

## *Kol Annot Anokhi Shomea: A Yom Kippur MeToo Reckoning*

We didn't know what was about to hit us.

More than many other years, when we sang, a year ago last night in Kol Nidre, מיום כפורים זה עד יום, asking God to annul the vows we would make over the coming year – when we sang that, we had no idea what the conversation about sin, apology and self-improvement in 5778 – this past year – would look like. We didn't know what was about to hit us.

Because it was 5 days later, on Sukkot 2018, 11.5 months ago, that the sexual abuse allegations against Harvey Weinstein hit the mass media.

And then another story. And then another. And then another. And then another.

And this past year became something we have – I have – never seen the likes of, as story after story implicated entertainment figures and leaders and public personalities and elected officials of various kinds of sexual abuse and of violating the boundaries of body and dignity. The Metoo movement was born.

Our Jewish community was not immune, to say the least. We have had to contend with the place of our own leaders, rabbis, teachers, youth leaders, Hillel professionals, philanthropists, reminding ourselves that we have no magic pass card – in fact, perhaps wrestling with a disproportionately large number of Jews among those publicly accused of wrongdoing.

The pace and scale and scope of the stories has been staggering. And equally stunning is how commonplace – how normal! God forbid! – it has begun to feel.

Now, as we are preparing for a new year, 5779, even though this moment is not over, we can - we must - pause to take stock and ask these questions:

What do we do with all of this? What does the landscape of sin, teshuvah and self-betterment look like in this world?

And – how, from what seems like a pile of human weakness, poor decision-making, and abuse of power, how do we assemble tools and positive steps for a better year ahead?

Today is Yom Kippur! It's the anniversary of our national renewal and restoration, with the giving of the second tablets. That means it's the anniversary of the happy ending end of a story. A story in which Bnei Yisrael commit a terrible, collective sin, but through a process of repairing and rebuilding

they come to be ready to begin again. There's something in that sin and the response to it that can help us. Let's go back to that Biblical moment.

On the heels of receiving the Torah, worried that Moshe has not come down from his communing with God, and has abandoned his young nation, Bnei Yisrael build an idol, a metal so-called god, a golden calf, and start worshipping it enthusiastically with song and dance.

Moshe has no idea what's going on below until God tells him – שרו מהר מן הדרך אשר ציתם (Shemot 32:8) – they strayed from the path you charged them upon! And I'm going to annihilate them! I'm finished! Moshe immediately pleads for Bnei Yisrael's fate, sight unseen, staying God's wrathful hand, achieving for Bnei Yisrael a second chance.

Now it's time for Moshe to come down the mountain. Moshe turns and heads down, and before he can see anything, in a part of the story I would venture to say that many of us might not even remember, Moshe encounters Yehoshua, his servant, his attendant. Remember, Yehoshua is partway up the mountain. He's not on top with Moshe nor down below in the thick of things. But he hears the sound of the people in their wild idolatrous excitement and he says to Moshe (Shemot 32:17-18),

וַיִּשְׁמַע יְהוֹשֻׁעַ אֶת־קוֹל הָעָם בְּרָעָה וַיֹּאמֶר אֶל־מֹשֶׁה קוֹל מִלְחָמָה בַּמַּחֲנֶה:

When Joshua heard the sound of the people in its boisterousness, he said to Moses, "There is a cry of war in the camp."

Moshe answers:

וַיֹּאמֶר אֵין קוֹל עֲנֹת גְּבוּרָה וְאֵין קוֹל עֲנֹת חַלּוּשָׁה קוֹל עֲנֹת אֲנָכִי שִׁמְע:

It's not the sound of anot, of shouting, with might, and it's not the sound of anot, of shouting, with weakness. Kol annot anokhi shomea. It's kol annot.

What is this last kol annot that Moshe hears, and why does it matter?

You see, the root ע.ג.ה. has a few different meanings.

It can mean to answer.

It can mean to call out, and that's what it means the first two times in the verse.

It can mean to cry out in song, and that's what many understand it to mean in the second half of the verse. Moshe was telling Yehoshua: they're not fighting, they're singing – they are worshipping an idol with song and dance!

And there's one more meaning – to afflict. That's what Rashi says it means here in the end of the verse. These are not shouts of war, and they are not shouts of song. They are shouts of affliction.

What's the affliction? For that, we need the Ohr Hachaim, who starts us on our way.

The Ohr Hachaim begins by pointing out that there's something bigger going on here.

כי הצדיקים יבחינו בקול אם לצדק אם להופכו

Righteous people, tzaddikim, are people who know how to hear, to discern justice, and rightness, from their opposites.

And what was this kol annot that Moshe heard?

קול ענות כי שבר מטה עוז תפארה, והכוונה שלא הרעו מעשיהם בפרט אחד מפרטי התורה שיחליש אדם ולא יגוע, אלא עקרו הכל ששקולה עבודה זרה כנגד כל התורה כולה (חולין ה').

The Jewish people didn't do one act of wrongdoing when they built the Calf – they did *The Act of Wrongdoing* – the one that uproots the whole meaning of Judaism and our relationship with god – idolatry. Moshe heard the sound of destroying something fundamental. An affliction that upended everything the Jews had been trying to achieve in their Exodus from Egypt.

A kol annot – a sound of affliction. Of “breaking the staff of glory”.

In this case, an affliction of idolatry.

And then Moshe drew nearer, saw it, and smashed the tablets.

So Moshe, in answering Yehushua, contrasts between two kinds of ע.ג.ה. – one is a typical give and take, an answering, a shout, a battle – a natural exchange. That's what Yehoshua thinks is going on. Moshe says, no, you're all wrong. It's much worse. It's an ענוי, an affliction. Something which takes down the whole order, which uproots everything.

In the story of egel hazahav, the affliction is the affliction of idolatry. Today, Yom Kippur 5779, we need to talk about the affliction of sexual abuse.

That, too, is a sin that breaks the staff of glory. Giluy arayot – uncovering nakedness. Controlling sexual behavior. It's abuse of power in a way that disrespects each other's bodies and dignity.

It's always been a problem in our society - but our year of reckoning, our day of reckoning with it, is now.

And the first thing I have to say about it is that most of us are guilty of it in some way, even if it is small. Maybe not literal giluy arayot, God forbid, but abuse and mistreatment around gender, body and sexuality. We are human beings. We objectify each other. We see bodies instead of souls more than we would like to admit, and it seeps into our behavior, whether our gaze, our speech or our action more than we want to acknowledge.

When will we pause to think about it if not today?

But there's something more basic – our role as participants in a society in which sexual abuse and mistreatment of each other's bodily dignity and privacy is taking place every day. Do we hear it?

Just like Moshe's exchange with Yehoshua, half the sin is not just the sin itself – it's the story we tell each other about the sin. Kol milhamah, we say, just like Yehoshua. This is just a normal kind of battle. This is a typical interplay between men and women, teachers and students, counselors and campers. It's the way of the world.

No, it's not! And the tzaddik, the person trying their best to orient to the good, and that can be all of us, with work – the tzaddik can hear what's really going on. It's only through hearing what's really going on that we can respond, break the luhot and then repair.

Kol annot anokhi shomea – every day I hear sounds of inuy – of real affliction. What is that ענוי? ענוי – l'anot – also means forcible sexual encounter in the Torah.

Kol annot anokhi shomea means calling out the real abuse that is taking place all around us, and saying, I hear it! It's not “someone else's business and not my own”. It's not locker room talk or workplace issues.

It's abuse and misuse of power, it's violence and affliction.

And it demands my ears, and then my response!

And let me be clear that this extends to emotional abuse, verbal abuse around body and gender. “Boorishness” is not an excuse - it is a sin. “That just the way that person is” is not an explanation - it's an indictment. When we say that, we are Yehoshua - we are saying those are the normal sounds of valid conflict. We need to be Moshe, calling out, “kol annot anokhi shomea” - I hear sounds of real affliction - real wrongdoing.

And let's read it one step further, homiletically, to really understand: What do I hear? it's “kol annot anokhi” - the sounds of “affliction of the I” - of the deepest sense of a person's self, which can be shattered by a single harmful touch, even by a single abusive word. And it is the affliction of the “Anokhi Hashem” - the Divine Spark inside of that victim. It is an affliction of God!

And do you know what? If you scratch the surface of Yom Kippur, if you listen like a Moshe and not a Yehoshua to what we read and daven all day today, you will see that that's what Yom Kippur is about. Examining our behavior around sexual harassment and abuse is actually a central message of Yom Kippur.

It starts in the Torah itself, in which the main verb of how we are to behave today, in the Maftir itself, is ועניתם את נפשותיכם – afflict yourselves. That same verb from Moshe teaching Yehoshua how to listen. The same verb the Torah uses to describe taking sexual advantage of another. Not to tell us, God forbid, that we should afflict ourselves in that way. But on Yom Kippur, the Torah says, have in

some way an experience of affliction. Know what it is, become acquainted with it. So you can be more sensitive to it in others.

While in the halakhah this finds expression in 5 specific abstinences, I think it is also there to draw our attention to be more aware, attuned, and ready to speak up for those who have the experience of עינוי, of sexual abuse, any and every day of the year.

So much so that I want to read one of the central verses of Yom Kippur in the Torah, Vayikra 23:29, this way: כִּי כָל הַנֶּפֶשׁ אֲשֶׁר לֹא תִעָנֶה בְּעֶצְמָהּ הַיּוֹם הַזֶּה וְנִכְרְתָה מֵעַמּוּיָהּ. Any person who does not experience affliction – who is not sensitive to the suffering of others in our community on this very day – is cut off from Israel – is abdicating their responsibility as a member of the Jewish people. It's not just about whether I am a perpetrator, God forbid. It's as much whether I hear the kol annot, feel and identify the problem as real, and respond.

It's not just the Torah reading and Torah's description of Yom Kippur. Read through the Al Hets – you will find them there. Prying eyes, Abusive speech, and giluy arayot. And this year we have a companion set of Al Hets available next to the mahzorim that I hope you will take and recite in your silent viduy, Al Hets that build off of the traditional ones and get to the heart of our responsibilities – more than we may even wish to notice.

I will read a few - I find myself in too many of these, and I speak to myself:

For the sin we committed in choosing to think a person who is appropriate with us is appropriate with everyone.

For the sin we committed by prioritizing reputations and money over safety.

For the sin we committed by not supporting survivors.

For the sin we committed by cutting corners in best practice protocols.

For the sin we committed by laughing at jokes we could call innocent, that really never are.

And a final example that this is what Yom Kippur is really about: what do we read on Yom Kippur at Minhah? We read the section dealing with wrongful sexual behavior. Of all the things to read on Yom Kippur – why this? It's because this gets to the heart of what it is to be a human being and a Jew.

Now please understand – there are parts of this reading that I struggle with, whether the prohibition on homosexuality or the simple fact that the arayot appear to be framed in such a way that is not always focused on the victim.

But the core point of all these examples, I believe, is that Yom Kippur is about the nitty-gritty, the realest of the real. And if we look at ourselves in the mirror, we will acknowledge that truly respectful treatment of each other, across gender and same gender, of our bodies and our dignity, this is an

area of *בין אדם לחבירו*, of our interpersonal behavior, that needs revisiting, both as actors and as bystanders.

So what do we need to do? What are our tools to repair our wrongdoing and renew our covenant as a community?

I want to offer, as part of an evolving process of thought and conversation, four goals, four areas of focus, for the year ahead:

1) *Kol annot anokhi shomea*: We must listen. With discerning ears, yes, but with trusting ears. Our ears must be open for abuse of all kinds, and we must be willing to hear it for what it is and then call it out for what it is. That's what a Moshe, a tzaddik does, and then teaches a Yehoshua - a student, a mentee, a child, or a trainee.

2) Moral non-equivalence, and moral clarity: We must make distinctions between actions, but we must not erode a sense of zero-tolerance. Look at how the AI Hets work: we confess over 40 sins without saying one is worse than the other – they are all sins! Then, afterwards, we start to delineate – some of these get the death penalty, some get lashes, some require bringing an offering, some have no punishment at all. There are greater and lesser sins, but they are all sins. So, too, we have to have the difficult grown-up conversations that some acts of sexual harassment and abuse are worse than others. We cannot paint Harvey Weinstein and AI Franken with the same brush. But we cannot excuse any of their wrongful behavior.

3) Policies and standards: the entire system of halakhah is built on the premise that while law is imperfect and cannot always accommodate every individual need perfectly, it is a far superior system to starting from scratch and first principles in every case. We need policies and standards. We've been hard at work on our child protection policy for years. I believe that families, synagogues, Jewish institutions, and our greater Jewish community – we all need to draft some guidelines about how adults treat each other in these realms. We need statements of values and commitments.

4) Consent: We must build a culture of consent. This is the most basic, most important, clearest part of our work, although it may be the hardest. If we ask before we touch, if we speak only in ways we know will be welcome, we will change the world. The way to truly show that "*kol annot anokhi shomea*", that we have heard the voices of the afflicted, is to adopt a single simple policy with the other meaning of *anot* - to answer: "*kol annot anokhi shomea*" – I have to first hear a voice that answers before I do anything. We promote a culture of healthy physicality and sexuality in Judaism. We believe in the power of touch in many relationships. But no means no. And I pray we will build back to a time when we can say that yes means yes. Because who stands opposite me in that moment but an image of God! So I have to hear your answer before I do anything.

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The root of ה.ג.ע. appears again in the Haftarah we just read this morning, Isaiah's call to be our best selves. To transform our religious lives from the ritual only, to the ritual grounded in, uplifted by, and fused with the ethical.

In it, Isaiah makes us a promise of what our world will look like if we hear the cry of the afflicted:

... וְגַפְשׁ נִעְנָה תִשְׁבְּעַי וְזָרַח בְּחֹשֶׁךְ אֹרְךָ וְאֶפְלַתְךָ כְּצֹהַר יָמִים:

If you... satisfy the afflicted soul – if you hear their affliction, speak out, and then fill them with support and care – then shall your light shine in darkness, and your gloomy times will shine like the noontime sun.

Let this be at the heart of our commitments in the coming year. Let this be a centerpiece of our avodat Hashem, our service of God, in 5779.

If we lift up the afflicted, if we learn to hear their cries, to empathize, not to turn away, and then see the parts in ourselves that afflict, and repair them by adopting a culture of dignity, of responsibility, and of consent, then a world with too much darkness will be bright again!

A shining light will rise – the light of human dignity and the spark of the Divine.

We will find each other again here next Yom Kippur holding aloft the second tablets – heralding a new day and a new covenant of human responsibility, dignity and kindness.

Gmar hatimah tovah.