

Sins of Omission
Delivered at Congregation B'nai Torah
Kol Nidre Eve 5779

There is a famous story of the Jewish mother who gave her son two sweaters for his birthday. The son came downstairs a few minutes later proudly wearing one of them. She asked, "What's the matter, you didn't like the other one?" Sometimes I feel that way about Jewish observance. There are so many different commandments to choose from; how can I possibly fulfill them all?

Imagine trying to fulfill, to truly observe, all 613 commandments. That would be quite a tough project. There are five books of Moses, plus all of the volumes of Talmud, law codes and responsa, interpretations and fences that the sages have added. Imagine trying to violate all of the commandments. Probably somewhat more entertaining, but no less difficult. You'd have to sleep with 18 different relatives, which would make things really awkward at family reunions. Either way, it's a little easier if you break it down, as our sages do, into negative and positive commandments, sins of commission, and sins of omission. In Hebrew, *mitzvot lo ta'aseh* and *mitzvot aseh*.

There are 365 negative commandments, *Mitzvot LoTa'aseh*. Three hundred and sixty-five "thou shalt nots," corresponding to the days of the solar year. Thou shalt not commit murder, thou shalt not commit adultery, thou shalt not steal. Don't worship idols. All the shouldn'ts and don'ts. Botch these, in a moment of desire or weakness, and that is a sin of commission.

Some of those 365 negative commandments, the shalt nots and don'ts are actually pretty easy to observe. Don't just do something, stand there. As I often tell people, no matter what your diet, you are already keeping kosher at least some of the time, whenever you are not eating (I mean, unless you are constantly chewing bacon-flavored gum). Whenever you are sleeping, you are already keeping Shabbat. Then there are dozens of commandments it would be impossible to violate, even if we wanted to, because they only apply to priests serving in the temple, farmers in Israel, or a Jewish king. None of us has ever wrestled with the conundrum of leaving the meat of the thanksgiving offering over until the next day, attempted to serve in the Temple after having immersed in a Mikvah, but before nightfall, or tried to duplicate the sacred incense for a secular purpose.

That's a good thing because some of those negative commandments come with very serious punishments. For some the penalty would be death by stoning, strangulation or sword, or still pretty bad, a fine, a sacrifice, or lashes. There is a whole tractate of the Talmud that addresses 36 offenses for which the penalty is *karet* "having one's soul cut off." There's a debate as to exactly what that means,

but I assure you, it can't be good. Speaking for myself, I'm concerned that I don't have that much soul to begin with.

Observing the negative commandments, avoiding sins of commission, is certainly a powerful spiritual path. It requires self-restraint. Those commandments build character. Without those commandments, one cannot be an ethical person. And if we violate those commandments, those are sins of commission. But a relationship that is defined by mainly what we **don't** do is not very meaningful. It reminds me of the story of a man who was telling his friend about his relationship with his wife of many years. "There's nothing I wouldn't do for my Sarah," he said, "and there's nothing Sarah wouldn't do for me. And that's how we go through life - doing nothing for each other."

That's why there are the other 248 commandments. The "thou shalt;" in Hebrew "*Mitzvot Aseh*." There are a lot of beautiful, meaningful commandments, things to positively do to be Jewish. All of the things we do that build positive relationships with others: giving tzedakah, acts of kindness, returning lost objects, honoring one's parents, having courts of justice, fulfilling your promises. They are all the things that build our relationship with God, starting with believing in God, and all of the commandments surrounding prayer. Then there are all of the things we actively do to celebrate the Shabbat, lighting candles, having wine and challah. Everything that makes the holidays special: eating Matzah on Passover, sitting in a sukkah and waving the lulav. There are all the aspects of the lifecycle from bris to wedding, to funeral and divorce. Here, too, there are plenty that you can cross off the list, commandments where we are excused because they don't apply today: all of the sacrifices and most of the rules of ritual purity and impurity. And, I'm pretty glad about this, just about everything that has to do with leprosy.

The positive mitzvot, *mitzvot aseh* are in some sense easy to observe because there is constantly an opportunity; the store is always open. There is always a prayer or blessing to be said, a person to be helped. Not just on Shabbat, or a holiday, every day! But the converse is that sins of omission are much harder to avoid, because even as all these opportunities present themselves, it's hard to be on duty, at the ready at every single moment. Can you respond every time anyone anywhere in the world needs help? Can you be praying and blessing at every moment? There's no time to do them all!

You've heard the story of the first observant Jewish astronaut. They asked him what it was like in orbit circling the globe watching the sun rise and set, every 90 minutes. Was he awed by the view? His response: "Who had time? Every 90 minutes it was Shacharit, mincha ma'ariv, Shacharit, mincha ma'ariv. On with the tefillin, off with the tefillin. Shabbat 3 times a day!"

If, somewhere in heaven, there is a sin-o-meter that literally clicks up by one every time we commit a sin of omission, we are all, myself included, in trouble. Our

sages even had to come up with ways around that. They came up with ways to prioritize which mitzvah to do first. And if you really get stuck, they say “*ha-osek b'mitzvah patur mimitzvah.*” If you are fulfilling one mitzvah, you are forgiven for missing the other one. And fortunately, while there are 36 sins that carry the most serious penalty, of “*karet,*” that's the having one's soul cut off thing, there are only two sins of omission- only two things that, if you neglect to do them, you are in for the most dire of punishments: not having a circumcision for one's son and not having a Passover seder. If you will, Bris and Brisket.

Often on Yom Kippur, the holiest day of the year, when we think about atonement, we think about the things that we actively did wrong in the last year, sins of commission. Those are easier to list and quantify. It's much easier to make a list of the things that I **did** do then to try to specify everything that I didn't do. After all, at every moment, for however many things I am doing, there are literally a million things I'm not doing. Of course, in the confessional, the *Al Chet* that we will say, we ask God to forgive us for both, for *Mitzvot Lo Ta'aseha* and for *Mitzvot Aseh*. Tonight, though, I want to pay special attention to the other kind. The sins of omission. I want to talk with you about how they drive some of the greatest upheaval in our society, about how I wrestle with them in my rabbinate, but also how I think they also are the greatest impediment to our own personal growth and spiritual happiness, an impediment that perhaps, this Kol Nidre eve, we can begin to overcome.

Some of the biggest stories in the news in the last year, have been impressive not as sins of commission, but as sins of omission.

One of the biggest upheavals in American society over the last year has been the #metoo movement. There have been accusations of harassment and rape against powerful men, and even a few women. It started with a prominent Hollywood producer, Harvey Weinstein, last October, and has continued to snowball, leading to the downfall of entertainment moguls, of politicians in both parties. Just this past week the head of a major network was ousted, and the producer of one of its flagship news shows was fired for acting in a way that seemed designed to cover it up.

Even as we sit here tonight, it is embroiling the nomination of a Supreme Court nominee. My focus tonight is not on that particular sin of commission. Given how differently society approached relationships between men and women a generation ago, how differently blame was assigned back then, how much speaking out was discouraged, and how dumb unsupervised teenagers can be in every generation, it should be to no-one's surprise that there are so many stories, so many allegations of that type that are only resurfacing now, that as a society we haven't begun to figure out how to address.

What amazes me is how many cases there are where it went on for years, not with

adolescents who might claim that they grew up to regret their actions and choose a different path, but with grown, mature adults where it went on for years, with no ambiguity or uncertainty, and literally, everybody knew. My guess is that few people in this room are fans of the writer and actor Seth MacFarlane. He's famous for crass, self-referential humor. In 2013, he was tasked with announcing the 5 Oscar nominees for Best Supporting Actress and made a joke that "Congratulations. You five ladies no longer have to pretend to be attracted to Harvey Weinstein." Everybody knew.

I'll leave aside the staffers and aides who actively enabled this misbehavior through their actions. Perhaps they would claim that their jobs depended on their complicity. What's shocking is not those sins of commission. What's shocking is there were many more, bystanders who knew but stood silent. It's the sins of omission that allowed these patterns to proceed for so long.

It happens in the world of religion as well. It's actually not news that the Catholic Church had decades of problems with sexual abuse, of children and adults. Or actually, that it did not have a problem with sexual abuse. It's not news that for years, some local diocese covered it up, shuffled abusers into other roles. What continues to make this story news is that even after years of this information being out there, many local church leaders continued to wait to act on it. You can't blame today's leaders for things that happened before they were in charge. Pope Francis can't possibly be responsible for things that happened in Pittsburgh when he was still a Parish priest in Buenos Aires. Those were not his sins of commission. The problem is that successive generations of church leaders failed to act even when they learned about the proven misdeeds of their predecessors.

We Jews should not gloat. There are plenty of similar cases, in all movements of Judaism, that continue to come to light, of rabbis, teachers, researchers, donors, Israeli government officials. In many cases, the organized community, the responsible institutions slapped a Band-Aid over the wounds or swept things under the rug. Teachers and youth workers who were known to behave inappropriately with students were bounced from one school to the next.

Before I became a rabbi¹, I was a student representative to a search committee for an important hire at a Jewish organization. We had a number of candidates. A female student involved in the organization asked me to meet. One of the candidates had been the director of a program in Israel that she had attended while taking a break from her US studies. As I remember her account, they had met alone in his office, and he had entered her physical space, and spoken to her, in a way that made her uncomfortable. She ended up leaving that program. She was distraught by the idea that this man whom she thought she had left in the past

¹ I often omit sections during delivery due to time. I left this out during delivery but felt that it merited inclusion here.

might end up taking a leadership role in an important Jewish institution in her life. Being young and earnest, I raised it with the search committee. Looking back, when I was 20 years old, my understanding of relationships between men and women was not particularly sophisticated, but I knew that whatever had happened couldn't be ignored

As it turned out, there were other reasons why the candidate wouldn't have been a good fit, and looking back, I'm not sure what actually tipped the scales. We all went on with our lives. The candidate went on to take leading roles in other prominent Jewish institutions. Did I do enough? Too much? The problem is that cans kept on getting kicked down the road not just then, but even now.

News has just emerged that in just the past few years, National Hillel was so concerned about the behavior of one donor that they had a policy not to let this donor meet with female staff alone. A story had just emerged about an Israeli government spokesperson, who in previous roles, had developed such a reputation for inappropriate actions with female reporters and interns that Bret Stephens banned him from the Wall Street Journal offices.

It's a shame, because Judaism has so much wisdom, has a powerful voice to add to the ethical discussion, about how individuals address, and attempt to repair, wrongs like these, whether they are new or they have been buried for decades. If there is a path to teshuvah, what would it look like, and what are the implications today, for aggressor and victim? More importantly, how can we change the values of society so that we create a culture that actively discourages that type of behavior, that empowers bystanders to create a strong culture of deterrence before the fact rather than leaving us to, at best shake our heads and mete out punishment afterwards. There's so much work to do.

These kinds of sins of omission are not new. Sins of omission 80 years ago continue to resonate today. I came to realize that as we began planning B'nai Torah Jewish heritage trip to Eastern Europe for this May. You could spend a week in any one of the cities we will be visiting- Krakow, Prague, Budapest or Berlin. We had to narrow it down to just a few highlights in each. We also had to think carefully about the balance. You could spend a whole week focusing on the 12 horrible years of the Holocaust, on camps and ghettos. We will not be skipping over that terrible part of our history, but we will also focus on the incredible renewal of Jewish life- vibrant synagogues, kosher restaurants, even a rabbinical school. In preparing to lead the trip, in researching these communities, I have found that Jewish life has rebounded more easily, ironically, in the countries where the local populations and governments acknowledged their responsibility. Where there are greater challenges is where people say, "It wasn't us. We weren't bystanders, we were victims, too. We weren't responsible."

You can actually go further back into our history and tradition, to the Bible. Most of the most spectacular sins in the Bible are sins of commission. Adam and Eve eat the forbidden fruit. Cain kills Abel. Aaron and the Israelites make a golden calf. Moses hits the rock. But then there are the alternatives. You know happened to the Pharaoh who enslaved the Israelites? Who forced them to build his granaries, threw all the male babies into the Nile? Nothing, bupkes! The Pharaoh with the plagues and the lice and the boils and the blood and the hail and the firstborn. What did he do? He was just continuing business as usual!

Then, there's Jonah, whose story we will read tomorrow afternoon, who committed one of the most famous offenses of omission in history. Jonah hears God's voice "go to the great city of Ninveh and call out against it." Jonah does what any rational person would do when instructed to go to the city of Mosul, in Iraq. He runs the other way. Jonah boards a ship, and God sends a storm as a sign of his displeasure. The passengers and crew respond as best they can. They pray to their idols or throw things overboard. Jonah is asleep below deck. How can you sin while you are actually asleep? Jonah finds a way! When God calls, when people are in need, Jonah is not listening. Jonah has found his sin of omission. I can't blame Jonah. When he finally went to the city of Nineveh, the people engaged in earnest repentance, and the evil decree against them was lifted. He complained to God, "Uch. I knew you were going to get all merciful!" I think, deep down, Jonah was shocked that the people listened to him.

As I wrestle with faults of commission and omission, in my own rabbinate, the story of Jonah is one that I look to. There were no rabbis in the Bible. There were priests and prophets. Priests carried on the familiar ritual, tended to people in their life experiences. Priests solved your sins of commission and omission with ritual. Priests made you comfortable if you had done wrong. Prophets spoke the fiery word of God, chastised great and small. They went to the gates of the palace and held forth on the most controversial issues of the day. They spoke truth to power, to kings and princes. Isaiah said, "God does not care if you fast on this Yom Kippur if there are people hungry in your streets every day." Jeremiah said, "Do not oppress the foreigner in your midst," because he knew that soon enough, we would be exiles, strangers in a foreign land ourselves. Nathan told King David he had done wrong in taking Bathsheba.

That took courage, because even in the days of bow and arrow, people still knew how to shoot the messenger. Jeremiah was thrown in prison. Jonah had every reason to be afraid to chastise the people, the king of Nineveh.

We certainly live in a time when prophets are called for. We live at a time when truth is an increasingly endangered species. When the very assumptions about how people of differing views work to govern are called into question. We live in a time when there are those who cultivate fear and misunderstanding of those who

are different, of the stranger. When the weakest in our society are at greater risk of hunger, homelessness, and illness. But should that be my topic for tonight?

Tonight is Kol Nidre, the holiest night of the year. On Yom Kippur we begin by perfecting ourselves and only then can we perfect others. It's not a night to criticize others' faults. On the other hand, part of being a good person, part of perfecting ourselves, is being like Jonah, avoiding sins of omission, of not sitting on the sidelines when things happen that demand our attention. Your government officials should not be asleep at the bottom of the boat. And if they are, you don't have to go all the way to Nineveh to vote.

And so, over the course of the last year, I've chosen my moments to speak out, focusing on those times and situations where I felt that Jewish values informed or even demanded a response- where I could truly speak as a rabbi, and not as a pundit or op ed writer. I've gotten some flak from those who felt I should say more, and those who felt that I've said too much. I love our country too much to get on the next boat to Tarshish. Still, I wonder, when the book of these days is written, whether I will be judged for what I said - for my acts of commission, or for when I chose not to speak, my acts of omission.

In fact, one could argue that sins of omission are actually harder to undo than sins of commission. Part of that is that when we actively commit a wrong, we, and the person we have wronged, can point to the moment, to the feeling, the specific act. We can readily identify the moral physics of action and reaction. Acts of omission are harder to pin down. How could I be wrong? After all, I didn't do anything! With an act of omission, you can't speak to any one specific moment in time when a wrong was committed- it's only in retrospect when you look back and realize what you didn't do.

It's actually easier to apologize for a harsh word or an unkind deed than for saying or doing nothing at all. When I work with couples in crisis, the ones who experience conflict, sometimes even of the most serious type, often have an easier time reconciling than those who are "fine," simply living separate lives under the same roof.

I'll give you an example from my own personal experience. On Shabbat I will try to make my way through the congregation and greet people. When we renovated a few years ago, there was a suggestion that they could sell my chair on the Bimah as "like new, barely used." And here's the problem. People don't always remember that I shook their hand, but they surely remember if I didn't. At least once a year someone will come up to me and say, "Why don't you come over to me?- Are you mad at me?" There's no-one in this room tonight that I have a beef with. Certainly not so much that I wouldn't come shake your hand. Maybe when I was passing you with the Torah I was trying to make sure that Bar Mitzvah kids could keep their place in the siddur and I needed to keep up with them. Or, maybe

when I came off the bimah I had only 3 minutes before I had to get back to the bimah for the next kaddish or announcement, and I wanted to make sure that I got to the person who is facing a family illness, or who was trying to reach me all week that I didn't manage to get back to. Or maybe I figured, you're not as prickly as some other people. You'd understand that I can't chat now, but I make a point of trying to get to every table at Kiddush, and I'm sure that we can connect then. But it doesn't matter. That hurt of omission, despite every lack of intention, is real for the person who experiences it.

Perhaps that's why Mark Twain said, "Twenty years from now you will be more disappointed by the things you **didn't** do, than by the ones you did do." Except, Twain might well have regretted not having said it. Because the originator of the quote was actually a woman named Sarah France Brown.

Psychologists and behavioral economists have confirmed this. Thomas Gilovich at Cornell University has done the research. He wrote: "Actions, or errors of commission, generate more regret in the short term; but inactions, or errors of omission, produce more regret in the long run." He did research that involved students having a choice of receiving a Cornell bumper sticker or sweatshirt. I would regret owning either. But I can speak to that regret from an economic perspective. In 1998 I had the opportunity to put money into tech stocks. In the short term, I deeply regretted investing \$2,000 into some tech company that soon went belly up, but I eventually forgot all about it. In the long term, I regret much more not buying \$1,000 of apple stock. In the short term, I may regret having gone out the other night. In the long term, I regret not having seen more concerts or spent more time with friends. A preacher whose words I often read, Steve Goodier, calls it the rocking chair test; when we are sitting on the porch in our rocking chairs, when we look back on our lives, what will we regret?

Many people, when they reach a certain point in their lives, create a "bucket list"- a list of things that they want to do before they die. On the second day of Rosh Hashnah, I spoke about how one day, September 11th, affected so many lives. From the accounts of the last messages and notes that they left, the people who lost their lives died regretting the things they hadn't done, not the things that they had. Many others, myself included, resolved to live differently, to do differently, to live without those regrets.

So, on this night of Kol Nidre, when we ask God to forgive our sins of commission and omission, I want to ask you about the things done and undone, *aseh* and *lo ta'aseh*, in your own lives. In your general lives, and in your Jewish lives. What kind of Jew are you, a *Mitzvah Aseh* Jew or a *Mitzvat Lo Ta'aseh* Jew?

It's great, it's noble to be a *Lo Ta'aseh* person, a person who avoids sins of commission, living a life where you don't harm others, by obeying all the ethical commandments that keep us on the straight and narrow. It's great, it's noble, to be

a *lo ta'aseh* Jew, by keeping kosher, refraining from work on the Sabbath. You can even try to be a *lo ta'aseh* synagogue member. I can't tell you how often someone comes to me and says, "I went to synagogue X, and I didn't enjoy it." I appreciate the intent of your statement, but really, I'd rather you go to two synagogues and enjoy both.

But I'm afraid that many of us are still Jews of omission. We focus on not doing wrong, but don't worry about actually doing right. In our personal lives, we may be faithful, but are we loving? We may be good, but are we kind? We miss out on so many opportunities to find meaning in our Judaism. We pay dues to the synagogue, so we can be "in good standing." We see that check as where our responsibility ends. We haven't violated the membership agreement, but what **have** we done?

We know how to atone for our sins of commission- that's what so much of our liturgy is about today. How do we undo the regrets of all the things we haven't done? The regrets that will linger long after our acts of commission have faded from memory. Tonight, you are being asked to pledge to our Kol Nidre campaign. It's easy to be a Jew of omission. Making a Kol Nidre pledge is voluntary; it's no sin not to give one at all. But it's a chance to make a difference. It's a good thing to do. Your contribution makes it possible for the synagogue to service the needs of thousands of people on the best and worst days of their lives. That's important. Will you miss out on the opportunities that being Jewish, that being connected with B'nai Torah, gives you, or will you use this as your chance to make a difference?

How do you make up for the opportunities you have already missed? I have to admit, I've committed my own sin of omission this evening, in not already giving you the answer to that question. I mentioned earlier that tractate Yoma says that many sins of commission require sacrifice, penance, waiting for the sacred service of Yom Kippur, or even death to wipe the slate clean. That is not the case with most sins of omission. Jewish theology tells us that sins of omission are forgiven as soon as we regret them. As soon as you do something different, as soon as you act with purpose. Our tradition tells us that every day is the opportunity to become a Jew, not of commission, not of omission, but of mission.

That's the great thing about having 248 positive mitzvot. At any moment, there are at least a dozen to choose from, two dozen ways to find greater purpose, to be a Jew not of commission, or omission, but of mission. If it's not time for the morning service, it's time for the afternoon. If you can't feed the hungry right then, if you forgot your cans for Operation Isaiah, you can set aside tzedakah to feed them later. If you missed Sukkot, you can still dance and sing at Simchat Torah. B'nai Torah offers so many opportunities to bring God into our lives and of others, every day, every moment, through prayer and blessings, through joyful observance.

There are opportunities for study and inspiration every week, every day. And God knows there are opportunities for service to others, whether they be members of our own community facing challenges or people in need of help in the larger world. Let B'nai Torah guide you to not be a bystander, not to be someone who sits on the sidelines while others do the work and make a difference, not to be a Jew of omission but to be a Jew on a mission.