

Parshat Bamidbar
May 23, 2009

Jewish Community Action 13th Anniversary

Introduction to the Torah Reading:

“The Eternal One spoke to Moses in the Wilderness” *Numbers 1:1*

“And when we feel we’re lost in a wilderness, we can remember that Moses in the wilderness heard the voice of the Eternal; perhaps we can, too.”

Rabbi Chaim Stern, *Day by Day: Reflections on the Themes of the Torah from Literature, Philosophy, and Religious Thought*, Beacon Press, Boston, 1998, p.225

What wilderness do we experience and who serve as guides to us through the wilderness?

Sermon:

One year ago this week I took a 3-hour drive that had a profound impact on me and on members of my family. The drive was to Postville, Iowa. We went following the largest raid in US history against immigrants working illegally in this country. I want to use this anniversary to reflect on what has happened since that time. Thinking back on this year, it seems to me to be a kind of wilderness experience, not unlike that of the children of Israel commented upon by Rabbi Stern.

As you may recall, Postville, Iowa was the location of the Agriprocessors plant, owned by the Rubashkins, a family associated with Chabad, who were running what was then the largest kosher meat processing plant in the country. They were producing 60 % of all kosher beef and much of the poultry. The raid on May 12, 2008 by ICE (Immigration and Customs Enforcement), coordinated by their regional offices in nearby Bloomington, seized almost 400 workers. Many more of the 1200 workers in the plant might also have been arrested had they not fled.

Last May was not the first time that concerns had been raised about illegal and unethical actions at the Agriprocessors plant. In 2004, The Dept of Justice and the Environmental Protection Agency filed a Federal civil action against the company for numerous violations of the Clean Water Act for which the company paid a \$600,000 fine. In 2005, PETA- People for the

Ethical Treatment of Animals issued a 30 minute video, that received widespread attention, exposing severe mishandling of animals. It was quite grotesque, leading even committed supporters of kashrut to express their concerns. The company responded by consulting with Prof. Temple Grandin, an internationally respected expert on animals and slaughter, who was horrified by the video. She worked with Agri to improve conditions to her satisfaction.

The next chapter in the Postville story came in the summer of 2006 when the Forward, the national Jewish newspaper, published an expose about the treatment of workers in the Rubashkin's plant. It is not unusual to find that people who are cruel to animals also show little regard for how they treat people. Responding to the claims of workers who were underpaid, overworked and mistreated, a delegation went to meet with the Rubashkins, and their associates, to discuss the accusations that appeared in the Forward. Led by my colleague Rabbi Morris Allen of Beth Jacob Congregation in Mendota Heights, who represented the Conservative Movement, and Vic Rosenthal of Jewish Community Action, the group expressed concerns about the numerous accusations that were made about harsh working conditions and unfair wage practices. One claim was that in order to get a job, or a promotion, workers were pressured into buying used cars from a plant supervisor and other similar improprieties. The delegation to Agriprocessors was assured that the concerns raised would most certainly be addressed. They also noted that the company took pictures and wrote down license plate numbers of all who attended a separate meeting with workers who complained. It was later learned that several of those workers were fired.

The promises by the company to address the problems made it all the more appalling, after the ICE raids one year ago, when arrested workers revealed that the problems that had been exposed earlier and other offenses, including the widespread use of underage workers and even sexual harassment, were occurring. One year ago, I drove down to Postville with Cindy and our daughter Tali, together with Morris Allen and his daughter Leora. We saw firsthand how young some of the workers were. We saw the junkies that workers, who were not even eligible for a driver's license, were pressured to purchase in order to secure a job. We heard a story about a pregnant worker who was not given adequate time to get to the doctors office for check ups. We heard directly from women who were left behind as their husbands were now jailed for 5 months for using false social security numbers. The woman we met were wearing electronic monitoring bracelet so they could not flee until they would serve their sentences and be deported to Guatemala or Mexico. They now had to rely on support from the

community, from local churches, and from those who heard of their plight, such as people in the Twin Cities who responded to calls for assistance from Jewish Community Action. I thank those of you here who responded to those calls.

As you may recall the story did not stop there. A large rally was held last July in Postville, organized by JCA and the Jewish Urban Affairs Council of Chicago, to bring attention to what had taken place both in the mistreatment of workers and from the assault on immigrants on whom this country largely depends to meet its most basic needs. The rally received national and even international press coverage with reporters present from the NY Times, the Associated Press, major TV Networks and even the BBC. There was much to be outraged about.

In the weeks after the raid, I wrote an e-mail to our congregation that was circulated widely. In fact, it shot around the world in an instant. It was incredible to see who contacted me as a result including the head of the Kashrut Committee of the Orthodox Union who was most upset with what he heard was taking place in the plant. I faced my share of criticism from those who came to the defense of Agriprocessors. There were calls and e-mails to me from people associated with the company claiming that the company was being unfairly characterized. A St Paul rabbi, who did supervision for the Rubashkins, accused my Conservative colleagues and me of being responsible for standing by the blood of fellow Jews, a grotesque distortion of the Biblical verse that requires us to act when others are experiencing harm or injustice. One writer from a Charedi Newspaper out of Monsey NY, *Yetid HaNeeman*, claimed that the accusations against Agri were no less than a pogrom with the NY Times and the Forward being used to attack Jews rather than pitchforks and knives, as was the case in earlier centuries. This was total nonsense!

The vast majority of people from our congregation expressed appreciation for the role we had taken in responding to the misconduct perpetrated by Agri, but there were some who said they felt that we should not have been speaking up on this matters or who wondered why a Jewish business was being singled out. Some felt we should withhold judgment until there was more proof.

So where are we now that a year has passed since the ICE raids on Agriprocessors? Those who wanted to deny the seriousness of Agriprocessor's misconduct were quieted by the serious prosecutions that have resulted. A floor supervisor from the plant pleaded guilty to aiding and abetting the harboring of undocumented immigrants. Another supervisor, a Palestinian whose name was mentioned to me by workers as the person

running the car scam, is said to have fled to Israel. Last August, the Attorney General of Iowa filed more than 9000 counts of child labor law violations saying it was the most massive violation he had ever seen in Iowa. Sholom Rubashkin, who was running the company, even after the company claimed last year that he had stepped down faces, face along with other former managers, an amended indictment on 142 criminal counts filed, just this week.

The company has since gone bankrupt. This outcome would have been unimaginable just a year ago when Agriprocessors was the most powerful producer of kosher products around, muscling out all competition in ways that were sometimes quite ugly. There is now a trustee appointed by the court who is running the company, which is now processing only poultry. The Postville plant has less than 1/3 of the number of workers (300-350) then they did at their high point last May. There have been attempts to sell the company that have not succeeded. Other Kosher processors have stepped in and increasingly are filling the gap created by Agriprocessor's setback.

ICE (Immigration and Customs Enforcement) does not come out of the Postville mess unscathed. In Postville they initiated a new tactic, for the first time criminalizing illegal immigrants for using false social security numbers. If the accused did not plead guilty to charges of fraud for using false social security, which carries a 5-month jail sentence, they risked being tried for the harsher charge of identity theft, which carries a two-year term. Just two weeks ago, the US Supreme Court issued a unanimous decision rejecting this tactic saying that harsher charges may not be applied to a person who used a false social security number with no intention of criminal acts associated with the more serious crime of identity theft. Though it likely is too late for the hundreds of workers in Postville who pleaded to the lesser charges, the unanimous repudiation by a Supreme Court not known for its liberal leanings is a powerful rebuff to the way ICE handled itself in Postville.

As we look at things one year later we see that the damage to the community of Postville has been tremendous. It is a shadow of its former self. Many of the Jewish families who relied on the plant for their living have dispersed. At one point they also had to turn to the Jewish community for help with basic needs such as food, which we collected for them in the Twin Cities. The broader Postville community has been sapped of the vitality it came to experience when the plant was growing. What could have been a great success story for Northeastern Iowa instead became a huge embarrassment for the Jewish community. I am pleased to say that Jewish

Community Action continues to work with the community trying to meet needs that still exist and working on a model Community Benefit Agreement to make sure that a new owner who takes over the plant will commit to standards for how the workers are treated, paid and housed.

After the initial visit by the delegation in 2006, the Conservative movement began working with Jewish Community Action on an initiative called Hekhsher Tzedek to create a certification that could accompany a Kosher certification to attest that the food was not only produced in keeping with the rituals of Kashrut, but that it has also been produced in keeping with the ethical principles of Judaism that are also at the heart of what it means to live a committed Jewish life. It is astounding that to this day we hear from some quarters of the Jewish community that Kashrut has nothing to do with ethics. Fortunately there are countervailing voices from the Conservative, Reform and Orthodox community who reject that mistaken reading of the meaning of Judaism and of Kashrut.

Working with Jewish Community Action, our movement is moving forward to provide what is now being called a Magen Tzedek, a justice shield for food (this new name is a concession to those who said that using the term Hekhsher would create confusion and resistance in the Orthodox community). This stamp will act like a fair trade label on coffee or weaved rugs saying that ethical consideration were taken seriously in the production of what we eat. The Twin Cities has been the center of this effort and I am pleased that our synagogue has an active Hekhsher Tzedek Committee chaired by Leslie Goldblatt and Jonathan Shaver who are working to advance this effort. We hope that before the year is out the first food products will be carrying this Magen Tzedek label.

As I have described the events of these past few years connected to Postville, there is one organization that I keep bringing up and commending for the great work they have done- it is Jewish Community Action. Founded in 1995 by Frank Hornstein, and now lead ably by Vic Rosenthal, JCA has done outstanding work in calling our attention to issues of social injustice and organizing in the Jewish community to get us to address these things. We are blessed to have Melissa Rudnick of JCA working with our congregation through our Hesed (Social Action) Committee. We have a number of members who have taken on leading roles in JCA. I would invite those who are here to stand up. We thank you.

This year JCA is celebrating its 13th Anniversary on Sunday, May 31 at 11am with a brunch at the Sabes JCC. We honor them for the great work they do. I am pleased that this year our synagogue agreed to formalize our partnership with JCA, showing its support of our Hesed Committee's long

relationship to JCA. There are aspects of our society that we would rather not have to look at too closely, such as how workers are treated or the hardship experienced by immigrants who on one hand we rely on for their work and on the other hand are vilified. JCA has led the way on urging us to be considerate of workers rights and getting us to support the long overdue need for comprehensive immigration reform. Among other projects, JCA is doing important work with people in this city who are on the verge of losing their homes to foreclosure because of unfair mortgage practices.

Earlier I spoke about the kinds of wilderness we experience that are similar to the journey of the Israelites through the desert. We read in Numbers 1:1 that “*The Eternal One spoke to Moses in the Wilderness*” and I asked us to consider who serve as our guides through the wilderness. JCA has been our guide through the wilderness of scoail injustice that we have experienced urging us to hear God’s voice. There are so many issues that need to be addressed. In a thoughtful way JCA has engaged our community to respond to the injustices that abound in effective ways grounded in the principles and values of Judaism.

As we celebrate this 13th Anniversary, we wish JCA all of the best on their crucial efforts to promote Tzedek, the work of justice. May JCA go from strength to strength guiding us for many more years into the future until, with God’s help, we no longer have a need for it. Unfortunately, I do not expect that this will be very soon, so we wish JCA lots of strength to continue its very good work as we celebrate the accomplishments of the last 13 years.

Rabbi Harold J. Kravitz
Adath Jeshurun Cong
Minnetonka, MN