

Rabbi Amy Sapowith's Message
49 vs. 49
Kol Nidre 5778

Max and Sarah come to the rabbi's study to settle a dispute. The rabbi's mother is visiting and is also present. Max explains his complaint to the rabbi. His story is about such and so. He has to do this and that. He presents his perspective clearly and persuasively. When he is finished, the rabbi thinks for a minute, nods and proclaims, "You're right." "But wait a minute, rabbi. You haven't heard my side," says Sarah. Sarah explains her side of the story. She explains the issue is about such and so. She had to do this and that. So clear and persuasive is she that when she's through the rabbi nods and says, "You're right." After they leave, the rabbi's mother looks at her daughter perplexed. "How could you say both of them were right!? They had completely opposing versions of the story, one had to be right and the other has to be wrong." The rabbi looked at her mother and nodded. "You're right."

Is the rabbi of this joke just a people-pleaser or is she suggesting that the other doesn't have to be wrong for you to be right. Consider this account from one of my teachers, Rabbi Daniel Roth, of his very first Talmud class:

The rabbi asked, "Who do you think is right, Abayeh or Ravah?" The students, intimidated, remained silent. The rabbi slammed his fist on the table and asked again in a louder voice. "Who do you think is right, Abayeh or Ravah?" Still, no one answered. "You are all spineless chickens!" Then, he instructed them to argue back and forth until they could prove how both rabbis—though holding

contradictory opinions—were right. That’s right. They had to prove how both rabbis were right though holding contradictory opinions.

Judaism has a concept called the 49 vs. 49—a way of thinking, of seeking the truth, and of making decisions. This approach to truth-finding is Judaism’s traditional version of constructive conflict. And it stems from a passage in the Babylonian Talmud that states there are fifty gates of wisdom but only 49 were revealed to Moses. Why only 49? On the one hand, because Moses was just a little lower than God. Having access to 49 out of 50 gates of wisdom is pretty darn commendable. Exceptional, really. On the other hand, only 49 because God couldn’t ever explain the 50th gate to Moses. There is a part of God that would always remain mysterious. God is not something that any human can fully comprehend. And what we learn from this upper limit is that no human, not even Moses, can ever claim to know the absolute truth of a matter. This is a spiritual pill that we should take every morning with our other supplements.

Armed with this humility we proceed towards the remaining 49 gates accessible to us. In order to be considered wise enough to make a ruling, we must show that we understand the 49 reasons to rule on a matter one way, and the 49 reasons to rule on a matter the other way. Think of choosing a college. Think of buying a new home. Think of DACA. Think of the Medicare for All Act. Think of tax reform. Think of addressing North Korea. Think of Aging in Place. This is not a task for the faint-hearted. Think of Neo-Nazis. Must we think through the 49 reasons that people support white, Christian supremacy? Are there no red lines? Actually, no. There are no red lines.

In that spirit, about 300 people attended Rodef Shalom three weeks ago to hear the story of a one-time White Supremacist Leader and now founder of the group Life After Hate, a group dedicated to reforming white supremacists. His challenge to the audience: Find someone who doesn't deserve your respect or compassion and give it to him. . . .ⁱ This man's repentance no doubt makes such a distasteful challenge sweeter. His story holds out the promise that shows of compassion have the power to reform even extreme convictions like those held by white supremacists. Compassion, relationship, respect—these are also part of a fuller truth.

The 49 v 49 is actually not about persuading one's opponents. It is about jointly pioneering a way toward a broader truth—49 out of 50 parts of truth. The 49 v 49 does not presume that any one party comes into the conversation with the final answer—to the contrary. It's an early insight into how narrow-mindedness and self-centeredness, common human liabilities, are obstacles to a fair hearing on a matter. This sentiment is captured by John Stuart Mill in his work, *On Liberty*. He writes, “[S]ince the...prevailing opinion of any subject is rarely or ever the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has any chance of being supplied.”ⁱⁱ Understanding that the clash of perspectives is what's going to produce the truth—again—49 of 50 parts of truth, truth as a contact sport if you will, does not come naturally. It has to be taught and practiced. And at some point, the matter under discussion may require a decision. And the decision is then determined through a majority vote. Oh, yes. Once the 98 reasons are expounded, there may be a vote. With the humility that the 50th gate of wisdom is still closed to

us, we must vote on the path forward. And in this light, voting becomes the most humbling of moments—because even with a majority rule, we acknowledge that we could still be overlooking a key factor, we *could* still be wrong. We have to remain open to the possibility that our decisions may need revision or repeal—yet push forward, humbly, anyway.

The 49 v 49 reflects the degree to which our religion demands that we look deeply into any issue. 49 reasons to justify and 49 reasons to counter any position may be rhetorical, but such a rhetorically high number conveys the soul-searching depths we must go to in exploring a matter. Consider Rabbi Abraham Isaac Kook's wisdom on the act of scolding or judging another:

“When we come to rebuke a person for their negative traits, one must always check whether this negative trait isn't saving them from other worse traits.” Woah! This should give us some pause. Rav Kook is suggesting that sometimes what we experience as negative is actually serving a positive purpose. He says, “For example, sometimes a person is haughty—a reflection of the negative trait of pride. But it's possible that this trait saves this person from depression or despair. Therefore, one should check before offering rebuke whether that rebuke may cause damage in another dimension of the spirit.” In human matters, in other words, we can't always be negotiating in good v evil or perfection v evil. We are encouraged to seek out the nuances, the partial truths, the grey areas before making a judgment. Our Judaism demands that we see positions from many perspectives. Our minds are to be taxed and our emotions stretched. We can't help but grow.

Now what happens when we mix this particularly demanding, time-consuming, iconoclastic even religious worldview—with electoral politics? I ask because there’s an increasing desire to invite politics into the pews. You may already be aware of a growing interest in repealing the Johnson Amendment, which since 1954 has barred churches and synagogues from endorsing or opposing political candidates. And not only from Republicans. Says Mike McCurry, former White House Press Secretary for President Bill Clinton and the Director of the Center for Public Theology at Wesley Theological Seminary, “[T]oo often. . . religious leaders keep politics outside of places of worship.”ⁱⁱⁱ He points favorably to the 1960s when liberal-leaning religious leaders influenced the Civil Rights Movements and to the 1970s when conservative religious leaders pushed for stricter laws against abortion. Inviting politics into the pews would permit clergy and houses of worship to publicly support candidates and political parties. But how long before this permission becomes a demand? How long before the invitation becomes a take-over?

Let’s think about this with an example currently before us—the protest movement within the NFL—also coincidentally related to the number 49. Last year quarterback Colin Kaepernick, then with the San Francisco 49’ers, decided to exercise his free speech right to protest. He wanted to voice his protest against gratuitous police brutality directed disproportionately toward black men, and he exercised this right in the stadium during work hours, let’s say, by kneeling rather than standing for the national anthem, a symbol of American statehood and American ideals. The controversy that has ensued depends in large part on what

meaning you assign to the National anthem. Does it represent the promise of equality for all, which is still to be achieved? Does it represent the right to free speech? Workers' rights? Is it a symbol of honor for the service men and women who have sacrificed their lives in the names of these ideals? If we protest the anthem, take a knee, are we dissing America? Beseeking America? Or are we giving America a grade? The debate rages on.

But for our purposes I'm interested in seeing what happens to an arena dedicated for a particular purpose: football—when political speech, which a protest is, enters it. How long before the substance of the protest gets lost amidst the political footballs that are tossed? Can one man's taking a knee still leave everyone else free to stand? When 49 players of a team are taking a knee, are the other four still free to stand? Whether in the locker room or the stands or the White House, at some point does the conversation become "you're either with us or against us?" To my mind that's when the effort crosses the line from fair to foul.

So let's return to the houses of worship, to the synagogue. Consider the ramifications should we begin to publicly support candidates and parties. It might be inconsequential when there are overwhelming majorities. Politics are easy when they affirm one's own world view. It is even conceivable that a vocal minority could still find a spiritual home there. But for how long? As the political donations come in and the language becomes more partisan, how long before the minority voices feel silenced and individuals feel coerced or just plain uncomfortable? How long before the majority feels self-righteous and those with dissenting opinions suffer moral

condemnation? How long before the walls of free speech and free thought would close in with: “You’re either with us or against us?”

The temptation to weaken the boundary between religion and politics is profoundly misguided. I suppose I should now present 49 reasons for why I think it’s wrong-headed, and 49 reasons for why it’s the right way to go. I will share one, and, in a nutshell, it’s because politics is the antithesis to the 49 v 49.

Consider a recent case in Israeli politics. This case stood out to me for the sacrifice it involved. Knesset member Yigal Guetta, of the ultra orthodox Shas party resigned his parliamentary position after angering many rabbis in Israel’s orthodox community. How did he anger them? He attended his gay nephew’s wedding—and he insisted that his kids attend as well. “My entire family went to the wedding,” he said. “I usually don’t tell my kids to what events they should go, but this time I told them attendance was mandatory.” He explained further, “I had told my kids beforehand that we’re going to make [your cousin] happy because he’s my sister’s son and I want him to be happy, but I want you to know that according to the Torah this wedding is forbidden.” The fact that liberal movements of Judaism do not forbid gay weddings should be mentioned but is not the point. The point here is that MK (Knesset Member) Guetta took a respectful and nuanced approach toward a loved one; he “put God second” in the language of last year’s Rosh Hashanah sermon, and chose family relationship over ultra orthodox interpretation of halakhah—both competing demands for his allegiance and his integrity. And he sacrificed his political position in so doing.

This example illustrates how politics cannot handle, cannot accommodate the truths of the spirit. To bring electoral politics into religion would sandblast the rich, inspiring and sometimes disturbing texture of spiritual truth that needs a place to thrive. Knesset member Guetto had to be with his party or against them. And, moreover, as political agendas are often urgent, where is the time and space for the 49 v 49?

Earlier this evening we heard the haunting melody of Kol Nidre. For many Jews throughout the centuries, Kol Nidre has served as a liberation from the oppressive influence of the state in matters of faith. Indeed, the origin of Kol Nidre is thought to lie in the seventh century when secret Jews, forced to become Catholics by the Visigoths (590-711), would come to the synagogue on Yom Kippur eve to seek absolution for vows they had been forced to make but which they did not believe in. Kol Nidre served a similar purpose during subsequent persecutions by the Byzantine rulers (700-850), and still later under the Spanish Inquisition (1391-1492).^{iv} Kol Nidre is itself the repeal of any coerced act. It has served as a protest against religious compulsion by the state and their representatives. And it stands as a warning against inviting a breakdown of their clear separation.

Yes, we should allow our Jewish values to influence our politics, but in the absence of absolute truth, the 50th gate of wisdom forever barred, the voice of dissent and voices of the minority are an essential, indispensable component of freedom. Talmud teaches: "For when not even one person arises to oppose the matter with comments and challenging questions and investigation, it is already not possible that the [truth] will come out. . . ."^v Until our political culture reveres and

protects and insists on minority points of view, until it places truth over power—49 parts of truth over power—we should not encourage politics to take a seat in our sanctuary. Houses of worship are places to train and grow and heal our spirits. They are places for friendship and celebration, worship and learning. They are places to consider values and positions that may have, had or will have a political life. They are sanctuary communities, we are a sanctuary community, not just a sanctuary space.

To live in community Hillel said: *al tadin et chavercha ad sh'tagia limkomo*. Don't judge your peer until you have reached his place.^{vi} Said another way: "Don't judge a man unless you've walked a mile in his shoes," or in our case, until you've walked on your own feet in 49 different pairs of shoes and then tried on someone else's feet (an impossible image) and walked in another 49 pairs of different shoes. And if you still can't judge the man, at least you're ready to rule on what a good shoe is.

Remember the 49 v 49 and let's try to practice it. It's a demanding yet humble way to engage with issues and to stay in respectful relationship with one another. For no human, not even Moses, can ever claim to know the absolute truth of a matter. We'll always be one gate away.

Keyn y'hi ratzon. May this be God's will.

Now I ask you, am I wrong?

ⁱ Washington Jewish Week, 9/14/17.

ⁱⁱ *On Liberty*, John Stuart Mill, Chapter 2, p. 76.

ⁱⁱⁱ Supplement to the Washington Post, 9/13/17.

^{iv} *Justice and Mercy*, Max Arzt, 204-5.

^v *BT Sanhedrin 17a*.

^{vi} *Pirkei Avot 2:4*.