

Sermon for Kol Nidrei
September 27, 2020 – 10 Tishri, 5781
Temple Beth El of Boca Raton
By Rabbi Daniel Levin

In 1878, Johannes Andreas Topf founded an engineering company – J.A. Topf and Sons. Originally they made heating systems for the brewery and malting industry. Later they branched out to build industrial incinerators for municipal waste.

Over the years, the company passed from generation to generation, eventually to brothers Ludwig and Ernst Topf. Raised in privilege, the brothers studied engineering and business, and joined the firm around 1930. Due to the economic crisis of Weimar, Germany, by 1933 the company faced bankruptcy. Soon they realized that the path to success was to be found in building a relationship with the Nazi party.

Ludwig and Ernst hoped to take over the company from their mother, but company directors decided they were “Judengenossen” – too friendly to Jews. Like their father, the brothers had many good relationships with Jewish friends, neighbors, and business associates. Eventually, in April of 1933, they decided they had no choice but to join the Nazi party.

In the 1930s, Topf and Sons ventured into a new industry. A new trend had evolved in Germany for people to choose cremation rather than in-ground burial. Hans Prufer, a company engineer, and Ludwig “considered themselves the leading lights of a new movement to bring dignity to death and reverence to human remains.”¹ They became the

¹“These Men offered ‘Perfection in Cremation Technology’ to the Nazis. We Can Learn From the Records They Left” by Karen Bartlett. *Time Magazine*, August 21, 2018. Also by Karen Bartlett, *Architects of Death*. New York: St. Martin’s Press, 2018.

world leaders in providing civil cremation technology, with customers all over Europe and the world.

But in 1939, the company received an order for a new client – the nearby concentration camp at Buchenwald. Over time, Topf and Sons designed cremation ovens for Buchenwald, Auschwitz-Birkenau, Dachau, Mauthausen, and Gross-Rosen. Parts were manufactured in the factory in Erfurt, and then company staff would build the ovens onsite, spending many months at a time in the camps. A Topf and Sons fitter named Heinrich Messing designed exhaust fans for the gas chambers, so they could drastically reduce the turn-around time for reuse. Engineers and designers would stand with stopwatches outside the gas chambers and crematoria, seeking to build ever more efficient designs.

None of the employees of Topf and Sons personally murdered anyone. The work they performed for the SS was a small fraction of their total operations. In fact, the company harbored several employees whom themselves were half-Jewish. One man, Willy Wiemokli, discovered after the war that his own father had been murdered in Auschwitz and most likely burned in an oven built by Topf and Sons.

Our spiritual task on this holiest of days is Teshuva – atonement and repentance.

Our work in the days leading up to this night is often solitary. Alone in the car, lying in bed, walking the dog – these are the moments when I am given over to the quiet thinking required to compile my Cheshbon HaNefesh – the accounting of my life.

But on Yom Kippur, what is required now is *Vidui* – confession. When our transgressions live only in our minds, they have mastery over us; when we express them out loud, we gain mastery over them.

And in confession, we speak with different language. *Al Chet SheChatanu L'Fanecha* – For the sin WE have committed against you. *Ashamnu, Bagadnu, Gazalnu, Dibarnu Dofi ...* WE have committed transgressions, WE have betrayed, WE have stolen, WE have scorned ... We no longer atone in the singular – we atone in the plural.

It's easy for us to take a step back from these litanies of wrongdoing, fold our arms across our chest, and say: "That's not me. I didn't steal. I didn't betray anyone. I didn't do that."

But our tradition teaches that we bear a collective responsibility for what happens in our world, that we need to atone not simply for what we did, but for what we didn't do – for all the ways our silence and inactivity made us complicit in the evils that beset our world.

Our sages say in the Talmud: "If you can protest against the sinful things other people in your household do, and you do not protest, you yourself are considered guilty of the wrongs of they have done. If it's possible to protest against the misdeeds of people in your city and you do not protest, then you are held responsible for the wrongs of the people of your city. If it is possible to protest against the wrongs of the whole world and yet you do not, then you are considered guilty of the wrongs of all the whole world."²

² Talmud Shabbat 54b

What our tradition seeks to teach us is this: we are just responsible for what we do individually. We are also responsible for those things in which we are complicit.

Complicity is when we bear witness to evil and immoral actions and choose not to intervene.

The Topf family were not among the fifteen Nazi officials who attended the Wannsee conference and ordained the Final Solution, but they chose to aid and abet the mass murder of millions. Their complicity is clear. But what about the employees who fashioned the parts for crematoria they knew were designed for the mass incineration of human remains? What about the suppliers of brick and concrete and steel? What about the men who drove the trucks to the camps and installed the parts? What about the women who processed the paperwork, typed the correspondence, stamped the receipts, and paid the invoices?

What about the people who moved into apartments vacated by Jews forced to leave, who relaxed on their living room sofas, ate at their dining room tables, and then laid down to sleep in their beds?

What about the people who saw Jewish families forced to walk with their bags and their children to the train station and then shoved aboard cattle cars? What about the people who turned aside and closed their window shades to avoid seeing the starving, emaciated men and women trudge by in a death march?

What about the people who attended dinner parties where evening banter included talk of Jewish plots to overthrow the world, or affirmations of eugenics insisting

that inferior Jewish genetics required our annihilation? What about the people who sat fretting at their breakfast tables while reading of the latest atrocities in their morning newspapers, shook their heads in disbelief, and then went about their day?

In the book of Deuteronomy, we are reminded that if you see something that is lost, it is your responsibility to return it. “*Lo Tucha L’Hitale*m – you shall not remain indifferent.”³

The word the Torah uses – L’Hitale - is powerful. It is a reflexive verb from the root “to disappear”. Literally, it means: “do not hide yourself” – or as Rashi explains, “do not disappear yourself from them ... do not hide your eyes as if you did not see.”

What is the source of our indifference? What causes us to hide ourselves, to act as if we do not see, to blind ourselves to the realities that confronts us?

Sometimes, we blind ourselves from fear. On Krystallnacht, the Night of Broken Glass, as thousands of Jewish businesses were destroyed and looted, and tens of thousands arrested and sent to concentration camps, there was legitimate fear of reprisals against any who would interfere. But in other cases, we fall prey to other fears. When we see a co-worker suffer harassment or unwarranted advances, we keep quiet so we don’t become the target or risk our livelihoods. When someone professes conspiracy theories that are patently false, most often we sit in silence, not wanting to make a scene.

Other times we blind ourselves with greed. We see colleagues and business partners act deceitfully, but we figure “*caveat emptor* – buyer beware.” We know that

³ Deuteronomy 22:1-3

Florida provides one of the lowest rates of unemployment benefits in the country, a maximum of \$275 per week - many receiving less than that - and at a time when more than a million Floridians find themselves out of work, our state's benefits are so low, we don't even qualify for the Federal matching program, which requires at least \$300 per week. Yet the idea of being asked to contribute a little more in tax blinds us to our complicity in supporting immoral policies and people.

And far too often, we blind ourselves with callous disregard, willful ignorance, hypocrisy and just plain indifference. We sit stone-faced at the traffic light, staring straight ahead, pretending we don't see the panhandler with the torn shirt and the worn-out shoes with the cardboard sign saying, "Please help." This month, as dozens of western wildfires devour millions of acres, destroy thousands of structures, and claim the lives of firefighters and even children, and when this month there were days when five different named tropical storms and hurricanes roiled the Atlantic Ocean - still so many maintain that Climate Change is a hoax, rules are changed to make it easier for methane and carbon to spew into the atmosphere, and we refuse to do anything to mitigate our individual carbon footprints.

Elie Wiesel said: "What is indifference? ... A strange and unnatural state in which the lines blur between light and darkness, dusk and dawn, crime and punishment, cruelty and compassion, good and evil. ... Indifference," he says, "can be tempting -- more than that, seductive. It is so much easier to look away from victims. It is so much easier to avoid such rude interruptions to our work, our dreams, our hopes. It is, after all, awkward, troublesome, to be involved in another person's pain and despair." But indifference is the

greatest evil, because for the person who is indifferent, the lives of his or her neighbor are of no consequence.” The Talmud teaches: *Shtika K’Hoda-ah Damyah* – Silence is the same as agreement.⁴ “At some point,” writes legal scholar Amos Guiora, “failure to act is complicity.”⁵

Complicity is when we have the ability to intervene, when it is in our power to make a difference, and yet instead we choose to do nothing. And our tradition is absolutely clear. Indifference is complicity. The Torah tells us we cannot stand by while our neighbor bleeds. We cannot blind ourselves to the plight of the vulnerable and the weak. We cannot blind ourselves to acts of dishonesty, corruption, and hypocrisy. We cannot blind ourselves to bigotry, systematic injustice, persecution and inequality. *Lo Tuchal L’Hitalem* – we cannot remain indifferent.

In the very first minutes of this new year we learned of the death of the Hon. Justice Ruth Bader Ginsburg. Early in her life, Justice Ginsburg’s eyes were opened to the sexist discrimination women faced all over America. As a student at Cornell in the midst of McCarthyism, she internalized two fundamental ideas: America was betraying its fundamental ideals, and “legal skills could ... challenge what was going on.”

Just out of college, Ruth worked for the Social Security Administration, where she was demoted when her boss learned she was pregnant. She was one of only nine women in a class of more than 500 men at Harvard Law School, and only one of the law school buildings even had a women’s restroom. She graduated first in her class, making law

⁴ Talmud Yevamot 87b

⁵ Amos N. Guiora, *The Crime of Complicity: The Bystander in the Holocaust*. Chicago: Ankerwycke/ABA, 2017, p. 109.

review both at Harvard and Columbia University, and yet no firm in Manhattan would hire her because she was a woman. When she secured a law school faculty position at Rutgers University, she was paid less than her male counterparts, since her husband Marty had a well-paying job.

“For so long,” she said, “women were silent, thinking there was nothing you could do about it.” So she decided to do something about it. Class after class, case by case, she exposed the injustice and inequities facing women in America, working to guarantee that women find equal protection under the law, and equal opportunity in America. “I ask no favor for my sex,” she said. “All I ask of my brethren is that they take their feet off our necks.”

Because she refused to remain indifferent, because she refused to be complicit in our nation’s systemic discrimination against women, my daughters can not only dream of being anything they choose to be. They can actually become anything they choose to be.

In his letter to Thomas Mercer, Edmund Burke wrote that, “The only thing necessary for the triumph of evil is for good men to do nothing.” Rabbi Abraham Joshua Heschel taught: “morally speaking, there is no limit to the concern one must feel for the suffering of human beings, that indifference to evil is worse than evil itself, that in a free society, some are guilty, but all are responsible.” And in her autobiography *My Own Words*, Ruth Bader Ginsburg took inspiration from Justice Brandeis who wrote: “the greatest menace to freedom is an inert people.”

In this extraordinary moment in history, we cannot, we must not remain indifferent. Indifference is complicity, and we must refuse to be complicit in the

deterioration of the moral core of our society. We must open our eyes, and refuse to be blinded by fear, greed, mistrust, and willful ignorance. We must be the ones who shine the light on falsehood, who blow the whistle on corruption, and inspire the cynical and the jaded to hearken again to the voices of our better angels. In this New Year let us only be complicit in building a society that is founded in righteousness, justice, integrity and compassion, love and peace.