

## Parashat Mishpatim

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Reading: Exodus 22:20-23:9

Shabat shalom, and a *gut yontif* Valentine's Day to everyone.

This year, Reverend William Barber has called on Americans to observe Valentine's Day by rededicating ourselves to loving each other, and to loving the stranger in our midst.

Fittingly, for that purpose, today is a day of thaw, when ice in our city is softening and melting away and uncovering the soil beneath. It is a reminder of the work of Teshuvah that involves softening our hard hearts and our stiff necks, and uncovering the truth that is sometimes hidden - as we say, "ונפשי כעפר לכל תהיה" - "may my soul be bare soil to all."

Against that backdrop, one commandment in this week's parasha jumps off the page - and indeed, it's the only commandment that's repeated twice this week.

In chapter 22, verse 20, we read:

וְגַר לֹא-תִזְנוֹהוּ וְלֹא תִלְחָצֶנּוּ כִּי-גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם:

You shall not wrong or oppress a stranger, for you were strangers in the land of Egypt.

And then, again, in chapter 23, verse 8, we read:

וְגַר לֹא תִלְחָצוּ וְאַתֶּם יָדַעְתֶּם אֶת-גִּבְשׁוֹ הַגֵּר כִּי-גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם:

You shall not oppress a stranger, and you know the heart of the stranger, because you were strangers in the land of Egypt.

Even before the events of recent years, Rabbi Jonathan Sacks viewed this commandment, not to oppress the stranger, as the heart of this week's parasha. The parasha as a whole marks a transition from the narrative portions of Bereishit and Shemot to the legislative material that follows. And this commandment demonstrates how the narrative material is necessary to understand the legislative material: our Jewish laws - for example, don't oppress the stranger - are rooted in our Jewish experience - for example, having been strangers in Egypt.

As Rabbi Sacks points out, humans instinctively feel empathy for members of our own community, but that same instinct also inclines us to draw boundaries around our community, and to see those outside it as lesser, and unworthy of our empathy. Against this inadequacy of human nature, this failure of natural empathy, the Torah looks to the divine nature of Jewish history as an antidote.

Indeed, according to Rabbi Sacks, this commandment not to oppress the stranger may be the key to understanding all of Jewish history. Why did God send God's people to be slaves in Egypt? Because God wanted those people to carry into the world a message of universal human dignity and universal obligations, and only by experiencing such suffering could they be counted on to carry that message.

So let's talk more about how humans actually go through that process of transforming their experiences and identity into moral and political attitudes.

Political scientists sometimes talk about two different ways in which our sense of our own identity can shape our politics.

Sometimes, identity politics is rooted in *solidarity*, meaning, a set of shared features and interests that unite the members of a political coalition - such as a shared religion, or race, or ethnicity, or class.

In other cases, identity politics is rooted in *opposition* - simply put, a common enemy, around which a group can coalesce despite differences between members of that group.

We tend to idealize identity politics rooted in *solidarity*, and to demonize *oppositional* identity politics as the stuff of demagogues and xenophobes. But the line between the two is not so clear.

For example, in American politics, commonalities like race, religion, ethnicity, and even sexual orientation are seen as "authentic" sources of solidarity, genuine markers of shared identity and interest to build political coalitions around. But for a Marxist, these commonalities are all forms of false consciousness, and the only "authentic" source of solidarity is class. Which of these two views is correct?

Meanwhile, in African American political theory in particular, opposition is often viewed as a source of power that complements, rather than serves as an alternative to, solidarity: by viewing oneself as inherently outside of and oppositional to the structures of power, one develops a more finely tuned sense of injustice, and a stronger inclination to demand justice.

If we look at progressive American Jewish politics, we see this same tension between solidarity and opposition play out. I think that many of us would say that our progressive politics are rooted in *solidarity* with oppressed groups, but if we're honest with ourselves, we often have little in common with these oppressed groups. Rather, what we have is a sense of a common enemy - the same systems of oppression and prejudice that threaten them threaten us, too. And I suspect that for many other progressive Jews, as is the case for me, cultivating that *sense of oppositional identity* - that feeling of refusal to identify with power, to view structures of power as inherently external and hostile to me - is a type of political education and conditioning that we actively seek out.

So let's go back to this commandment, to refrain from oppressing the stranger, and to its reasoning - because we were strangers, too, in Egypt. On the one hand, as Rabbi Sacks points out, the Torah is making a conscious effort here to engage our *solidarity* with the stranger, uniting us with them around a common feature of our identities: we, like they, have had the experience of being strangers.

But this *mitzvah* is not just a free-floating commandment, telling us how Jews should live in all times and all places - rather, it's part of a series of commandments that aims to describe specifically what a *Jewish society* should look like, as epitomized in the Torah by the future Israelite polity in the land of Israel. So implicit in the commandment not to oppress the stranger is the assumption that we - the commandment's audience - that is, the Jews - will be in a position to do that oppressing. This commandment is directed to us *specifically in our capacity as members of the class of privileged and powerful*.

How can there be solidarity between the powerful and the powerless, between those who are subject to oppression and those who are liable to commit such oppression?

That's where oppositional identity comes in.

What the Torah is telling us, here, is *to view ourselves as outside of structures of power*, even when we are in fact blessed with power. Don't take our power for granted. Be powerful, but view power itself with suspicion. *Remember that for you, as a Jew, power may be your present condition, but it is not your natural condition*. The Torah is calling us, when we build our political identity, to think both in terms of solidarity and of opposition.

So the questions for today's discussion are:

- What aspects of your Jewish identity shape your political identity?
- What does it mean to be *politically Jewish*?
- Are Jewish politics, particularly progressive Jewish politics, rooted in solidarity, or opposition, or both, or neither?