

Reading *ben sorer u'moreh* in 2022 "Adults...They think we'll grow up and be some type of demon, killers, plain text follows graphic **or something like that, but that's not what we really are.**" – youth quoted in DCist 3/30/22

SUPPOSE: Extending the technique (ableist/problematic as it is) of declaring many parents unfit to bring a *ben sorer u'moreh* to court, we might declare the community unfit as witnesses: Adults, as a whole, cannot "hear" or "see" or properly

STRUGGLE: One Mishnah says it's better the *ben sorer umoreh* die innocent than grow into a murderer – stretching

DC only recently ruled that cops canNOT handcuff children, age 12 and under!
(White children were rarely, if ever, handcuffed)

V. Spatz, Adar Bet 5782

this mess even while most affected by it.

especially those too young to be responsible yet for maneuvering with "youth" as objects...at a time capital punishment an option. BUT also made "youth" especially for youth – Shore up conclusions of still a threat, at least in principle, MISHNAH with legal reasoning expected in their time. **RESULT:** of support for capital punishment; belief that God somehow **MISHNAH AGENDA: OBLITERATE ANY BIBLICAL Torah Text**

... כִּי-יְהִיֶה לְאִישׁ, בֶּן סוֹרֵר וּמוֹרֵה...
If a man has a wayward and defiant son...
They shall say: "...he does not heed us..."
...The men of his town shall stone him to death.
Thus you will sweep out evil from your midst:
all *Yisrael* will hear and be afraid."
Deuteronomy 21:18-21.
(JPS 1985 translation)

radical tools of the MISHNAH/Gemara demands killing **Gemara Agenda:** Rabbincic Judaism that had radically trans- IDEAS OF CAPITAL PUN- ISHMENT, ESPECIALLY FOR YOUTH. Assuming maybe toward new, more inclusive halakhic realities – also joining in legal out how to use the tools we have to create a more just reality for everyone.

bear a tremendous responsibility for figuring

Preteens were seen throwing rocks at outdoor café patrons. One adult – Tia Bell of The T.R.I.G.G.E.R. (True Reasons I Grabbed a Gun Evolved from Risk) Project – advocated looking into kids' needs. Teenagers called for attention to youth mental health issues, which they say are worsening amid pandemic and uptick in gun violence, disproportionately affecting youth. Police response was outreach to affected businesses – **solidifying the idea that youth are a threat... which, of course, threatens youth**

DC's population is now only 41.4% Black, but "Youth Facilities"

Children – all Black – as young as NINE YEARS OF AGE have been detained, searched, and terrified by DC police, usually in the eastern part of the city. Black children are constantly criminalized and "adultified" in public discourse: Black girls are fast and maybe criminal, too; Black boys, violent trouble; Queer youth of color, a confusing mix of threats.

are nearly 100% youth of color, and predominantly Black.

THOUSANDS OF YOUTH nationwide are in adult prisons. Children in adult prison are **9X more likely to commit suicide** than those in juvenile facilities....while the latter don't support safe/sane youth development.

Current DC Atty General advocated for arresting fewer children and charging fewer as adults; DC Council introduced legislation making it harder to charge teens as adults. In response, Mayor excluded AG from "crime-solutions" press conferences, while a far west DC Councilmember ranted against the legislation, inciting racist, fearful views of youth.

That meat-chomping, wine-guzzling thief of a youngster might be coming for someone someday!"

This "better dead than a murderer" idea has a near kin, "your mere existence threatens us," constantly at work these days, causing incalculable harm to youth in many places. This *rodef*-stretch treats youthful behaviors (esp. of particular cultures) as dangers in themselves or as warnings justifying a wide variety of fear-based, dehumanizing adult acts.

there is a "rodef" here, it is dangerous often racist, adult expectations.

"The children of God do not really say that God is just. But they invent the idea. They chew it over and over, holding it up to the light this way and that. And though blood drips from the concept, staining their hands, they are persistent. It is their idea. They want justice to rain down like waters. Justice to rain like waters. Justice to rain. Justice to rain." – Alicia Suskin Ostriker, "Job or a Meditation on Justice," *Nakedness of the Fathers* (1994)

How does knowing that its soul-killing and lethal kin is at work in our world today affect our use of the Talmud text?

We Act Radio (3/24/22; handy example from my work): Behavior-focused "curriculum" used in DC Public Schools, but ONLY with Black children. System demands that educators treat children, from earliest ages, as potential threats to be kept in line with rigid behavior and with "teaching" (whistle-blower called it "dictating" vs. teaching) that many would think too harsh for dogs. Principals of better-off, whiter schools (also in DCPS) said they would not allow these techniques, while children most in need have funds meant for actual education choked off by consequences of this "we see your mere existence as a threat" concept at work (WeActRadioDC on YouTube)

Young people and, by virtue of knowing so little of youths' reality, are unsuited to stand as witnesses against from an immediate threat to a potential one. Not even, "Hey! That kid has a knife!" But instead: "Look out!"

Reading *ben sorer u'moreh* in 2022

Virginia Spatz, Adar Bet, 5782 (March 31, 2022, songeveryday.org)

Text begins with Torah at the center and spirals out in layers.

[CENTER]

Torah Text

כִּי-יִהְיֶה לְאִישׁ, בֶּן סוֹרֵר וּמוֹרֶה...

[*ki yi'yeh l'ish, ben sorer umoreh*]

If a man has a wayward and defiant son...They shall say: ‘...he does not heed us...’ The men of his town shall stone him to death. Thus you will sweep out evil from your midst: all *Yisrael* will hear and be afraid.” Deuteronomy 21:18-21 (JPS 1985 translation)

[FIRST LAYER, spiraling around Torah]]

MISHNAH AGENDA: OBLITERATE ANY IDEAS OF CAPITAL PUNISHMENT, ESPECIALLY FOR YOUTH. Assuming maybe still a threat, at least in principle, of support for capital punishment; belief that God somehow demands killing.

[SECOND LAYER--]

Gemara Agenda: Now assuming no threat of support for capital punishment, especially for youth -- Shore up conclusions of MISHNAH with legal reasoning expected in their time.

[THIRD LAYER --]

RESULT: Rabbinic Judaism that had radically transformed biblical Judaism into a tradition that DID NOT consider capital punishment an option. BUT also made "youth vs. adult" into a legal topic.

[FOURTH LAYER --]

svara agenda: Learn and employ the radical tools of MISHNAH/Gemara toward new, more inclusive halakhic realities -- also joining legal maneuvering with "youth" as objects -- at a time when threats to youth today are dire and different than anything our fairy ancestor rabbis could have imagined...except that they, like us, bear a tremendous responsibility for figuring out how to use the tools we have to create a more just reality for everyone, especially those too young to be responsible for this mess even while most affected by it.

[FIFTH LAYER is a set of BOXES]

1) DC only recently ruled that cops canNOT handcuff children, age 12 and under! (White children were rarely, if ever, handcuffed)

2) Preteens seen throwing rocks at outdoor café patrons. One adult – Tia Bell of The T.R.I.G.G. E.R. (True Reasons I Grabbed a Gun Evolved from Risk) Project – advocated looking into kids' needs. Teenagers called for attention to youth mental health issues, which they say are worsening amid pandemic and uptick in gun violence, disproportionately affecting youth. Police response was outreach to affected businesses – solidifying the idea that youth are a threat.... which, of course, threatens youth

3) Children – all Black – as young as NINE YEARS OF AGE have been detained, searched, and terrified by DC police, usually in the eastern part of the city. Black children are constantly criminalized and “adultified” in public discourse: Black girls are fast and maybe criminal, too; Black boys, violent trouble; Queer youth of color, a confusing mix of threats.

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4) DC's population is now only 41.4% Black, but "Youth Facilities" are nearly 100% youth of color and predominantly Black

5) THOUSANDS OF YOUTH nationwide are in adult prisons. Children in adult prison are 9X more likely to commit suicide than those in juvenile facilities....while the latter do not support safe/sane youth development.

[SIXTH LAYER --]

STRUGGLE: One Mishnah says it's better the *ben sorer umoreh* die innocent than grow into a murderer – stretching "rodef" from an immediate threat to a potential one. Not even, "Hey! That kid has a knife!" But instead: "Look out! That meat-chomping, wine-guzzling thief of a youngster might come for someone someday!" This "better dead than a murderer" idea has a near kin, "your mere existence threatens us," constantly at work these days, causing incalculable harm to youth in many places. This *rodef*-stretch treats youthful behaviors (esp. of particular cultures) as dangers in themselves or as warnings justifying a wide variety of fear-based, dehumanizing adult acts.

[SEVENTH, final outer section of spiral, LAYER]

SUPPOSE: Extending the technique (ableist/problematic as it is) of declaring many parents unfit to bring a *ben sorer u'moreh* to court, we might declare the community unfit as witnesses: Adults, as a whole, cannot "hear" or "see" or properly "grasp" young people, and by virtue of knowing so little of youths' reality, are unsuited to stand as witnesses against them. If there is a "rodef" here, it is dangerous, often racist, adult expectations.

[EIGHTH LAYER, additional boxes along bottom read]

A) We Act Radio (3/24/22; handy example from my work):

Behavior-focused "curriculum" used in DC Public Schools, but ONLY with Black children. System demands that educators treat children, from earliest ages, as potential threats to be kept in line with rigid behavior and with "teaching" (whistle-blower called it "dictating" vs. teaching) that many would think too harsh for dogs. Principals of better-off, whiter schools (also in DCPS) said they would not allow these techniques, while children most in need have funds meant for actual education choked off by consequences of this "we see your mere existence as a threat" concept at work.

B) "The children of God do not really say that God is just. But they invent the idea. They chew it over and over, holding it up to the light this way and that. And though blood drips from the concept, staining their hands, they are persistent. It is their idea. They want justice to rain down like waters. Justice to rain like waters. Justice to rain. Justice to rain." – Alicia Suskin Ostriker, "Job or a Meditation on Justice," *Nakedness of the Fathers* (1994)

C) How does knowing that its soul-killing and lethal kin is at work in our world today affect our use of the Talmud text?

Plus final note at top: "Adults...They think we'll grow up and be some type of demon, killers, or something like that, but that's not what we really are." – youth quoted in DCist 3/30/22*

*quote is from 16-year-old Kevin Mason in "Voices of Wards 7 and 8, Youth Edition: Some Adults Won't Just Believe in Us" by Dee Dwyer and Jenny Gathright