

ערב יום כיפור תשע"ט
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It was two years ago that the phrase “taking a knee” entered the North American lexicon. What started as a singular protest by San Francisco 49ers quarterback Colin Kaepernick, extended to several NFL and other sports teams, whereby players would fall to one knee during the national anthem in protest of racial inequality and police brutality.

As politically charged and controversial that “taking a knee” may have become, the practice has a history that long precedes these last two years in the NFL. Kneeling, of course, has an age-old religious connection in our tradition and others. On Yom Kippur day especially, we traditionally fall to our knees several times in prayer – היו – כורעים ומשתחוים – bowing and kneeling. Indeed, the very Hebrew word ברכה – blessing, shares the same root as ברך – knee, suggesting the strong connection between kneeling and prayer.

Almost half a century ago, in December 1970, West German Chancellor Willy Brandt, on an official visit to Poland, made a stop at the site of the Warsaw Ghetto. He stood before the monument to the Warsaw Ghetto Uprising of 1943, and to the amazement of all in attendance, without saying a word, he fell to his knees. It was the first time that a German leader “had so publicly acknowledged and expressed remorse and atonement for what the Germans had done”¹ to the Jews. A German expression resulted from this episode, which became known as the *Kniefall*. Controversial at the time – a story in *Der Spiegel* was headlined: “Should Brandt have kneeled?”, his act became a symbol of apology and reconciliation.²

¹Jeffrey Herf, cited in Michael Marrus, *Official Apologies and the Quest for Historical Justice*, University of Toronto, 2006, p. 9

²Marrus, *ibid*.

To be sure, German Chancellors could fall on their knees until the end of time, and not a single murdered Jewish baby would be brought back from the dead. As is the case of most apologies that follow wrongdoing, both severe acts of destruction, and less severe, relatively minor incidents, they undo nothing – history remains history, fact remains fact. But words and gestures do have their place in the greater scheme of things, they can help bring human beings who have long stood far apart from each other, closer together, offering an ember of hope to future generations.

When I visited Germany last year on behalf of the Rabbinical Assembly, my emotions, to say the least, were mixed. Were I to have severed myself from historical awareness, from connection with our recent past, it would have been easy to revel in the beauty of Berlin – for it is a beautiful city, with all of the features, both classical and modern, that one could want. But such a detachment from historical awareness, from being ever aware of what our people suffered seven-plus decades ago – for a Jew, is impossible, so I entered Berlin emotionally conflicted.

The building that houses Berlin's Masorti/Conservative synagogue, the Oranienburger Strasse Synagogue, where I would experience Shabbat – in pre-war days, known then as the Neue Synagogue, accommodated more than three thousand worshippers. In its early years, in the mid-to late 19th century, the legendary *hazzan* and composer of many of the classical synagogue melodies still part of our services today, Louis Lewandowski, stood at the *Amud*. The Friday night Kiddush, the classical *Adon Olam* with which we are so familiar, and even the arrangement of *Kol Nidrei* that we heard moments ago, were part of Lewandowski's oeuvre, making him one of the most significant liturgical composers in Jewish history. Today, when the entire rebuilt synagogue occupies what used to be the women's gallery,

accommodating two hundred people, the vast courtyard below, once the men's section that would seat thousands, now sits empty as a memorial to its myriad of murdered worshippers and the millions of others whose brutal destruction was decreed just a few kilometers away from where the synagogue stood.

Visiting the train tracks, memorialized with plaques commemorating each train that transported Berlin's Jews to the death camps, seeing the signs pointing to Wannsee, the Berlin site of the infamous conference where the evil to befall our people was conceived and planned; visiting the stark, imposing memorial to the six million in the center of the city, seeing the *stolpersteine*, the "stumble-stones," marking the names of the Jewish residents who once lived in the homes where the stones are embedded into the side-walk, seeing the numerous markers of Jewish vitality that once existed – one recognizes, following the *kniefall* of Willy Brandt 48 years ago, that Germany has made no effort to hide its evil recent history, unlike other neighboring countries who have yet to reckon with their complicity in the greatest of all evil, such as Poland, which, in its recent Holocaust law, seeks to criminalize any mention or suggestion of Polish culpability or involvement in the sufferings and mass murder of our people seven-and-a-half decades ago.

Apologizing for the wrongs of history is especially daunting, especially when the vast majority of victims are no longer alive to hear or potentially accept the apology. Elie Wiesel, in frequently remarking that "only the dead can forgive," suggested a fundamental futility to the actions of those on the wrong side of history, who, even with the best of intentions, by word or by action, apologize for the Shoah. But even Wiesel, in an address at the Reichstag on Holocaust Remembrance Day, urged the German parliament to seek the forgiveness of the Jewish people. " 'Do it publicly,' he

said. 'Ask the Jewish people to forgive Germany for what the Third Reich had done in Germany's name.' ”³

“There was no immediate response,” the reporter notes, “only a respectful silence.”⁴ In encouraging apology even when believing full forgiveness to be impossible, Elie Wiesel suggests the act of apology itself to be of value, to be a vital ingredient of the healing process, even when falling short of its ultimate goal of absolution, of forgiveness.

Public apologies, to be sure, are very much in vogue today. Canadian leaders, over the years, have apologized for a wide range of historical wrong-doing, for, among other actions, the internment of Japanese Canadians during World War II, the denial of entry to the 907 Jews aboard the St. Louis seeking to escape the Nazis, the dismissal of LGBTQ civil servants and members of the military because of their sexual orientation, and the brutal mistreatment of First Nation children in residential schools. As the list of apologies grows, as we search the pages of history to uncover multitudes of wrongdoing, as statues of foundational national figures are removed and legacy buildings renamed, due to historical reassessment of yesterday's heroes and their questionable activities and affiliations in the light of 21st-century sensibilities, the apology phenomenon is prone to cynicism, such as columnist Christie Blatchford's recent National Post headline: “I've had enough of saying sorry.”⁵

How do we offer or encourage heartfelt and sincere apologies without falling into the trap of an apology industry, through which, almost on a daily basis, apologies for

³Roger Cohen, *Wiesel Urges Germany to Ask Forgiveness*, New York Times, January 28, 2000, p. 3

⁴Ibid.

⁵Christie Blatchford, National Post, August 15, 2018, pp. A1, A4

something or another are offered, counterproductively immunizing the audience from any true sense of remorse or sorrow, so overwhelmed does one become by their sheer volume and frequency?

In view of the example set by the current American president, who never apologizes for anything, we likely prefer to settle for a Prime Minister or government that is constantly in apology-mode. Yet perhaps a quick look at our tradition and its expectation for our Yom Kippur behavior would help us find that appropriate balance whereby apologies effect meaningful change in our societal and personal environments.

In the last Mishnah in the Tractate of Yom Kippur, (מסכת יומא ה,ט), we learn: “עבירות שבין אדם למקום, יום הכפורים מכפר. עבירות שבין אדם לחברו, אין יום הכפורים מכפר. – Wrongdoing between man and God, Yom Kippur atones; wrongdoing between man and man, Yom Kippur doesn't atone – עד שירצה את חברו – until he appeases his fellow.

Okay, Yom Kippur absolves us for sins against God – the *treif* we consumed, the davening we skipped, the opportunities to bring God into our lives and this world that we neglected. As long as our prayer is sincere, as long as our תשובה is heart-felt and earnest, these things, we are taught, are forgivable and forgiven. It's the stuff בין אדם לחבירו, between us, with our fellow human beings, that makes life interesting. Here fasting and praying mean nothing – עד שירצה – until we personally seek forgiveness from those we have wronged.

No. Apologies cannot erase facts on the ground. They cannot undo history. Damage done, whether willful or accidental, lingers. But the sense of abandonment, the loneliness, the pain of the victim is lessened by the outreach, the concern expressed by the sincere act of apology in the case of offenses we commit person-to-person.

And similar sincerity and heart-felt gestures of apology by world leaders and public officials do offer the victims and their descendants a sense of being heard, even when hurt and feelings of betrayal may likely linger for generations, if not forever.

The recent death of Senator John McCain evoked sadness well-beyond the borders of the U.S., touching many of us here and people world-wide. He certainly wasn't the most successful politician the world has seen, and was known to be surly, ill-tempered at times, and not immune to legitimate criticism at many stages of his long career. Los Angeles Times journalist Doyle McManus suggests a reason for the deep wide-spread admiration for John McCain, and the profound sadness felt by so many at his passing. He writes:

Nearly all politicians cut corners on their way to the top. Few of them apologize when they do. None, at least none in recent memory, ever apologized as fully and relentlessly as McCain.

All honest politicians hate the squalid little trade-offs that politics demands — the favors, the compromises, the truckling to campaign donors. But most of them express their distress in private. McCain felt compelled to express his in public.

In his 2000 campaign for the Republican presidential nomination, for instance, McCain faced a difficult choice in South Carolina. Demands were rising to remove the Confederate flag from the state capitol, and McCain's first instinct was to agree: "It's a symbol of racism and slavery," he said. But after aides told him his position, however admirable, would lose him the state's primary, he backed off, saying he "understood both sides."

Months later, after losing, McCain returned to the state to confess his error. "I chose to compromise my principles," he said. "I broke my promise to always tell the truth."

In a later memoir, he was even tougher on himself: “I had not just been dishonest. I had been a coward, and I had severed my own interest from my country’s. That was what made the lie unforgivable.”

That was McCain’s most oddly attractive characteristic: He hated hypocrisy — especially if he was the one practicing it. It was attractive because it conveyed a larger lesson. In his life and in his words, McCain preached that every American should try to meet the highest standards of honor and valor — but he recognized that no one will always succeed, including himself. The test of character, he argued, was whether you owned up to your errors and spurred yourself to do better.⁶

Contrast McCain’s willingness to apologize profusely for compromising his integrity with former President Bill Clinton’s disastrous book tour this summer, which happened to fall on the twentieth anniversary of the Monica Lewinsky scandal.

During an interview on NBC’s *Today* show with host Craig Melvin, former president Bill Clinton said he does not owe an apology to Monica Lewinsky, the woman with whom he had an infamous affair when she was a 22-year-old White House intern.

“Looking back on what happened then, do you think differently or feel more responsibility?” Melvin asked Clinton.

“No. I felt terrible then, and I came to grips with it,” Clinton replied.

Melvin then asked Clinton if he had ever apologized to Lewinsky.

“I apologized to everybody in the world,” Clinton said.

“But you didn’t apologize to her,” Melvin said.

“I have not talked to her,” Clinton said.

⁶Doyle McManus, *What We Lost in John McCain*, Los Angeles Times, August 26, 2018

“Do you feel like you owe her an apology,” Melvin asked.

“No, I do — I do not,” Clinton responded. “I’ve never talked to her. But I did say, publicly, on more than one occasion, that I was sorry. That’s very different. The apology was public.”⁷

To say that this interview did not play well for Bill Clinton would be an understatement, especially in the current *Me-too* environment. But it also missed the boat entirely in terms of the *halakhic* stipulation of – עד שִׁירְצָה את חברו – that forgiveness is impossible without personally apologizing to the person we have wronged.

Tonight and all day tomorrow, our prayers are filled with the language of apology.

וְסִלַּחְתָּ לְעֹונֵינוּ כִּי רַב הוּא – Forgive our sin, for it is great.

סִלַּח לָנוּ אָבִינוּ כִּי חָטָאנוּ, מִחַל לָנוּ מִלְפָּנֵינוּ כִּי פָשַׁעְנוּ – Forgive us, our Father, for we have sinned.

Pardon us, our King, for we have transgressed.

And so as not to leave ambiguous the nature of our sins, our liturgy will include laundry-lists of wrongdoings: אֲשַׁמְנוּ, בָּגַדְנוּ, גָּזַלְנוּ, דִּבְרַנוּ דָּפִי. הִעַוְינוּ, וְהִרְשַׁעְנוּ, זָדַנוּ, חָמְסְנוּ, טָפְלָנוּ – We abuse, we betray, we are cruel, we destroy, we embitter, we falsify, we gossip, we hate, we insult, we jeer, we kill, we lie, we mock, we neglect...., and so on. Yes, we do a lot of apologizing in these 25 hours.

But for any of these apologies to have meaning, for any of these recitations to make one iota of difference in the world, it all comes down to עד שִׁירְצָה את חברו, to our making peace with the fellow human beings we have wronged, those we have offended, those we have hurt, and, in extreme cases, those to whom we have wrought grievous harm.

⁷William Cummings, *Bill Clinton Says He Does Not Owe Monica Lewinsky an Apology*, USA Today, June 4, 2018, with edits by PS

Writer Chris Beam shares a powerful personal apology story. She writes:

A few months ago, I flew from New York to Wisconsin to say I'm sorry to my ex-wife. We had been together for 14 years when she was told she had breast cancer in 2006. I was beside her through her surgery and chemo appointments, but I was terrified. At the end of her chemo, when she was still very sick, I ran....

My ex-wife healed from the cancer, and went on to marry again and have two children, but my violation was a big one. I'd said I was sorry before, but the words didn't reach the bottom of an experience as deep as abandonment.

If words aren't enough, what's left? In a recent phone conversation, she told me that she never really had the chance to sit me down and tell me how the pain I caused her *felt*. A key part of apology, perhaps, is really listening to the victim's experience, taking that in deeply....

I explained that my purpose was to create a space for her to say whatever she needed to say to me so that I could hear her and apologize without defense or excuse....

She was generous, saying it meant a lot to her that I had come. I was expecting anger, but what she felt, she said, was a deep sadness.... The instinct, of course, is to fill the space with language, but I wanted to take the time to bear the full weight of her telling.

"I'm so sorry," I finally said, "for causing you such great sadness."

We talked about ways to make amends; I had thought of everything from helping out with her kids to volunteering in cancer wards. But no, she said, the amends were here, in this process....⁸

⁸Cris Beam, *I Did a Terrible Thing. How Can I Apologize?*, Sunday Review, New York Times, June 30, 2018

Tomorrow night, as this Yom Kippur will draw to a close, late in the Neilah service, we will recite: “You have given us this Day of Atonement *קָמַץ וּמְחִילָה וּסְלִיחָה עַל כָּל עֲוֹנוֹתֵינוּ*, bringing an end to our sins with pardon and forgiveness, *לְמַעַן נִחָדֵל מֵעֲשֶׂק יָדֵנוּ*, that we cease using our hands for oppression, *וְנָשׁוּב אֵלֶיךָ לַעֲשׂוֹת חֻקֵי רְצוֹנְךָ בְּלִבֵּב שָׁלֵם*, and turn back to You, wholeheartedly, in accordance with the Laws You desire. Yom Kippur helps prepare us for the awesome challenges that await us in the outside world. It provides us with the tools of reconciliation, the language of apology, the willingness to seek forgiveness, the desire to heal, the motivation to dig deep into ourselves to uncover and unleash the finest qualities of human behavior that we possess. Yom Kippur reminds us that, for all the wrongs we may have committed, knowingly or unknowingly, we are sorry, and more important, prepared to do what it takes to rectify, to restore, to rebuild, to do better in the months and years ahead.