

Tikkun Olam--Tikkun Hanefesh
Yom Kippur Morning 5776

When I consider the scriptural readings for this morning, I think: good cop, bad cop. The Torah portion we will read on this day, a day given over to intense self-scrutiny, reminds us that living requires choices and that choosing the godly path is within our grasp, not too hard, not something unobtainable, but “very near, in your mouth and in your heart.”

By contrast to the gentle encouragement of the Torah portion, the good cop, the Haftarah, issues a stern warning timed irritatingly well to the rituals we Jews are in the midst of performing on this very Day of Atonement. Just as we find ourselves about midway through a day of marathon prayer accompanied by denial of food and drink and the donning of white clothes symbolizing the purity toward which we aspire and the death awareness that could impel such aspiration – amid all this ritual straining -- Isaiah comes to shatter our pious bubble. The prophet comes to remind us that our rituals, including these that we now perform, do not amount to a hill of beans if unaccompanied by deeds directed at improving the wellbeing of others, especially the most needy, the most marginal, and the most vulnerable. That is, Isaiah would have us know that if the rituals we practice do not inspire us to direct our deeds toward a more just society, then the rituals become in and of themselves worse than meaningless; they become acts of idolatry.

Both Torah and Haftarah readings seek to inspire us to improve our ways and to turn toward our better selves, the first by suggesting that we **can** do it, the second by reminding us how easy it is to slip into self deception, to settle for appearances, for pious pronouncements and pretense unmatched by righteous deeds or habits. Hearing Isaiah as an adult puts me in mind of my early teenage years when so much of the adult world had begun to appear to my youthful eyes as hypocrisy built upon more hypocrisy. I remember hearing adults speak about the ills of society. But why didn't they fix them? I remember my “discovery” that synagogue rituals and the language of prayer in particular did not address the real issues facing humans which, as I had come to see it, all could be reduced to one: we die. Since we will all die, why ought we spend even a moment mouthing very old words, many of which we either do not believe or cannot understand, while standing and sitting in random patterns according to the directions of the white haired rabbi wearing silly black robes? It made no sense.

As a youth, I did not realize that Isaiah had the same problem, only his advice differed from mine. Mine was: chuck the religious nonsense. His: Set your rituals and your deeds into alignment. Do not throw out the baby with the bathwater. The rituals have power and purpose, but do pay attention to the matter of alignment. The rituals have a sustaining function if and when they serve a higher value. In a word, both Torah and Haftarah portions point us toward the outward goal of a just society and an inwardly directed goal, the development of moral fiber. One might apply the label *Tikkun Olam*, mending the world, to the first goal, and *Tikkun Hanefesh*, mending the soul, to the second, dually apt themes for a day directing us to sober self-analysis.

To be clear, one would heed the message of *Tikkun Olam*, for example, by contributing to organizations that endeavor to make systemic changes, like IMPACT, or those that provide direct aid, like AIM or PACEM or the Emergency Food Bank or the Blue Ridge Area Food Bank, or Mazon, or the Jewish Joint Distribution Committee, or the IRC, or Literacy Volunteers or Habitat for Humanity, or the UJFC, or those that support scientific or medical research, or organizations that sustain Jewish community and promote Torah learning (a certain local synagogue might count in this regard), or by volunteering for any the previously named groups or others (there are so many) or any cause one feels will improve someone else's life or change the societal system for the better, including political advocacy.

If one is young, one could consider directing oneself toward a career that had the likelihood to serve the cause of mending the world or some corner of it. If one was approaching retirement, one might similarly consider the application of newly freed up time to the end of such mending. For self-interested reasons, I have been closely observing those who have made the transition to retirement in recent years and have noticed that those who include some *Tikkun Olam* work in their weekly routine seem to stay more alert, feel happier, and often remain healthier.

As for the message of *Tikkun Hanefesh*, one would heed it by engaging in any means designed to bring greater holiness into one's life, including a routine of weekly or daily prayer, some manner of Shabbat observance, like a 24-hour moratorium on phones and computers, some new ritual observance or some old ritual observed with new intentionality, a simple meditation practice, physical exercise, yoga, or, drum roll, the study and practice of Mussar using the Tikkun Middot curriculum, about which I spoke some last night. Regarding the latter, I would encourage those who wish to read the Torah portions associated with the coming holidays and any Shabbat and to read them through a lens of curiosity,

with the goal of receiving something of value, with the disposition of *Hitlamdut*, about which I spoke last evening.

Furthermore, regarding a routine of Torah study or any other ritual practice you might take on, and borrowing an approach of Rabbi Irwin Kula, I invite you to pose this question: what is the purpose or the job of this ritual act, this prayer, this ritual article or this sacred text? What is the job of the tallit? What is the job of the kippah? What is the purpose of kashrut or a particular prayer or a phrase or word of Torah? Pose the question for a particular ritual about which you are curious and then patiently and persistently find a way for responses to emerge, either out of experience, or study, or in conversation with others, or all of the above. That way, the ritual will come to serve its function and you will take ownership of it.

The Torah insists that we align our words and our deeds. This idea points us both toward the call to mend the world and also the call to mend ourselves. But mending does not mean perfecting and, as we learned last night, “people do not drown by the book.” People do not drown by the book because books often portray ideal conditions while people live in the world where conditions are never ideal. Thus, in the real world, ideal or perfect solutions may not present themselves and, if they do, they may not emerge as the solution most desired. To wit, the *Marish Hagazul*, the stolen wooden beam, teaches a lesson about the application of justice in the real world and our necessarily imperfect efforts to align word and deed. In *Mishnah Gittin 5:5*, we read as follows:

Rabbi Yochanan ben Gudgodah testified [in the case of] the beam that has been stolen [*Hamarish Hagazul*] and the thief went and built it into a large building: its owner can claim only its value in money, so as not to put obstacles in the way of penitents.

Regarding this legal stipulation in the case where a thief has stolen a wooden construction beam and then, prior to its discovery as stolen, used it the construction of a large building, the Talmud provides two distinct reactions [*Babylonian Talmud Gittin 55a*]:

The rabbis taught: If a man wrongfully takes a beam and builds it into a large building, Beit Shammai says that he must demolish the building and restore the beam to its owner. [By contrast,] Beit Hillel says that the latter can claim only the monetary value of the beam, so as not to put obstacles in the way of penitents.

Generally, if a thief steals something, Jewish law would require the thief to return the stolen object and perhaps pay a penalty and make good on whatever other losses accrued from the theft. That would be called straightforward justice. Beit Shammai, it would appear, argues for such straightforward justice even if its application requires the destruction of the large building now containing the stolen beam. In the view of the Talmud, Beit Shammai is not wrong in arguing for straightforward justice; he might even be wisely thinking about future deterrence. What kind of society would arise if the stealing of substantial construction material was punished in a manner relatively convenient to the thief?

On the other hand, Beit Hillel (and the Mishnah itself) seems to have a different concern: if the original owner of the beam can insist on the restoration of the beam itself, the thief may never be able to make restitution, since either the beam cannot be reclaimed (as it is already in use) or its restoration would cause such huge damage that the thief would go into perpetual debt. Either way, the Mishnah wants to require the thief to make good on the theft but not at a cost he cannot bear. Moreover, if the concern is to rehabilitate the thief so that he transcends his thieving ways, Beit Hillel and the Mishnah seem to want to enhance that likelihood rather than inhibit it. That is how I understand the phrase “so as not to put obstacles in the way of penitents.” [Since you have the text in the Holiday Booklets, please feel free to discuss it and offer alternate understandings!]

No matter what, Beit Shammai’s insistence that the ideal of justice requires that the stolen beam be restored and not merely its monetary value is rejected not because it lacks validity, but because the Mishnah seems to prefer a society where the wrong-doers have a chance to make amends, where a thief can reform her ways.

Who recalls the curious case of Cornealious “Mike” Anderson, a 23-year old American man convicted of taking part in a robbery in the year 2000 somewhere in Missouri. After conviction, the sentence handed down was a 13 year prison term; Mr. Anderson was to wait at home until contacted by the authorities who would then transport him to prison. He went home and waited ... and waited ... and waited. He waited until July of 2013 when he was scheduled to be released from prison. At that point, the clerical error came to light and Mr. Anderson was hauled off to prison.

As it happens, while waiting for the authorities to bring him to prison during those 13 years, Mike Anderson had started his own construction-related businesses,

married, divorced, married again, and raised three children of his own and one step-child. He also coached some youth football and volunteered at his church. Never hiding his identity or his location, Anderson, every now and then would call his lawyer, asking for advice, and was told to wait for the order to report to prison. The end of the matter: after serving a few months in prison, a federal judge decided that in balancing the seriousness of Anderson's crime with the clerical error made by the justice system and also Anderson's upstanding conduct since the robbery, he should now go free and free he is. That judge, in not insisting on imposing the 13-year sentence, but in taking all circumstances into account ruled in the manner of the Beit Hillel, ruled “so as not to put obstacles in the way of penitents,” and not according to the straightforward justice of Beit Shammai. The stolen beam could remain where it was and a rehabilitated Mike Anderson could return to his family, his church, and his business.

As for us, imperfect humans living in an imperfect world, may the rituals of this Day of Atonement impel us to strive to mend that world and to mend ourselves.

And may we strive to mend without expectation of perfection “so as not to put obstacles in the way of penitents.”