



CONGREGATION
B'nai Torah

Praying with the Sinners

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One of the strangest, even scariest, experiences we have ever had at B'nai Torah, was Kol Nidre, 14 years ago. A gentleman who was not one of our members arrived without a ticket. He wasn't really dressed for shul, and he seemed suspicious, but it was a simpler time, and the ushers waved him in. After he was already seated, the commotion began.

SSPD followed up on his ID and it turned out that he had given us an alias, and he was actually someone on the FBI watch list! Several officers managed to get him out of the room and out of the building without incident, and he was cuffed in the back of a squad car. There was a rustle in that corner of the room. Some of our members focused on his appearance- at first, they thought he was Sephardic because he looked Mediterranean, Latin American, but who knew who this guy really was?

An SSPD officer came to me at the bimah to inform me what was going on, prompting even more whispers.

What was going on? Was something being plotted against our congregation? Did we need to evacuate? This is before we had contingency evacuation plans. I now know that all I need to do is mention the word "yizkor" or "kiddush" and the room pretty much empties out.

By the end of the evening, we had a lot more information. It turns out that this gentleman was as Jewish as anyone, had come to Atlanta from South America. He had gotten himself on a watch list by virtue of engaging in some sketchy dealings in Bolivia. I can't promise that he was never involved in trying to kill anyone, but if it was, I'm fairly certain that it wasn't anyone we knew. Meanwhile, rumors can travel a mile while the truth is still putting on its shoes. Panicked congregants were calling to find out about the "terrorist incident" at B'nai Torah.

Our previous executive director and I actually managed to sit down with this gentleman two days after Yom Kippur. It turns out that this alleged "terrorist threat" was a Jewish guy who wanted to observe the Day of Atonement but had made some poor decisions in going about it, and perhaps just had different things to atone for than the rest of us did. How much do we really know about the people attending with us, what sins they hope to atone for, what vows they hope to annul with the sacred language of the Kol Nidre ceremony?

The words of the Kol Nidre prayer begin with a strange bit of language- by permission of the earthly and heavenly court "*anu matirin l'hitpallel im ha'avaryahnim.*"

Anu matirin- We are permitted

lehitpallel- to pray

im ha'avaryahnim- with the sinners.

Judaism has many different words for sin. *Avaryanim* means those who have transgressed, those who have literally crossed the line, have gone too far in some way.

What does it mean "to pray with the sinners"? That's what I want to explore with you. I hope that what we say tonight, on this holiest day of the year, will matter not only for tonight, but will guide you until the next Yom Kippur.

Those words, saying that sinners are allowed to attend services, fall somewhere between the obvious and the absurd. I mean not many of us have violated money laundering laws in providing material assistance to enemies of the Bolivian government, but each of us has our faults, our flaws, our foibles that would be no less baroque if presented in the wrong light. In the history of Yom Kippur, has there ever been anyone in attendance who didn't have some sin to atone for? Going to the synagogue and complaining about the sinners is like a doctor I know who used to say "the hospital is not where you want to be. There's a lot of sick people there!" If we didn't give permission for the sinners to attend, who would be left?

Scholars of medieval and ancient Judaism have suggested that this passage was prompted by one historical reality or another. One theory is that this passage was created during the time of the Spanish inquisition, which I bet you weren't expecting. Jews who had been forced to convert to Christianity, and vowed allegiance to the church, would, on this one night, sneak into synagogue to seek forgiveness. The story doesn't work for several reasons. One is, if you were a *Converso*, called a *Marrano* as a form of derision by your neighbors, you would not be visible in synagogue. You'd be very visibly, very publicly, NOT observing Yom Kippur. You'd be fasting, alright, between bites of your ham sandwich. Another reason is that the Kol Nidre prayer predated the Spanish inquisition by hundreds of years. There were oppressions and forced conversions long before, but I still think that's not it.

I prefer another answer: Judaism has a concept of excommunication. There were actually a few different variations, with different names: *nizuf*, *nidui* and *cherem*. Maimonides lists 24 different offenses punishable by excommunication, but most of them could be lumped together in categories like challenging the authority of the court, defying communal norms, or causing the masses to sin. Rabbeinu Gershom imposed that penalty on anyone who practiced polygamy or read another person's mail. Rabbeinu Tam imposed it on anyone who tried to invalidate a Jewish divorce. In its milder forms, *nidui* prevented you from participating in polite society for a limited period of time. You could attend synagogue, but you wouldn't be counted in a minyan.

The more severe forms meant that no Jew could associate with you and, in fact, you couldn't even be present in the synagogue- you would be totally cast out, indefinitely.

The most famous example of this form of excommunication was Baruch Spinoza who was put into Cherem for his heretical views. Even so, Cherem was theoretically a reversible punishment. The hope was that the social pressure of shunning would lead you to repent.

Some have suggested that this permission of prayer with the *avaryanim* which opens Kol Nidre meant that even those who were not welcome in synagogue at any other time were allowed an exception for this one night. The hope was that no matter what line you had crossed, the lines of

the Kol Nidre, and the solemn prayers of atonement on the holiest night of the year would convince them to return to the proper path.

The concepts of *Cherem* and *nidui* are rarely applied today- in some tight-knit Orthodox communities, occasionally, but the tools of enforcement are not really there. Occasionally you'll see rabbis who are having a fight try to excommunicate each other. "you're in Cherem." "No, you're in Cherem." Indeed, the last of the Maimonides 24 ways that you can earn cherem for yourself is putting someone else in cherem improperly.

In some other sense, the concept of *Cherem* is alive and well in the current year, far beyond those narrow circles, just in different forms. Modern society has its own way of defining people as avaryanim- they have crossed a line and we can no longer deal with them. Two years ago, I gave a sermon about the polarization of American politics. I said that:

"It's no longer enough to declare or prove that your opponents are wrong. They must be evil as well. Working together on issues of common interest has become a black mark. There are a lot of reasons for this. One is the fragmentation of media. We're not watching the same news; we are not getting the same facts. I think there used to be a sense that you were publishing information to inform, with a commitment to truth. It used to be that if you posted something in error, you would admit it. Now the goal is to inflame, to enrage, to score points." And I said: it's only going to get worse."

And, although I usually enjoy being right, this is not one of those times. It's at the point now where if that guy over there believes that the sky is blue, then you have to insist that it is a purple, just so that you are not seen as agreeing with them, on principle."

Covid has created increased separation between the people who are out and about and the people who staying in, the people who are in this online venue, and the people who are on that one. 5781 when we look back, will be known as the year of the "great unfriending"- people who retreated to their electronic corners because we've lost the ability to be nice to each other digitally.

But it's not just politics. I can't talk to him because of what he believes. I can't pray with her because of what she said. I can't do business with you. I can't watch your movies because of something you tweeted six years ago.

Our Jewish community is not immune. As part of a larger world, we are increasingly divided. The last year has made each of us more isolated, more bubbled with our own amen corners. I think we are more prone to draw a line separating us from someone else than we are to try to sketch a line of connection.

Now it's true. Not everyone needs to be my friend. Not every view needs to have a platform. San Francisco State University invited an activist named Leila Khaled to speak at a forum. Zoom and Facebook refused to transmit it. It turns out that Khaled was not just any old speaker. She had been part of not just one, but two hijackings; the second was an El Al plane in which she rolled a live grenade into the economy section, but it failed to explode. That's why I'm always happy when I am upgraded to Comfort+.

I'm ok with the de-platforming of Leila Khaled. I'm just as ok with not giving a venue to neo-Nazis and racists, or people who know what the rules of a community are and refuse to accept them, insisting on falsehoods, ad hominem attacks or threats.

But it's a slippery slope as to where it ends. Where do you draw the line on people who cross the line? Perhaps a criminal accusation might take us in one direction. But what if there is an acquittal, not a conviction? A racist tirade fresh off the presses.? Or an ill-considered tweet in 2009?

How do you decide whether to engage with someone, even though you are sure they are fundamentally wrong on foundational issues? When do the words "*anu matirin lehitpallel im ha'avaryanim*" apply?

Oddly enough, some of the best answers to these conundrums, of when do you pray with the sinners, *lehitpallell im ha'avaryanim*, come, from all places, Israel. Which is surprising, because the Israeli public discourse, the Israeli political discourse, is not known for collegiality and sensitivity. As my friend Josh Fine points out, in English when you post something IN ALL CAPS, IT MEANS YOU ARE YELLING! Hebrew has no lower-case letters. HEBREW IS THE LANGUAGE OF SHOUTING! And yet, we are meant to be a light unto the nations and somehow, we are doing it.

On the surface, this has been a bad year for Israel, it would seem. May and June were marked by terrible violence. Conflict between Arabs and Israelis is often expressed in terms what date you think the fight started, and addressed in terms of addresses, in terms of real estate. It "started" with a dispute over ownership of some homes in the Sheikh Jarrah neighborhood of Jerusalem. Before 1948, Sheikh Jarrah was predominantly Moslem, but there were several Jewish enclaves, including one surrounding the tomb of Shimon Hatzadik. This earliest of Jewish sages, his words are incorporated in the Yizkor board in our sanctuary. In 1948, the Jordanians took over the area and expelled any Jews who remained.

Recently, a real estate company filed suit to re-establish ownership based on the early 20th century claim, and charge rent to the current residents. Residents of those four homes are refusing to acknowledge those claims, and it is now before the Israeli Supreme Court. It's just one of thousands of claims and counterclaims of Arabs and Jews who lost homes and property at one time or another during the conflict. The Ottoman Empire did not leave great real estate records, which means that while being a title preparer here in the US is basically about making sure everyone's names are spelled right and collecting \$200, in Israel preparing a title is actually a full-contact sport. And whereas here in the US, the idea of redlining is at least publicly rejected, there are definitely neighborhoods in Israel that are effectively segregated. In some Arab neighborhoods, if you sell your house to a Jew, you will not only be put in Cherem, you had better run far far away. And to be fair, there are Jewish neighborhoods where the assumption is that there will not be any non-Jewish residents.

The dispute over these four houses expanded, metastasized to the Old City, just a few hundred yards away, and far beyond. Starting on May 10th, Hamas in Gaza used it as an excuse to shoot

thousands of rockets into Israel. Israel fired back. Immediately, there were one-sided condemnations. Everyone began portraying Israel, as being over the line.

Once you say that someone is over the line- it's open season to do anything. Once you say Israel is over the line, it is open season on Jews. You saw anti-Semitic attacks and vandalism the US. In Los Angeles, thugs walked into a kosher sushi restaurant in the Jewish neighborhood and demanded to know who the Jews were. They were also caught on camera looking for mezuzot in that neighborhood. In New York, people of the same ilk threw cherry bombs at a Jewish-owned jewelry store. In London, Arabs rode through a Jewish neighborhood declaring their intent to rape Jewish women. Hatred of Israel is hatred of Jews.

We live in a world, where, as far as some people are concerned, we are the *avaryanim*. I could go on and on about the United Nations, which has condemned Israel more than all the other countries in the world combined. Apparently, we are worse than Cuba, Iran, you name it. It's the nature of anti-Semitism that the haters paint Jews with whatever is the worst possible insult they have, whether or not it sticks. So, if you are a fascist, you say Jews are communists, or "globalizers." If you are a leftist, you say they are colonialist oppressors. It then escalates from that to Apartheid, and from that to accusations of genocide. A study by the Jewish electoral institute showed that 22% of those surveyed thought that Israel was committing genocide.

You want to realize how absurd that claim of genocide is, Israel dropped thousands of bombs on Hamas targets. They Killed 260 people. Almost all of them were Hamas operatives or members of their families. The death of any civilian is too many, but in order to drop that many bombs and kill that few people, you have to have the worst or the best aim ever. The AP complained that they were only given 30 minutes to evacuate their office before Israel blew up the building it was in. Apparently, the crack reporters for the AP had not figured out that Hamas had a major intelligence office in the same building, hiding behind the skirts of the media. This is the only war in the world where the army gives warns the enemy and gives them time to escape.

But meanwhile, the damage has been done. The boycott, divestment and sanctions movement is on the rise. This summer, Ben and Jerry's ice cream made the decision to revoke its franchise in Israel unless they stopped selling to Jews and Palestinians in the West Bank. They are concerned about Israeli territorial expansion. Ben and Jerry's is actually a major cause of my own territorial expansion over the last 18 months. And while they are known here for flavors like "chunky rabbi," In Israel they have flavors like "charoset" and "matzah crunch." Now folks have suggested new flavors, Antisemint, Terror-misu. From the river to the sea salt caramel. Mintifada. And, of course, there was my favorite- self-hating Jews pops. There was a backlash. A lot of my friends posted pictures of their ice cream in the garbage. As far as I'm concerned, if you've already paid for the ice cream you might as well eat it.

A few years ago, there was a similar boycott of SodaStream. Ironically, SodaStream was a company that was committed to elevating Jews and Arabs, to have Jews and Arabs working side by side. By forcing, applying pressure, by saying *im ha'avaryanim*"- you have to move your factory, the people who lost their high paying jobs and benefits were Palestinians.

That's the tragedy of this situation. Because, and I think it is important to say this out loud, the suffering of Palestinians is real. They are victims of history, victims of a failed leadership that has refused literally dozens of offers of peace and statehood. The same policies that keep Israeli lives safe make daily life difficult for them. Hamas took the supplies meant to rebuild after the last conflict and used it to construct a "Metro." Except what they a metro is not a public transit system, but tunnels for their fighters to travel safely to homes, schools and hospitals to try to attack Israelis across the border. In the long term, it is not good for Israel, for its citizens, for its young people who serve as its soldiers. to be responsible for the daily lives of Arabs in the West Bank. But anyone who was watching what happened in Afghanistan knows that withdrawing unilaterally just because you feel like it is time, often doesn't end well. And, just as I want to make sure that Palestinians have their rights, there are hundreds of thousands of Jews who live there and feel a connection to that land, and their right to do so have to be preserved as well. It's a conundrum.

I know I promised there's good news and I haven't gotten it yet, it's coming. The violence in Israel took a turn for the worse, before it got better. In previous conflicts between Jews and Palestinians, the 1967 border was a dividing line. Arabs in the West Bank and Gaza or East Jerusalem might have engaged in conflict, but the Arabs who are Israeli citizens, about 20% of Israel's population, who have representatives in Knesset, largely sat it out. This time, that was not the case. While there are places where Jews and Arabs live separately, there are many places in Israel where Jews and Arabs have lived together in peace. But suddenly, you had mobs of Arabs, and I'm ashamed to say, mobs of Jews, burning stores. And, I don't use this term lightly, trying to lynch each other in the streets. There was a breakdown of social order. So, what's the good news?

The good news is that the violence in Sheikh Jarrah, and the escalation into Gaza, had a "behind the scenes" cause that was amazing. As you will recall, Israel had been through four elections in the last two years. An unprecedented coalition came together to create a new government. Yair Lapid, a veteran TV personality and staunch secularist, Center Left. The Labor and Meretz parties- far left, you knew were going to go with him against Bibi Netanyahu. What was surprising was that Lapid was willing to enter a coalition with Naftali Bennett. Bennett was the Head of the Council of Judea and Samaria- the head of the Jews who live in the West Bank, the settler movement. He was an Orthodox Jew, and a fan of annexation aligning with the secularists who arguably wanted withdrawal. But that's just the beginning. What shocked everyone, blew our minds, was the party that made the deal. Ra'am- the United Arab list, headed by Mansour Abbas. Here's what Abbas said:

"We have reached a critical mass of agreements in various fields that serve the interest of Arab society and that provide solutions for the burning issues in Arab society — planning, the housing crisis, and of course, fighting violence and organized crime."

And not only that; this is not some secular, modernist party. It is a religious party- the theology that powers them is the same theology, the same ways of reading the Quran that spawned the Moslem brotherhood and, yes, Hamas. What he said between the lines is that the question of whether, or how, to achieve a Palestinian state, is, for the moment, an unresolvable source of conflict, but "*anu matirin lehitpallel im ha'avaryanim.*" We can sit down with people who we

think are wrong, people with whom we must disagree on essential national questions, because in the meanwhile, we can accomplish a lot of good. The unrest was fomented by hardliners on both sides who did not want to see that deal happen, who were scared of cooperation, who wanted to drive more conflict. And they failed.

As a result, a lot of other intractable deadlocks seem to be breaking up. Bennett, despite getting only 7% of the vote, is prime minister of Israel. I have to admit. I didn't think I was going to like him, but he has carried himself remarkably. He is the first personally observant Prime Minister of Israel- the first one to wear a kippah not just on state occasions- and given his hairline, that's not so easy. When his meeting with the U.S. president was delayed to a Friday, he did not fly out on Shabbat while no-one was looking, as others have done. He had a Shabbaton in a hotel with his travelling party and the press corps. And yet, despite his personal theology, he's realized that he needs to make space for different kinds of Jewish observance. Many of us have been to the "Robinson's arch" area near the Kotel- set aside for conservative and reform worship. Years ago, Bibi made a promise to develop that area, which in the spirit of Kol Nidre, he continued to break year after year. Bennett pushed forward to make it happen.

On Tisha B'av, Jewish radicals raided the area to try to disrupt Conservative/Masorti services going on there, and Bennet came out in defense of our people, paving the path for an even more remarkable conversation. Rabbi Eliezer Melamed is the head of an Orthodox, nationalist yeshiva in the West Bank. He wrote an article in support of the "Conservative Kotel" and met with the head of the Conservative Masorti movement in Israel. Not to try to convince each other, but to open a conversation. This is literally *anu matirin lehitpallel im havaryanim*- because Rabbi Melamed wouldn't pray there, but offered a recognition that despite serious practical and doctrinal differences, we are all in this together.

This all could not come at a more urgent time. The last decade has seen a weakening of the relationship between American Jews and the state of Israel. There's a generation of young people who, despite going on Birthright, but because of progressive values, because of intersectionality, think Israel is no longer their place. Bibi was very invested in his relationship with some segments of the American Jewish community, and some segments of America's political spectrum, but it was at the expense of the relationships with everyone else, and in particular with that next generation of Jews. There are the attempts to make Israel into a political wedge issue in our own country. If you support Israel, I am against it. For a long time, Israel was one of the things that the mainstream on the left and the right could agree on. Jews who are involved in progressive movement in this country, now have a very difficult but really important road to walk. I think, I hope, I pray, with new partners in Israel, that that will now change.

Israel has something to teach us about the meaning of *Anu Matirin Lethipallel im ha'avaryanim*. Sometimes you have to be able to sit down and agree to disagree, agree to yell at each other, , IN ALL CAPS if necessary, to but try to accomplish what will be best for all. I don't know whether the situation in Israel will be resolved with a one-state solution, a two-state solution, or three-state solution. But if you look at Syria, at Lebanon, at some of those South American countries where B'nai Torah's Kol Nidre visitor was active, it's all too clear, that if we do this wrong, we end up with a no-state solution. Bennett, Lapid and Abbas realized that that wasn't worth the risk.

A worthy lesson for our own country because we are at risk of a 50-state solution.

Anu Matirin Lehitpallel Im ha'avaryanim.

A Final Story: Earlier this summer, we co-hosted a virtual speaker, Sulaiman Khatib. His story is this. When he was 15 years old, he was a militant, and when he was 15 years old, he stabbed an Israeli soldier. Why would I give someone with that deed under his belt a platform? In Israeli prison, he realized that violence was not the answer. He still had the same questions, but he knew he could not answer them in that way. After he did his time, he was of the founders of a group called combatants for peace, bringing together Jews and Arabs who recognized that violence against one hurts both sides. There's a lot that we still disagree about. We may not have the same answers to those questions, but we agree that those questions are important. We can respect each other's story, each other's journey, and we are each enriched by being in dialogue.

That's the essence of *anu matirin lehitpallel*. Cherem, a ban, a break is meant to be temporary. No matter what you did, there's a seat for you if you are willing to earn it through teshuvah.

That's the point of Yom Kippur. There's always a way back.

This is not just about politics or Israel. Many of us face what would seem to be insurmountable breaks in our families, in our friend groups. We've all drawn our own lines from time to time, cut off ties that used to be so vibrant. Or maybe we've drawn ourselves out of the picture- we are so far over the line, can we ever be welcomed back?

This is Kol Nidre, the holiest night of the year. Tonight, we had to draw to draw some lines, with vaccination and testing, because I could not play with the safety of those who are here in the room. But in better times, on a personal level, if you're willing to sit next to me, then I am willing to sit next to you.

Sometimes you have to forgive before you can sit together.
Sometimes you need to sit together before you can forgive.

So maybe we can learn the lesson of Israel in 2021? What if you learn the lesson of Kol Nidre? So, what would it mean, if this coming year, instead of **drawing** a line AT the people who crossed the line, maybe you **open** a line of communication? Not everyone is going to reciprocate.

But there's a lot on the line.

May we all be sealed in the book of life.