

Rabbi Rachel L. Joseph
Lo Tuchal L'hitalelem - We Will Not Remain Indifferent
Congregation Beth Israel, Portland, Oregon
Yom Kippur 5783

This is the season of reflection; of looking back and planning forward. Especially, over these last few years, what our lives look like have changed dramatically year to year. I put an offer on my first house on Erev Rosh Hashanah last year, with the inspection period closing 10 days later on Kol Nidre – yes, don't ask. After a lot of work, this Spring, we moved into our new home. Within the first month, the leaked Supreme Court draft opinion overturning Roe vs. Wade went public. We did two important things: hung our mezzuzah on the front door of our house and staked two signs in our front yard that read: "Reproductive Freedom is a Jewish Value" and "Abortion Bans are Against my Religion" (thank you National Council of Jewish Women for the signs).¹ Welcome to the neighborhood. I was, and continue to be, enraged at the overturning of our fundamental rights and violation of my religious liberty and I wanted our neighbors to know where we stand.

What happened next is so interesting. First, I've met all the Jewish people who walk by our house. Even one of my kid's doctors asked where we live and when I told her the intersection, she said: oh, the signs, I know where you live. (She's Jewish). Everyone talks about our signs. Those who go deeper than a simple "thumbs up" ask: why? What's the point of a yard sign when the Supreme Court already ruled? What do you think you're going to change, especially in Portland, especially in a state with the least restrictions on access to abortion care? What is going to happen? And. Aren't you scared of putting something that identifies you as Jewish in your front yard?

The reactions are full of anxiety, despair, and numbness.

You've heard us say over these last 10 days, how good it is to be together. And it is good. And, it's hard.

We have been dealing with fear and stress for so long that it's become a kind of numb fatigue permeating everything. To be in this world feels hard. Or, we've become so comfortable in the bubbles we've made to protect ourselves that venturing out seems like too much. This lack of motivation obviously impacts our individual lives, but it also affects our communities and the country as a whole. We are disengaged from the news and numb to politics, our circuits overloaded from months of crises. Some experts say we're losing our ability to actually care about one another; others say we've been steeped in badness for so long it's become difficult to imagine a better world.² It's so easy to shrug and say, that's the new normal. And it's easy to turn away, because who wants to look with clear eyes at a world so filled with injustice?

¹ <https://ncjw.myshopify.com/collections/accessories>

² Reading works from Professor Angela Neal-Barnett, Kent State University; Professor Kali Cyrus, Johns Hopkins School of Medicine.

For me, the real question is, what are we going to do about it? How does this season of the Jewish year invite us to work with being overwhelmed and also returning to our best selves? The first step toward fixing the truth is facing the truth. We must not turn away.

Turning back is the quintessential move of this time of year. The Days of Awe are all about teshuvah: repentance, return, turning ourselves around, re-orienting ourselves in the right direction again. Turning back is what we're here for today. Turning to face what's broken in the world, and then doing something about it.

The first step is opening our eyes and choosing to see.

There is a beautiful text from the Book of Deuteronomy, the last of the Five Books of Moses, the book of retelling our story to the generation of Israelites who did not experience slavery or receive Torah at Sinai, the new generation who will enter the Promised Land without their leader, Moses. Torah teaches:

“If you see the animal of your fellow citizen gone astray; do not ignore it; you must take it back to them. If your fellow citizen does not live near you or you do not know who he is, you must bring it home and keep it with you until your fellow citizen claims it; then you must give it back to them... and so shall you do with anything that your fellow citizen loses and you find; you can not remain indifferent: *lo tuchal l'hitalel*.” (Deut 22:1-3)

The Hebrew is interesting, with a sort of double negative: “you will not see your fellow’s animal astray and turn away from them.” “You will not see” means “covering your eyes, as if you did not see.”³ Because if one really didn’t see, there would be no obligation, (we can’t act on what we don’t know about) so “not seeing” must mean one did see, but chose to act as if one didn’t.

And then the Torah goes one step further. No matter what ‘you cannot remain indifferent.’ *lo tuchal l'hitalel*.

Lo tuchal l'hitalel. You saw it - you have to do something about it. You are NOT allowed to remain indifferent. **We** are not allowed to remain indifferent. We see democracy crumbling - We are not allowed to remain indifferent. We see racism, bigotry, homophobia, xenophobia and misogyny practiced in the public square without shame or apology - we are not allowed to remain indifferent. It is so powerful.

13th century Rabbinic commentator, Nachmanides, makes it clear that the mitzvah of returning lost property supersedes any inconvenience to the finder. He reminds us that the mitzvah applies to friends, strangers, and even to enemies. He says “Assist others. Remember the bond of humanity between you, and forget the hatred.” 20th century scholar, Benno Jacob, builds on his commentary, and suggests that the act of helping an enemy by helping his lost animal is itself a means of arriving at reconciliation. But it is Pinchas Peli, Israeli modern Orthodox rabbi, who crystallizes the heart of Judaism taught in this commandment: “From the moment one notices an animal gone astray, or an object lost by someone, one must not hide oneself. Whether

³ Robert Alter on Deuteronomy 22, “*The Five Books of Moses*.”

he is busy with something else, or whether he chooses to get involved, a person is in fact involved.”⁴ *Lo tuchal l’hitalem*, you shall not hide yourself or be indifferent to your surroundings, however inconvenient it might be for you to notice them and therefore to have to respond to them – it’s a quintessentially Jewish requirement, a teaching which fully recognizes age old human ways of glossing over what we’d rather not deal with.

And, I want to pause here to say: of course we can turn away sometimes to take care of ourselves. Everyone needs to turn away sometimes. Many of you have come to me with increased anxiety and depression because of the horrendous injustices in the world around us, and I have often counseled taking Shabbat off. No one can carry the weight of the world all the time, and the heart and soul can’t be healthy if they’re constantly in a state of outrage and trauma. By all means, turn away when you need to. Like I said during the High Holidays last year: it’s okay to not be okay. In fact, consider turning away before you need to, so that you can get the sustenance you need in order to turn back.

Yes, we’re tired. Yes, we are running on beyond empty. Experts started telling us in mid-2020 that prolonged anxiety was taking its toll on our minds and bodies, and that was like three or four variants ago. Some days, the best you can do is put a sign in your yard as a first step. And, then, don’t stop there. You cannot stop there.

As your Rabbi, I have stood before you for many years and talked about hope, gratitude, vulnerability, and ways we can look inside ourselves to find strength. Right now I’m asking you to turn outwards, to participate; to become actively engaged in the world around you.

I care deeply about democracy and I believe that this country is the greatest experiment in the world. What I mean by this is the United States of America is the first country to enshrine the principle of the free exercise of religion in our founding documents. Because of this principle, Judaism and religious diversity has thrived. This is why the Supreme Court ruling, overturning our right to abortion, is particularly outrageous because it is a violation of my religious liberty as a Jew. In a rare moment of near unity, Jewish organizations across the religious spectrum have spoken out in favor of legal and safe access to abortion care. Jews do not all agree on when and how and who, but Jewish law makes it clear that there are instances when abortion is required. There are lawsuits that have been filed by rabbis challenging restrictive abortion laws as an infringement of their freedom of religion.⁵ I am proud to be the first rabbi to serve on the board of Planned Parenthood Columbia Willamette. This is a fight where our voices, as Jews, matter and we must speak out for reproductive freedom. *Lo tuchal l’hitalem* - We will not remain indifferent.

And, I believe in the power of individuals to make a difference. Yet, today, in many state legislatures, lawmakers have continued to introduce or enact laws that restrict access to voting; making it harder for eligible Americans to register, stay on the rolls, and/or vote. Barrier after

⁴ All commentary from “*Torah Commentary for Our Times: Volume Three: Numbers and Deuteronomy*” Harvey J. Fields

⁵ Thank you, Rabbi Hannah Goldstein for your Erev Rosh Hashanah 5783 sermon “Pregnant with Possibility” <https://thejoyoftext.libsyn.com/halacha-and-abortion-dina-shalev-on-family-planning>, <https://www.washingtonpost.com/religion/2022/09/01/florida-pastor-rabbi-abortion-lawsuit/>,

barrier, lawmakers in 39 states have tried to enact restrictive voting laws, which disproportionately affect voters of color.⁶

Rabbi Abraham Ibn Ezra, a 12th century commentator, says the one who witnesses an atrocity and does nothing bears the same guilt as the one who committed the atrocity.⁷ There is a price to pay for remaining indifferent; and, what's worse, the price may not only be extracted from us, but also from future generations. *Lo tuchal l'hitale*m - We will not remain indifferent.

At CBI, we do not, we will not remain indifferent. There are many ways to find something you feel passionate about when this world feels hard. We have partnered with the Reform Movement, through its campaign for Every Voice, Every vote,⁸ leading a nonpartisan effort, grounded in Jewish values, to protect, expand, and strengthen Democracy. Our Social Action Committee, under the leadership of Sally Rosenfeld, is a leader in our state and an example to our country on this effort, creating opportunities for our congregation to reach out to marginalized voters in vulnerable states by sending postcards. You, too, can get involved with this effort.⁹

And, this November, in Oregon, we have an opportunity to make history and pass ballot initiative, Measure 114, led by Rabbi Cahana, to bring a gun violence prevention law to our state. You can help educate voters and make the initiative the law.¹⁰ *Lo tuchal l'hitale*m -- We will not remain indifferent.

But, we can't stop at the midterms elections. We need to be thinking past political parties and the next Supreme Court term. We need to think beyond the everyday. Jewish tradition helps lift our eyes to the horizon, as our ancestors taught us to do, and think about the long game.

As Rabbi Cahana taught last night, when we talk about Tikkun Olam, healing the world, we are talking about the slow, deliberate, long-lasting effort to heal this broken world. We cannot expect to achieve all our goals in one generation. The generation of Genesis was not the generation that received Torah at Mt. Sinai; and the generation that entered the Promised Land was not the generation that crossed the sea of the Exodus from Egypt. Nevertheless, we stay engaged, as tradition commands us to do. That's why we are part of Congregation Beth Israel: to build something powerful and transformative that lasts beyond our lifetime. As members of the CBI community, we don't have to choose the same path, but we need to choose something. *Lo tuchal l'hitale*m.

Find the path that works for you and step onto it in the New Year: Ensure every eligible American is able to vote. Support gun violence prevention in our state. Feed the hungry by contributing to the RPHHFFF. Send meals and letters of support to local PPCW offices. Lobby with us in Salem. Many of you participate in our annual Mitzvah Day. We believe every day is

⁶ <https://www.pbs.org/newshour/show/how-controversial-new-voting-laws-are-impacting-2022-elections>

⁷ http://mechonhadar.s3.amazonaws.com/mh_torah_source_sheets/CJLIParashatMishpatim5775.pdf

⁸ <https://rac.org/take-action/every-voice-every-vote/every-voice-every-vote-take-action>

⁹ <https://www.bethisrael-pdx.org/community/social-action/>

¹⁰ <https://www.lifteveryvoiceoregon.com/>

Mitzvah Day and have expanded our work to include a Mitzvah 365 taskforce; join and make a difference.¹¹

It's up to us to see a better world, and then to make that vision real.

We Jews know how to do this; it's our story, our history. It doesn't happen in the first few hours, or even in the subsequent days, weeks or years. But change comes. We know this by looking back at our story from slavery to freedom. We know it from every moment our ancestors traveled through the desert taking one step forward and two steps back. Eventually, they made it to the Promised Land. And though we think that's the end of the story, it's actually just the end of the Torah. Our story keeps going. Building and sustaining a just and compassionate society is the work of a lifetime.

So join me as we continue to learn from our Jewish story: this is not our final chapter. No, my yard signs won't change the Supreme Court this term but they are part of a larger story. The end of the story might not happen in my generation but we will, once again, reach the Promised land. And that's where we all come in: Congregation Beth Israel is uniquely suited to help you respond now, and, at the same time, we are experts in the long game. If you're feeling too burned out to do anything more than the minimum right now, remember that goal-setting can also be about changing our relationship to time. Things will get done at the pace they get done. That's one of the political strengths of being a minority. We've been navigating and surviving for thousands of years, and we're still here with a message of compassion and kindness and caring for the stranger. But none of these qualities are only innate. They are enforced and reinforced through our ongoing connection to Jewish values, ritual, text and tradition. They are taught and modeled through our ongoing involvement at CBI. So, no matter how you decide to engage in the work, be it through Mitzvah 365, direct service, advocacy, or organizing, this year, and every year, help us to interpret and answer this ancient call: *lo tuchal l'hitalel*. We will not remain indifferent.

As Elie Weisel z"l reminds us "The opposite of love is not hate, it's indifference. The opposite of art is not ugliness, it's indifference. The opposite of faith is not heresy, it's indifference. And the opposite of life is not death, it's indifference."¹² *lo tuchal l'hitalel*. We will not remain indifferent!

G'mar chatimah Tovah, may you be inscribed for a good life.

¹¹ <https://www.bethisrael-pdx.org/community/social-action/>

¹² Elie Wiesel's Acceptance Speech, on the occasion of the award of the Nobel Peace Prize in Oslo, December 10, 1986