

Hearts Broken Open

Yom Kippur 5776

Rabbi Joel Mosbacher

RABBI CHANTED:

*V'hayu hadevarim haeleh asher anochi m'tzavecha hayom al levavecha.*

“And these words that I command you this day shall be upon your heart.”

We know these words so well; they come from one of our dearest and most profound prayers—the V’ahavta. And yet, in my 18<sup>th</sup> years as a rabbi, I only recently really looked at this verse.

“And these words that I command you this day shall be upon your heart.”

Sounds good. Sounds poetic and beautiful. But then I thought—why does the text say, “these words... shall be *al levavecha*—UPON your heart.” Wouldn’t it make more sense—wouldn’t it mean much more—if the words of Torah were *BILVAVECHA*—IN your heart? Why would we place the words on our hearts, rather than in them?

A Chasidic teaching on this text reads:

*A disciple asks the Rabbi, “Why does the Torah tell us to ‘place these words upon your hearts’? Why does it not tell us to place these holy words in our hearts?” The Rabbi answers, ‘It is because as we are, our hearts are closed, and we cannot place the holy words in our hearts. So we place them on top of our hearts. And there they stay until one day the heart breaks open and the words fall in.’*

Until one day, the heart breaks, and the words fall in.

When I came back from Lagrange, Georgia last month, my heart was broken open. This morning, my prayer is that your heart might break open a little, too.

My heart was broken open in August, **not just** with the heat of an 18-mile march on a cloudless, brutally hot summer day in Georgia, although that tested our mettle, for sure.

You see, I had gone to Georgia along with our fellow congregant Jonathan Theodore to be a link on a chain of people who marched for 1000 miles, from Selma, Alabama, to Washington, D.C. Over the course of the 46-day march, nearly 200 Reform rabbis and other Jews joined thousands of others in the NAACP’s Journey for Justice, 50 years after Dr. Martin Luther King, Jr. and Rabbi Abraham Joshua Heschel and so many others marched from Selma to Montgomery. We joined our bodies and spirits together to ensure the right of every American, regardless of race, to a fair criminal justice system,

uncorrupted and unfettered access to the ballot box, sustainable jobs with a living wage, and equitable public education.

When I came back from our day on the march, in part my heart was broken open with **pride** at being a Reform Jew; never have I been prouder. Never have I felt the power of the collective impact we can have than Jonathan and I felt on one long day. We Jews engaged in a ministry of presence, teaching Torah with our feet, with our hearts, and with an actual Torah that we carried and shared along the way. We felt, for a moment, like the Jews who marched with Dr. King must have felt.

But when I came back from Lagrange, my heart was also broken open with devastating stories I heard along Highway 29 in Troup County, GA.

I was moved by the story of Keisha Thomas, whose face might be familiar to you, because she appeared in one of the most iconic photos of the past 20 years. It was taken at a Ku Klux Klan rally in Ann Arbor, Michigan in 1996. Eighteen-year-old Keisha was in a group of counter-protesters nearby when suddenly someone yelled that there was a Klansman among them. And a middle-aged white man bearing an SS tattoo and wearing a Confederate flag t-shirt began to run—but he was knocked down, kicked, and beaten with placards by the “peace-loving” anti-KKK demonstrators. A Life magazine photographer was there to capture the moment when Keisha threw herself on top of the man to shield him from violence, while screaming at his attackers to stop. We needn’t wonder whether this man would have protected Keisha with his life if the tables were turned. But here she was, 19 years later, marching for justice.

I heard the story of Royal who is, like me, afraid to watch his 17 year old son pull the car out their driveway. For a moment, Royal and I connected across lines of race and faith; we were just two human beings, two dads, connecting in a divine way on a Georgia road.

But the more I listened, the more I realized that I couldn’t possibly relate to Royal’s fear. Because while we both are afraid that our sons might get into car accidents, Royal is also worried because of the real fear that his son could end up dead after a routine traffic stop—shot dead for driving while black. My heart broke open as I listened to Royal’s fear.

My heart was broken open with the desperation of a man, a Vietnam War veteran named Middle Passage, who carried a large American flag, when I asked him why he was marching. "Why am I marching?" he nearly yelled. "People are dying! This country is failing to live up to its promise! Why am I marching? Because we have to wake this country up!" Middle Passage joined a few others in setting out to march all 1000 miles from Selma to D.C. Sadly, after 920 miles, he died of a heart attack while marching just two weeks ago.

As I tell you why my heart is broken open today; as I invite you to have you heart broken, too, I wonder where we should begin.

We Jews have seen discrimination. In Egypt, in Persia, in Rome, we were stripped of our right to practice our faith. In Christian Europe, we were unable to own land, and in Muslim Africa, we were forbidden to build synagogues. I need not even mention the plight of Jews in Nazi Europe. And even in America, Jews were treated with suspicion, considered anarchists, Communists, and terrorists. We were kept out of neighborhoods, universities, and businesses for no reason but because we were Jewish.

Jews and African Americans share an understanding of what it means to be considered less than human. We understand what it means to be enslaved—not just by individually evil people, but by an entire nation. We understand what it is like to have the entire economy of a nation built on our backs. We share an understanding what it feels like to nearly be broken.

So, too, we share a history of temporary liberations. When Moses said, “Let my people go!” the Israelites were free—free, that is, until Pharaoh changed his mind.

When Abraham Lincoln wrote, “all persons held as slaves are, and forever henceforth shall be, free,” African Americans were liberated-- until virulent racism and political dynamics and economic desperation gave rise to Jim Crow segregation, separate but equal, and the indentured servitude that was the share cropping system.

The story we are taught about the civil rights movement of the 1960s is one of triumph—one that would have us believe that the racial caste system in this country is finally dead and buried. Suggestions to the contrary are frequently met with shocked disbelief. Sometimes when I have discussed this issue with people, the response is, “Look at Oprah Winfrey and Barack Obama! African Americans have made it in this country-- just like Jews did,” some folks say to me.

Just like Jews did. We Jews **have** made it in this country. Our parents and grandparents and great grandparents escaped oppression and anti-Semitism. Our ancestors came to this country and climbed the social and socio-economic ladders.

In many ways, Jews in America are like the heroine of that biblical book, in which a woman named Hadassah changed her name to Esther to enter a contest to become the next queen. She had the power to decide when to **hide** and when to **reveal** her Jewish identity, just as I have the power today to wear a baseball cap over my kippah if I don't want to be identified as Jewish.

All those years of singular focus on making it in America have paid off for the Jewish people. Our achievements in business, in medicine, in the arts, in government, in all circles of American life have resulted in something rarely known to our wandering ancestors--we are one with the power elites of our society.

But the fact is that, while Jews and African Americans share a history of oppression and liberation, our paths to success have diverged in recent decades. And the fact that **some** African Americans have experienced great **success** in recent years doesn't mean that something akin to a racial caste system no longer exists.

There have always been free blacks and black success stories, even during slavery and Jim Crow, just as there were always successful Jews in times of oppression and pogroms. The **old** Jim Crow may be dead, as indicated by the incredible success of some African Americans, but that does not necessarily mean that the racial caste system is dead.

It has been 50 years and more since a movement awakened a nation and led to the Civil Rights and Voting Rights Acts. But while the rules and rhetoric have changed, the racial caste system remains. And it's time once again, as Middle Passage taught me, for the nation to be awoken. It's time for our hearts to break open, that the words of our prophetic tradition might fall in to our souls and motivate us to action. And we Jews, who know the heart of the stranger, have a special responsibility.

In a few moments in our service, we will recite a litany of sins.

CANTOR sings Hebrew; RABBI recites English

*Al chet shechatanu l'fanecha bzadon u'veeshgaga*, we will pray. For the ways we have wronged you, O God, deliberately and by mistake.

*V'al chet shechatanu l'fanecha b'deebur peh*. The ways we have wronged you through the words of our mouths.

*Al chet shechatanu l'fanecha beef-lee-lut*. For the ways we have wronged you by judging others unfairly.

*V'al chet shechatanu l'fanecha b'eemutz ha-lev*. The ways we have wronged you by hardening our hearts.

We repent in the collective on Yom Kippur because, while, I pray that none of us have committed **all** of these sins in the past year, we are here to hold each other accountable.

But then we get to hear THESE words:

CHOIR: *v'al kulam, Eloha slichot, s'lach lanu, m'chal lanu, kaper lanu...*

Rabbi: For all these failures of judgment and will, we ask You, God of forgiveness—forgive us, pardon us, grant us atonement.

When I hear those words, my heart is lifted. When I hear that melody, I really believe that I can do better this year—that we all can.

My friends, if we are to begin the process of true repentance, we must come to honest account of the places where we've missed the mark. And today, I submit to you, this year of all years, we must **add** to our list of wrongdoings.

God, today, we admit: we have wronged you and we have wronged each other.

CANTOR: *Al chet shechatanu l'fanecha...*

Rabbi: for the way we have wronged You and our fellow Americans by dismantling the right to vote.

Jewish tradition teaches us that the selection of leaders is not a privilege but a collective responsibility. The Sage Hillel taught, "Do not separate yourself from the community<sup>1</sup>." Rabbi Yitzchak taught that "a ruler is not to be appointed unless the community is first consulted<sup>2</sup>." In keeping with the insight of these teachings, we have long felt that it is the duty of all who cherish democracy to ensure that all eligible citizens are afforded the opportunity to vote and have their votes counted.

On June 25, 2013, the Supreme Court invalidated parts of the Voting Rights Act. The right to vote is fundamental to American democracy. Our Reform Jewish movement, long believing that the right to vote is fundamental to American democracy, has for the past century strongly supported legislation that protects the rights of all citizens to be free of discrimination in their efforts to exercise the right to vote.

In the aftermath of the Court's misguided decision, many states previously covered by the invalidated "preclearance" formula have tested the extent to which they can legally limit citizens' access to the ballot boxes, by introducing, and in some cases passing, restrictive voting laws. These laws often have especially discriminatory effects on racial minorities, the poor, the elderly, and students.

Yet the Supreme Court's Shelby decision left the door open for Congress to update the preclearance formula. The Voting Rights Advancement Act of 2015 would ensure that appropriate jurisdictions are covered by preclearance, while simultaneously strengthening other provisions of the Voting Rights Act and increasing transparency in election administration. We also hope that Congress will explore strengthening some of the provisions without diluting bipartisan support.

If a society denies a person citizenship, as we Jews know all too well, it denies their humanity, and makes it easier for them to be considered unworthy of being treated as a person. And when a society does this legally and by custom, it creates a caste system, which creates the conditions for the suffering, rather than advancement, of that caste.

CANTOR: *V'al chet shechatanu l'fanecha...*

RABBI: for the way we have wronged You and by allowing our citizens to be assaulted.

Friends, just as none of us has committed every transgression in our machzor, not every police officer is guilty of the sin of police brutality.

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<sup>1</sup> Pirke Avot 2:4

<sup>2</sup> Babylonia Talmud, Brachot 55a

But a little more than a year ago, the death of Michael Brown brought into our sight a national spectacle focusing on police violence and its disproportionate targeting of African American men. Other incidents, such as the deaths of Freddy Gray and Eric Garner and Tamir Rice, have drawn our attention to systems of violence that police use in African American communities. As author TaNahesi Coates writes in his heart breaking memoir called *Between the World and Me*, “a society that protects **some** people through a safety net of schools, government-backed home loans, and ancestral wealth but can only protect [African Americans] with the club of criminal justice has either failed at enforcing its good intentions or has succeeded at something much darker.”<sup>3</sup>

Rabbi Yaa’cov Yitzchak of Pzhysha wrote in the 18<sup>th</sup> century, “Why in the verse, ‘Justice, justice you shall pursue’ is the word ‘justice’ repeated?” The rebbe answered that the repetition is meant to convey that not only must be ends we pursue be just, but so too must the means we employ to achieve those ends.

In the gun violence prevention work I have been doing in these last few years, I have spoken to probably over 100 police officers. I know their work is hard, and I know we need them. But when everyone from Royal’s son to tennis star James Blake lives in fear of being hurt or killed by police just for being black, something is broken in our system.

And, as long as it’s Yom Kippur and we’re being brutally honest, this challenge is about more than diversity, sensitivity training, and body cameras. Those things are all fine and applicable. But to get at the hardest part of this problem, we’d have to be willing to come to terms with the fact, as Coates writes, “police reflect America in its will and fear, and [that] whatever we might make of this country’s criminal justice policy, it cannot be said that it was imposed by a repressive minority.”<sup>4</sup>

When our fellow citizens are being assaulted by the men and women charged to protect all Americans, we all have serious, hard, work to do.

CANTOR: *Al chet shechatanu l’fanecha...*

RABBI: for the sin we have committed against you by mass incarceration.

In America today, unprecedented numbers of African Americans sit behind bars, and their incarceration permanently disables them from participating in our society. And as Jews, we have a responsibility to witness this injustice and to work to correct it.

In America today, 1 out of every 106 white men sits in jail. For black men, the number is 1 in every 15. More than half of these men are parents of young children, and the Pew Foundation reports that “more than 1 in 9 black children has a parent in prison or jail, a rate that has more than quadrupled in the past 25 years.”[5]

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<sup>3</sup> *Between the World and Me*, 2015, pp. 17-18

<sup>4</sup> *ibid*, pp. 78-79.

I could go on, but the numbers are painfully clear. Our country is systematically locking up African American men. Why? Why are so many black men going to jail?

Some conclude that there's simply something wrong with black culture in America. Something about African American home life drives young black men to commit more crimes than white men. After this spring's riots in Baltimore, the police chief there urged black parents to [quote] "take control of your kids," suggesting that degenerate family structures were to blame for black crimes. Bill O'Reilly stated it even more forcefully: "Cultural violence ... is a local problem. And the combative African-Americans themselves have to rise up and demand protection." In other words, black Americans have a problem, and black Americans need to fix it.

We've heard this rhetoric before. The New York City police commissioner once defended his policy of race-based policing because [quote] "boys under sixteen [are] being brought up to lives of crime." That's why "half of [New York's] criminals [are] of [one] race." he said. But that police commissioner was speaking in 1908, and the race in question was Jews.

"Culture makes criminals." It's just as false today about African Americans as it was a hundred years ago about Jews. There is nothing intrinsic to African American culture that makes black men more likely to commit a crime.

They are, however, more likely to be suspected, arrested, and incarcerated. The American Bar Association reports that 14% of all drug users in America are black. Which makes sense, because 14% of all Americans are black. But African Americans make up 40% of all people who are arrested for drug offenses, and they make up 53% of all people who are sent to jail for drug crimes. In less than 30 years, the penal population of this country has exploded from 300,000 to more than two million, with drug convictions accounting for the majority of the increase.

A spiraling system of bias and disenfranchisement has robbed the African American community of full access to the American dream.

These men, now felons, are barred from voting and serving on juries. They are also subject to legalized discrimination in employment, housing, education, and public benefits, just as their parents, grandparents, and great grandparents once were.

And we watch with disbelief and confusion, wondering how it is that so many in the African American community have failed to reach the American Dream so many of us enjoy.

No other country in the world incarcerates such a high percentage of its racial or ethnic minorities. The United States imprisons a larger percentage of its black population than South Africa did at the height of apartheid.

When our fellow Americans are being incarcerated in record numbers, and thusly permanently banished from the promises of the American dream, we have hard work to do.

And the list goes on and on.

CANTOR: *Al chet shechatanu l'fanecha...*

RABBI: for the ways we have wronged You and our fellow Americans by profiting from a system of a oppression.

CANTOR: *V'al chet shechatanu l'fanecha...*

RABBI: for the ways we have wronged You and our fellow Americans by denying access to high quality education as a basic human right for every American child.

CANTOR: *V'al chet shechatanu l'fanecha...*

RABBI: for the ways we have wronged You and our fellow Americans by allowing the dream to be deferred for so many.

Adonai our God, we know that in a free society some are guilty but all are responsible. We are responsible. I am responsible. For all these failings in our society, God of Action, **do not forgive us, do not pardon us and do not let us atone** until all of your children can walk home at night without fear of violence, until all Americans are truly free.

Fifty years after the march from Selma to Montgomery, there is yet a great distance to be travelled to the promised land of racial justice in America. We still haven't corrected our separate and unequal system of education. We watch with baited breath as the guarantees ensconced in the Voting Rights Act are cut away. And we haven't come to terms with the fear that African Americans have every day—the fear of driving while black, of walking while black, of breathing while black. And perhaps, most expansively, we haven't begun to come to terms with the outcome of the war on drugs.

Our hearts must break open if we are to see change in America. We must recognize that racial injustice—not unlike the anti-Semitism we ourselves have encountered over centuries-- has everything to do with the culture of demeaning persons—in this case, persons of color. There is no justification for a society where my new friend Royal's son has a far greater chance of being stopped, held, imprisoned, or killed, than my son, simply because Royal's son is black.

My heart has been broken open this summer. Perhaps your more sensitive heart has been broken open all along, or perhaps a fissure has formed this morning. If Keisha can still be devoting her life to justice; if Middle Passage can give his life for justice, can we do any less? The question is, though when our hearts are broken open, what do we do then?

The author Parker Palmer has written about what happens when suffering and injustice break our hearts.<sup>5</sup>

“There are two quite different ways for the heart to break. There’s the brittle heart that breaks apart into a thousand shards, a heart that takes us down as it explodes and is sometimes thrown like a grenade at the source of its pain. Then there’s the supple heart, the one that breaks open, not apart, growing into greater capacity for the many forms of love. Only the supple heart can hold suffering in a way that opens to new life.

“What can I do to make my tight heart more supple, the way a runner stretches to avoid injury? That’s a question I ask myself every day. With regular exercise, my heart is less likely to break apart into shards that may become shrapnel, and more likely to break open into largeness.

“There are many ways to make the heart more supple, but all of them come down to this: Take it in, take it all in!”

While we might convince ourselves that Yom Kippur is about confronting sins we **know** we commit, I would argue that the higher task today is to unearth sins we haven’t even entered into **conversation** with, because our self-perception won’t admit it. Our tradition calls repentance *cheshbon hanefesh*, the reckoning of our souls. And when it comes to racism, the time for our country’s soul- reckoning has come.

While there’s no law we can pass to end racism, we can push for every law that prevents whatever assumptions or fears we may carry around with us from turning into legalized injustice. The Voting Rights Advancement Act of 2015 would restore some of the protections that the Supreme Court Shelby Case stripped away; the ushers outside have postcards I ask you to sign and send in to your legislators to urge them to support this important bill.

Beyond that, I turn to the teachings of Bryan Stevenson, author of the devastating book *Just Mercy*. Stevenson challenges us with what he believes it takes to bring justice into a world filled with brokenness. He says there are four ingredients: proximity, narrative, hope, and the willingness to do uncomfortable things.

To get proximate with these issues, I’ve put together a recommended book list that you can find on the BHSS website. To hear narratives of hope, I’ve invited Keisha Thomas to come to speak at the congregation later this year.

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<sup>5</sup> On Being blogpost, April 15, 2015 <http://www.onbeing.org/blog/heartbreak-violence-and-hope-for-new-life/7476#.VclOITBViko>

And in the category of doing uncomfortable things, Rabbi Adam Baldachin of the Montebello Jewish Center and I have been speaking about these difficult issues with some African American pastors we know. We began a process of taking it all in. And we are each inviting our congregations to take it all in.

We are beginning to imagine forums to bring us **proximate** to each other in ways we rarely are. We are imagining coming together to listen to each other's **narratives**. We will do our best to leave our cynicism and skepticism at the door, leaving open the possibility of **hope**. And, too, we are not naïve. We know that these forums may make us **uncomfortable**.

They may break our hearts open even further. But we believe that it is only in this way that God's words may fall in, and drive us to make the world more just because we are in it.

Being broken-hearted is part of the experience of what it means to be a Jew. We have had our hearts broken so many times, that we are compelled to see the brokenness of our society—the brokenness that afflicts our neighbors, as well as the brokenness that we are sometimes the beneficiaries of.

Gmar chatima tova. As our hearts are broken open this day, may we begin the process of sealing blessings into the world, for all its inhabitants.

Amen.