Dear Friends,

Coming at the end of what has been such a hard year, the news, last Friday afternoon, that Supreme Court Justice Ruth Bader Ginsburg had died, was both crushing and surreal. As overused as the word "iconic" is these days, Justice Ginsburg was an icon. She was not only a model of perseverance, brilliance, dignity, wisdom and devotion to justice, but an example of what it looks like to remain vital and fully engaged with life well into your 80’s.

And as beloved as she was by millions the world over, she was, best of all, one of ours, a Member of the Tribe! That, as my mother of blessed memory would have said, was "the icing on the cake." Not since Albert Einstein have the Jews felt as proud of a public figure as we did of the Notorious RBG.

I hasten to point out that Justice Ginsburg was not the kind of Jewish public figure who happens to have some Jewish ancestry but is indifferent to her heritage. In fact, she spoke about this in a powerful address at the United States Holocaust Memorial Museum’s 2004 Yom Hashoah commemoration in Washington, DC. "I had the good fortune to be a Jew born and raised in the U.S.A.,” she said. “My father left Odessa bound for the New World in 1909, at age 13; my mother was first in her large family to be born here, in 1903, just a few months after her parents
and older siblings landed in New York. What is the difference between a bookkeeper in New York’s garment district and a Supreme Court Justice? Just one generation, my mother’s life and mine bear witness. Where else but America could that happen?

“My heritage as a Jew and my occupation as a judge fit together symmetrically. The demand for justice runs through the entirety of Jewish history and Jewish tradition. I take pride in and draw strength from my heritage, as signs in my chambers attest: a large silver mezuzah on my door post... [and] on three walls, in artists’ renditions of Hebrew letters, the command from Deuteronomy: “Zedek, zedek, tir dof” — “Justice, justice shall you pursue.” Those words are ever-present reminders of what judges must do that they “may thrive.”

“But today, here in the Capitol, the lawmaking heart of our nation, in close proximity to the Supreme Court, we remember in sorrow that Hitler’s Europe, his Holocaust kingdom, was not lawless. Indeed, it was a kingdom full of laws, laws deployed by highly educated people — teachers, lawyers, and judges — to facilitate oppression, slavery and mass murder. We convene to say, “Never again,” not only to Western history’s most unjust regime, but also to a world in which good men and women, abroad and even in the U.S.A., witnessed or knew of the Holocaust kingdom’s crimes against humanity, and let them happen.”

1 https://www.washingtonpost.com/history/2020/09/19/rbg-ruth-bader-ginsburg-holocaust-jewish/
Reading Ruth Bader Ginsburg's remarks at the United States Holocaust Memorial Museum brought me back to the dozen or more times that I have visited that somber place, on biennial trips to Washington with our Congregation Beth Israel eleventh and twelfth graders.

All of you who have visited the museum will remember its red brick exterior, with unnerving architectural details that mimic the industrial design of Nazi concentration camps. Entering, you pass through the tight security and descend a long flight of stairs. On your way down, a docent hands you a passport document, telling the story of a Jewish man, woman or child and what happened to them during and after the war. Some survived, some did not.

You then enter an elevator, again displaying exposed rivets and bolts and other disturbing concentration camp design cues. As the elevator slowly ascends, a video screen plays a snippet of testimony from an American soldier who liberated one of the camps. Then the doors open and you find yourself on the third floor. You proceed through the museum by working your way down the three levels, winding your way through the events of the Shoah and its aftermath, ultimately exiting into the very large, sunlit lobby.

The museum brings together photographs, audio and video, articles of clothing and other artifacts, as well as many, optional short films and survivor testimonies that you can choose to watch. There is a cattle car that you can walk through, like the
ones that transported millions of Jews to the camps. There is the front of an *Aron HaKodesh*, a Holy Ark, taken from a German synagogue that the Nazis destroyed. The Hebrew painted on the front of the wooden Ark is gashed and badly defaced, but you can still read what it says: דֵמוֹע הָתַּא יִמְיַנְפִּל עַד, “Know before Whom you stand.”

I digress here for a quick story. Several years ago, Saundra, Shira and I got to spend a week in Paris. Disrupting our giddy delight at the over-the-top beauty of that city, we repeatedly encountered reminders of what happened to French Jewry in the Nazi era and especially under the Vichy government. On the ornate buildings of many Parisian streets, you come face to face with bronze plaques that tell you, “Here, a certain number of French Jewish children were rounded up and put on a transport to the camps.”

At one point during our trip, we took a “Jewish immersion tour” of the city. Our guide was a Dutch Jewish expatriate. She chronicled the history of Parisian Jews, a history of glory, persecution, exile and return. We shook our heads as our guide pointed out the viciously anti-Semitic imagery enshrined in the façade of the great Notre Dame Cathedral and paused somberly before those memorial plaques about the murdered Jewish children. At one point, I turned to our guide and asked, “How does one of the most cultured and sophisticated countries in the world completely
lose its mind and descend into fascist madness?” She said, “That is the question, isn’t it?”

It is this question that always haunts and fascinates me as I slowly work my way through that initial, top floor of the United States Holocaust Museum, for that is the floor that chronicles the rise of Hitler And Nazism. Amid the poverty and humiliation of Germany after the end of the First World War and the subjugation and collapse of the German economy under the Treaty of Versailles, Adolph Hitler seized upon the despair and resentment of the German in the street. Hitler promised to restore Germany to mythic greatness, to create a glorious, “thousand-year Reich.”

There is one display case on that top floor of the Holocaust Museum that explains how leaders of the German establishment repeatedly placated and appeased Hitler as he consolidated power. They dismissed Hitler as a fool, a buffoon who could be contained. All the while, Hitler and his enablers were putting the essential building blocks of authoritarianism in place: violent suppression of dissent, control of news media, and a constant whirl of military parades and political rallies (including the burning of “degenerate” books by Jewish authors) that whipped up a hysterical enthusiasm for the Nazi program. This overheated nationalism was supported by a sophisticated propaganda machine that advanced conspiracy theories scapegoating a powerful cabal of globalist Jews intent on world domination.
The promotion of crackpot pseudoscience, in particular social Darwinism and eugenics also served Hitler’s dark, authoritarian purposes. Another display case in the Holocaust Museum shows charts of eye color, hair color and facial features, including measuring devices and other instruments purported to determine pure Aryan racial characteristics. And it was a straight line from this pseudoscience to the photograph, in another display case, of a woman being paraded by SS troops through the streets of the German city, a sign hanging around her neck reading “I am a miserable race traitor who married a Jew.”
Toward the end of that first floor, just after that exhibit of the desecrated Holy Ark and several Torah scrolls that were taken from synagogues and dumped on sidewalks on Kristallnacht, there is a deeply disturbing video clip that grabs my attention and freezes me in my tracks every time I visit the museum. We see a ranting Hitler, speaking at a rally, declaring that, “There is no distinction between the Führer and the Party. The Party is the Führer and the Führer is the party.” In other words, the Nazi platform is obedience to the autocrat. Thus, the cult of personality is established, rule of law ceases to exist, and the authoritarian takeover is complete.
Just around the corner from that video clip, toward the end of that first floor, there is a fairly inconspicuous display case with photographs illustrating various ways that the Jewish community was attempting to come to grips with the darkness that
was spreading through Germany, threatening to engulf and destroy them. In a
corner of that unassuming display case, you’d find a note about Leo Baeck.
A German Reform Rabbi, Leo Baeck was already a revered Jewish philosopher
and beloved Jewish communal leader by the 1920s. His philosophic work, *The Essence of Judaism*, had made him a famous and a sought-after lecturer and writer.
Yet Leo Baeck remained, first and foremost, a congregational Rabbi. As Hitler consolidated his power and the Nazis tightened their grip on Europe’s Jews, and
“despite many opportunities to leave [Germany] permanently… [Leo Baeck] chose
to stay with his people. In January 1943, he was sent to a concentration camp. His
demeanor there; his concern for others; his efforts to keep them human by teaching
them, from memory, the great humanistic classics; his refusal to be less than
ethical, or to let the Nazis make him less than human, made him one of the heroic
figures of an impossible situation. By error, [by] chance, [by] the sacrifice of
others; by his spirit and the grace of Providence, the seventy-year-old rabbi
survived Theresienstadt.” ² Later, the survivors whom he comforted in the
concentration camp testified to his saintliness and kindness. In honor of his
memory, the London seminary that trains Reform Rabbis for the European
continent is named after him, Leo Baeck College. If Jews had saints, Leo Baeck
would be one of them.

That little display case in the Holocaust Museum also contains a photograph of Leo Baeck addressing the members of his synagogue in Berlin. Like tonight, it was *Kol Nidrei* when the photo was taken. The year was 1935. Leo Baeck offered this prayer that night:

“At this hour the whole House of Israel stands before its God, the God of Justice and the God of Mercy. We shall examine our ways before Him. We shall examine what we have done and what we have failed to do; we shall examine where we have gone and where we have failed to go. Wherever we have sinned we will confess it: We will say "we have sinned" and we will … "Lord forgive us "!

**We stand before our God,** and with the *same courage* with which we have acknowledged our sins… [we shall] express our *abhorrence* of the lie[s] directed against us, and the slander of our faith and its expressions: this slander is far [beneath] us. We believe in our faith and our future. [For] who brought the world the secret of the Lord Everlasting, of the Lord Who is One? Who brought the world understanding for a life of purity… Who brought the world respect for Man made in the image of God? Who brought the world the commandment of justice, of social thought? In all these the spirit of the Prophets of Israel, the Revelation of God to the Jewish People had a part. It sprang from our Judaism and continues to grow in it. All the slander drops away when it is cast against these facts.
We stand before our God: Our strength is in Him. In Him is the truth and the dignity of our history. In Him is the source of our survival through every change, our firm stand in all our trials. Our history is the history of spiritual greatness, spiritual dignity. We turn to it when attack and insult are directed against us, when need and suffering press in upon us. The Lord led our fathers from generation to generation. He will continue to lead us and our children through our days.

We stand before our God; we draw strength from His Commandments, which we obey. We bow down before Him, and we stand upright before Men. Him we serve, and remain steadfast in all the changes around us. We put our faith in Him in humility and our way ahead is clear, we see our future.

The whole House of Israel stands before its God at this hour. Our prayer, our faith, and our belief is that of all the Jews on earth. We look upon each other and know ourselves, we raise our eyes to the Lord and know what is eternal…

We are filled with sorrow and pain. In silence will we give expression to all that which is in our hearts, in moments of silence before our God. This silent worship will be more emphatic than any words could be.”

I’ve often wondered, and continue to wonder, what it was like for Leo Baeck to stand in front of his congregation, eighty-five years ago tonight, and offer this

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3 https://www.yadvashem.org/odot_pdf/Microsoft%20Word%20-%205109.pdf Note that the refrain, “we stand before our God,” references the Torah portion for Yom Kippur morning, Nitzavim: “You stand this day, all of you, before Adonai your God…”
radiantly defiant, angry prayer, this unbowed statement of Jewish dignity and Jewish principle, this affirmation of justice and goodness, as the world around his congregation was going mad with hatred, falsehood, violence and carefully organized cruelty on a scale never before seen in human history. What was it like for Leo Baeck to affirm the essential message of the *Aleinu* prayer, the ultimate rebuke of authoritarian power, when he bravely declared, “We bow down before [God], and we stand upright before Men”? What courage he showed in speaking those words, since the reading of this prayer was banned by order of the Gestapo, and Rabbi Leo Baeck and Otto Hirsch, a distinguished jurist and Jewish communal leader, were arrested for a short period by the Germans for daring to recite it in public.

*This is Kol Nidrei 5781 in Austin, Texas, not Kol Nidrei 5696 in Berlin or Paris.*

We live in twenty-first century America, not Nazi occupied Germany or France. And yet, everywhere we turn, not only here in America but all over the world, we see a resurgence of malignant authoritarianism extremist nationalism. The institutions of liberal democracy – a free press, an independent judiciary, the sacred right to vote and choose one’s leaders, a respect for the rule of law – are attacked and weakened, both here and abroad, in ways that we in the enlightened West never thought possible. Indeed, I never thought that I’d be teaching our Confirmation students about violent anti-Semitism in the present tense. But in our
own country, neo-fascist rhetoric declaring some of us to be "real Americans" and others to be suspect and alien grows louder each passing day. It echoes not only through the conspiracy-addicted fever swamp of white supremacist rallies and websites, but, God help us, in the halls of governmental power.

Where are we in America? Consider this reading for the Passover Seder’s recitation of the Ten Plagues, from this beloved Reform Haggadah. It was published in 1974:

“Each drop of wine we pour is hope and prayer that people will cast out the plagues that threaten everyone, everywhere they are found…

The making of war,

the teaching of hate and violence,

despoliation of the earth,

perversion of justice and of government,

fomenting of vice and crime,

neglect of human needs,

oppression of nations and peoples,

corruption of culture,

subjugation of science, learning and human discourse,

the erosion of freedoms.
How can it be that those words were written 46 years ago but feel like a current events summary today?

If Leo Baeck, may his memory be a blessing, were here, on the bimah, on this Kol Nidrei eve, eighty-five years later, what would he say to us? How would he understand our world? We will never know. But we do know what some of his contemporaries, the few remaining survivors of the Shoah would say, because in recent years they have been speaking out, on the record.

Steven Jacobs, born six years after Adolph Hitler came to power in Germany, is eighty-one years old and one of the youngest remaining survivors of the Holocaust.

As young as he was, he has vivid memories of life in the Buchenwald concentration camp. He was born in Łódź, Poland, in 1939. His father, a physician, moved the family to Piotrków, near Warsaw, shortly after the Nazi invasion of Poland in September of that year. Piotrków, where many Jewish refugees in Poland fled, would become the Nazis' first ghetto. The women—his mother, three aunts and grandmother—were taken to a camp at Ravensbrück. The men—him, his older brother and his father—to Buchenwald.

Two years after the liberation of the camp in April 1945, he came to America and has been here ever since. Jacobs was interviewed two years ago by Newsweek magazine.
“Things [in this country] just go from bad to worse every day," Jacobs, a successful New York architect who designed the Holocaust memorial at Buchenwald, [said]. "There's a real problem growing.”

"It feels like 1929 or 1930 Berlin. Things that couldn't be said five years ago, four years ago, three years ago—couldn't be said in public—are now normal discourse. It's totally unacceptable. We thought our country had changed. In fact, it didn't. We were operating on a misconception. ‘My God, we elected a black President in the United States! Look how far we've come!' We haven’t.”

Hear, as well, the voice of eighty-seven-year-old Irene Weiss, born in Czechoslovakia, who lost both of her parents and most of her siblings in the death camps. “I am exceptionally concerned about demagogues,” she said at a Yom Hashoah observance at the U.S. Holocaust Memorial Museum. “They touch me in a place that I remember. I know their influence and, unfortunately, I know how receptive audiences are to demagogues, and what it leads to. Speaking of the administration’s demonization of Muslim and Latino immigrants and the neo-Nazi rally in Charlottesville, she said, “I’m scared. I don’t like the trend. I don’t like how many people are applauding when they hear these demagogues. It can turn.”

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Survivor Margit Meissner, almost 96, fled on foot through the Pyrenees from
occupied France. She muses, “[America today is] not Weimar,” she said, “but it
could become Weimar Germany. I think one has to speak up. And that’s the one
lesson from the Holocaust: Do not be a bystander.”

Friends, I am not an alarmist, but like many of you, I am deeply and seriously
concerned about where we are going. Our society is beset by a raging pandemic,
-economic misery, environmental degradation and unrest over systemic racial
injustice. Add into this toxic mix a media and civic environment so polarized and
divided that the Declaration of Independence's confidence in shared, "self-evident
truths” seems a long-forgotten dream.

And what of truth? In Judaism, Emet, Truth, is one of God’s names. Love of
learning, respect for questioning and understanding, is encoded in our Jewish
-cultural DNA. But today, education and expertise – in science, diplomacy, national
security – are denigrated as “elitism” and distorted in the service of power. The end
result of Big Brother’s maxim from George Orwell’s novel, 1984, “Ignorance is
strength,” has been made real with tragic results in the face of COVID-19,
reminding us just how much of “who shall live and who shall die” is in our hands.

My friends, as Jews we stand in a long line of ancestors who loved this country and
found refuge, acceptance and freedom here to an extent unprecedented in Jewish
history.
Rabbi Leo Baeck’s congregation on Kol Nidrei eve, 1935, were already nearly powerless, but you and I are not. And so, I take hope and courage in the teaching of that immortal alarmist, the prophet Jeremiah, whose words our sages wisely chose as the Yom Kippur morning Haftarah: "Cry from the depth, says God – do not hold back! Lift up your voice like the Shofar!"6

And that is what we are called upon to do in this moment. Lift our voices in reverence for our Constitution, which is no less than the Torah of our nation, to which both soldiers and leaders swear allegiance. Lift our voices at the ballot box and the mailbox thus give meaning to the sacrifices made by our men and women in uniform who put themselves in harm’s way to preserve our right to vote. And lift up our voices in tribute to Justice Ruth Bader Ginsburg, zikhronah livrakhah. She calls out to us, even now, in her concluding words at the Holocaust Museum, fourteen years ago:

“[U]nlike our ancestors in their Exodus from Egypt,” she said, “our way is unlikely to be advanced by miraculous occurrences. In striving to drain dry the waters of prejudice and oppression, we must rely on measures of our own creation — upon the wisdom of our laws and the decency of our institutions, upon our reasoning minds and our feeling hearts. And as a constant spark to carry on, [we rely] upon our vivid memories of the evils we wish to banish from our world. In our long

6 Jeremiah 58:1
struggle for a more just world, our memories are among our most powerful resources.

May the memory of those who perished [in the Holocaust] remain vibrant to all who dwell in this fair land, people of every color and creed. May that memory strengthen our resolve to aid those at home and abroad who suffer from injustice born of ignorance and intolerance, to combat crimes that stem from racism and prejudice, and to remain ever engaged in the quest for democracy and respect for the human dignity of all the world’s people.”

Amen and amen.

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