

Benign Surveillance<sup>1</sup>  
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Rabbi Carl M. Perkins  
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One of the hot issues in the Boston area right now is whether a casino should be built in East Boston. I am not going to weigh in on that. However, thinking about the question did remind me of something I once learned from going to a casino.

But first, did you hear the one about the two friends who met for lunch one day at a Washington restaurant? John works for the I.R.S. and Ted works for the N.S.A. (the National Security Agency). After catching up on family and work, John says, “Hey, a cousin of mine just sent me an email with a terrific joke. Do you want to hear it?” “No,” says Ted, “Don’t bother: I already read it this morning.”

I’m sure that I’m not the only one who’s begun to wonder just who is reading my mail. So much of our life is, literally, an open book. And I’m not just talking about what we write to one another, or what we say to one another, but about who we are and how we spend our time.

Surveillance is more common than we might think. Studies show that the average American is videotaped 30 times a day. (Apparently, the average Briton is videotaped 300 times a day.) At first, I was astounded by those figures, but then I began to think about it: the gas station, the train station, the apartment complex, the office building, the restaurant—they *all* have video cameras.

Not only are we constantly being videotaped, but, as we all know, facial recognition software is improving daily. Now, as we in the Boston area know very well, when used properly this can be very useful for law enforcement. But sometimes, when used improperly, or in the hands of others, these techniques can be disturbing.

New electronic billboards are cropping up across the world. Like regular billboards, the people who walk by them read them, but frankly, at the same time, those billboards are reading us. If, say, a young woman walks through a mall, there might be a camera focused on her. It may not identify exactly who she is, but it will be able to discern that she is a woman in her teens. So guess what? The next advertisement on

that electronic billboard might be for a popular brand of jeans that just happens to be on sale at the store around the corner. If a middle-aged man walks by two minutes later, an ad might appear for some golf equipment at the sporting goods store. Maybe the camera will see a couple leaving the gym holding hands and sauntering along; before you know it, an ad will pop up for the coffee shop!

Now, there is a creepy quality to this, right? None of us, after all, really wants to be observed all the time. In the Jewish tradition, at least, we have the notion of *tsniut*, of modesty. We value our privacy. And there is something dehumanizing about being type-cast, or thought of simply as members of a particular demographic. It's also improper to tempt someone and to exploit his or her weaknesses. (In Hebrew, it's called putting a "*michshol lifnei iver*", a "stumbling block before the blind." See Leviticus 19:14) A casual stroll in the mall should be just that; it shouldn't be monetized.

But sometimes, surveillance serves a different purpose, and can even be benign. This brings me to my experience in the casino.

First, let me explain what I was doing in a casino. I was attending a rabbinical convention. I know: that sounds like the setup to a Borsht Belt Jewish joke, but it's true: a few years ago the Rabbinical Assembly held its annual convention in Las Vegas. We were in a hotel/conference center on the outskirts of the city—which, of course, had a casino.

(I mentioned temptation a few minutes ago. Well, the complex was set up like a big triangle: the hotel rooms were at one vertex; the dining halls were at a second vertex; and the conference rooms were at a third. In the middle, as I'm sure you can guess, was the casino. It was virtually unavoidable.)

One thing I noticed right away—and this will be no surprise to anyone who's ever been in a casino or who has seen one of the Ocean's 11 movies—is that everything—*everything*—is under surveillance in a casino. There are video cameras everywhere. I asked someone about this and was told that there are two reasons for this. First, the House, naturally doesn't want to be robbed. The second reason is more psychological: the House wants the patrons to feel very, very safe. The House wants everyone to feel safe taking lots of money out of their

pockets and leaving it there. No one worries about being pickpocketed in a casino—it would all be caught on camera. So, if you have your mind bent on mischief, you better watch out. But so long as you're obeying the law, the surveillance is, in that place, a source of comfort and reassurance.

Realizing that you are being watched at all times can lead you to behave better than you otherwise might. I happen not to have been tempted by all that money lying around and those stacks of valuable chips—but even if I had been, I wouldn't have acted on it; that would have been foolish and pointless. After all, I'm not George Clooney.

But it got me thinking: wouldn't it be nice if we felt that way all the time? That is, if, everywhere we went, we felt as though we were being benignly observed? We'd behave a lot better, wouldn't we?

That is exactly how we do feel—or *should* feel. The essence of a religious way of life—to me, at least—is believing that everything we say or do, wherever we are, matters. The way we express that, in

religious language, is to say that God is observing us at all times, and will ultimately call us to account for how we behave.

What, after all, do we say in our prayers?

You [O God] probe our innermost depths. You examine our thoughts and desires. Nothing escapes you. Nothing is hidden from you. (Harlow 671). You know our sins, whether deliberate or not, whether committed willingly or under compulsion, whether in public or private. ... You know everything; secret as well as revealed. (Harlow 715;741)

Think of it as a kind of **divine surveillance system**. It's a system with expert recording and transcription services. As we say in the Unetaneh Tokef, God remembers and records every detail. Moreover, notwithstanding the massive data collection, God processes it all intelligently. Think about it: at this time of year, all those things we did during the past year—yes, the good things, but also the things that we might now be embarrassed about—they're all up there on a big celestial video monitor, with excellent audio and video quality. In fact, there's a voice-over to bring out the hidden thoughts that might explain our motivations and true intentions.

Now, we would be freaked-out by this if it happened in real-life, that is, if there were *humans* behind that surveillance system. The thought that some clerk looking at some random video screen in an anonymous office building can view you behaving badly is, well, horrifying.

So we might think that the imagery we employ on the High Holidays is horrifying too. After all, in the classic midrash, which the *Unetaneh Tokef* draws upon, when we are called to account and our record is publically revealed, the prosecutor, lo and behold, is none other than God!

That might seem very scary. There *is* a scary quality to it, and for hundreds of years, the *Unetaneh Tokef* really has instilled fear. But it's mitigated by something quite beautiful. Yes, God is the prosecutor. But on this day, we don't think of God as punitive—at least not in our tradition. Instead, we think of God as merciful. As it says in our liturgy, “You are ready to embrace all those who turn in repentance.” (Harlow 715) After presenting the case against us, instead of preparing a rebuttal to our anticipated defense, God waits for us to do *teshuvah*, that is, to confess and apologize, and resolve to behave differently in the

future. God is willing to wait a long time for this. Again, as it says, “*Ad yom moto tichakeh lo*”—God is willing to wait until the day of our death.

No matter how long it takes, if one day we decide to do *teshuvah*, if one day we do indeed repent, then—and the midrash is very clear about this—then it’s as if God steps down from the prosecutor’s podium, and takes up the role of celestial defense attorney (Heb.: *sanegor*). Just like that.

Our tradition, you see, recognizes human frailty. It doesn’t fight it. If our goal in life is perfection, then one thing is clear: we will never reach it. But if our goal is to do our best, and to recognize our inadequacies and address them and apologize for them and strive, honestly and sincerely, to overcome them, then we *can* achieve our goal.

Yom Kippur is here to help us wipe the slate clean. It’s amazing: assuming that we come forward with sincere regret, and we sincerely pledge ourselves to behave differently, that damning videotape can be permanently erased. That’s the good news.

Then there's the next day, of course. Once we've been forgiven, pardoned and granted atonement, almost immediately, new opportunities to rise and fall, to succeed and fail, to act virtuously or to backslide, will arise. Now, you might think of this as bad news, but it's really just the consequence of having free will.

How can we diminish the chances that we'll slip back into our regretful behavior? Let me suggest one way, based on my experience in the casino: we should just imagine that wherever we are, we are under divine surveillance. Imagine that there's a video camera focused on you and your every move. Fortunately, there's no live feed to the nearest police station or the IRS or the NSA; instead, it's for *your* sake. And at the end of every day, you have the chance to look at the footage and examine everything you've done that day. Will you be proud or will you be ashamed?

By the way, don't be put off by the thought that if it's not a "real" camera, it won't have the same effect. It very well might. As many of us know, studies at intersections have shown that people are much more likely to obey traffic laws when cameras are present, even if they aren't real—

indeed, *even when people know perfectly well that they're not real*. It's just human nature.

A recent article in Scientific American (<http://tinyurl.com/3vulruc>) explored this in depth. Researchers found that if you put up posters with human eyes on them in a college cafeteria, people are much more likely to dispose of the trash on their trays. Apparently, we have built into our neural architecture something called “gaze detection” that is not subject to our control. It's part of our very primitive brain. When we sense that we are being watched, that triggers a tendency to behave properly.



Every one of us will stray from time to time. That's why we need Yom Kippur. And every year we can improve, even if only in small increments.

In the Book of Deuteronomy, when it talks about the pilgrimage festivals, it says that we should go up to the place of God's choosing where we can "be seen before the Lord." That's a beautiful image. Let's not confine it to the holidays.

I started with a lesson I learned in a casino. Let me finish the same way. Let's behave properly. Let's not gamble with our futures. Let's not put our relationships with God or with our loved ones at risk. Let's not put our jobs or our careers or our reputations at risk. It isn't worth it.

Let's not just *talk* about becoming kinder, gentler, more patient and more forgiving, more honest and more loving in the coming year. Instead, let's actually make that happen. Let's welcome God's surveillance each and every day, wherever we are and with whomever we happen to be.

*Shanah tovah u'metukah*, a good and a sweet year!

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<sup>1</sup> Many thanks to my colleague and friend, Rabbi Arthur Lavinsky, for inspiring this sermon.