful city that was filled with justice.”<sup>3</sup> Instead of a simple berating for the moral decline, as we prepare for *Tish'a B'av*, we are asked, “How did this happen?”

Looking for a reason for this fall from greatness beyond the external fact of the Romans’ conquest of Jerusalem, the rabbis suggest societal causes for the destruction of the Temples. They say that first Temple was destroyed because of murderous behavior and the second because of baseless hatred,<sup>4</sup> turning the focus from blaming others or even self-pity to examining how we treat each other. They suggest that God decreed the destruction of the Temple because the rituals of the Temple are meaningless if its attendants do not treat each other well. Isaiah, similarly, rebuked the people for empty external piety that masked their inner corruption.<sup>5</sup>

In *Parshat D'varim*, we can perhaps locate an even more particular cause for the decline of Jerusalem society. Using the word *eicha*, Moses recalls his frustration at the burden of adjudicating disputes in the Israelite community: “*Eicha*, How can I bear alone the trouble of you [the children of Israel], and the burden, and the bickering!”<sup>6</sup> Moses recounts how this burden led to the establishment of a tiered leadership system to respond to the legal needs of the people and then articulates the only two commandments, *mitzvot*, that appear in *Parshat D'varim*. Both relate to fairness in judgment and equality for all: “You shall not be partial in judgment: hear out low and high alike. Fear no man, for judgment is God’s.”<sup>7</sup> Read in tandem with the *haftarah* and the Book of Lamentations, the *parshah* can teach us that lack of justice leads to destruction.

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<sup>1</sup> Isaiah 1:21.

<sup>2</sup> Lamentations 1:1.

<sup>3</sup> Isaiah 1:21.

<sup>4</sup> Babylonian Talmud Yoma 9b.

<sup>5</sup> Isaiah 1:14.

<sup>7</sup> Deuteronomy 1:17.

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Honduras provides a contemporary example. In 2009, after his attempt to extend the limits of the presidential term, President Manuel Zelaya was ousted by a military coup.<sup>8</sup> Since the takeover, rule of law has disappeared and chaos has ensued. As the government has failed to pursue perpetrators of crimes, violence has increased and human rights violations have flourished.<sup>9</sup> The former president was reinstated this spring, but the breakdown in leadership has caused continuing human rights violations. Without the ability to rely on their leadership and courts systems, Honduran civil society is suffering. This breakdown of society because of lack of justice is repeated around the world wherever the law fails to provide the protections decreed in *Parshat D'varim*: to judge fairly: high and low alike.

When faced with challenges like these, we may be tempted to ask the question we hear again and again this week: “*Eicha?* How did this happen?” But a more productive response is not *eicha*—how did we get here?; but *eicha*—how can we move on and return to justice and righteousness? As an antidote to the immorality that he blames for the destruction of Jerusalem, Isaiah suggests: “Learn to do good. Devote yourselves to justice; aid the wronged. Uphold the rights of the orphan; defend the cause of the widow.”<sup>10</sup> Indeed, the greatest promise offered to Jerusalem is that she will be a city of justice once again: “After that you shall be called City of Righteousness, Faithful City.”<sup>11</sup> Justice, equality and concern for one another will heal the broken city and the broken people.

The same lesson applies to our world today. The World Bank’s 2011 World Development Report recalls Isaiah’s prescription for change: “Strengthening legitimate institutions and governance to provide citizen security, justice, and jobs is crucial to break cycles of violence.”<sup>12</sup>

As we read *Parshat D'varim* this week, followed by the words of Isaiah and soon after the book of Lamentations, we should ask this same question of ourselves: *Eicha?* How can we be a part of returning justice to the world? How much stronger is the charge for change when instead of being asked this question by others, we ask it of ourselves.



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<sup>8</sup> Cooper, Helene and Marc Lacey. “In a Coup in Honduras, Ghosts of Past U.S. Policies.” *New York Times*. 29 June 2009. <http://www.nytimes.com/2009/06/30/world/americas/30honduras.html>

<sup>9</sup> *Preliminary Observations of the Inter-American Commission on Human Rights on Its Visit to Honduras, May 15 to 18, 2010*. 3 June 2010. <http://www.cidh.org/countryrep/Honduras10eng/Honduras10TOC.eng.htm>

<sup>10</sup> Isaiah 1:17.

<sup>11</sup> Isaiah 1:26.

<sup>12</sup> *World Development Report 2011: Conflict, Security, and Development*. Washington DC: The World Bank, 2011. p. 2. <http://wdr2011.worldbank.org/>

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