

## **America's Original Sin**

Rabbi Richard A. Block

The Temple – Tifereth Israel

Cleveland, Ohio

Yom Kippur 5777/2016

It's sometimes said that the difference between optimists and pessimists is that optimists believe this is the best of all possible worlds and pessimists are afraid they're right. In truth, life is more complex than that, as Dickens' novel, *A Tale of Two Cities*, famously reminds us. "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way..."

On one hand, as the new year begins, we have so much to celebrate. We are the most blessed generations in our People's history. Never before has the vast majority of Jews lived in freedom and dignity, with the rights, privileges, protections and opportunities of citizenship in a democracy. Our achievements and contributions in nearly every field of endeavor are as impressive as they are disproportionate to our numbers.

The State of Israel, too, is thriving, despite internal challenges, the determined efforts of its detractors, and the implacable hostility of its adversaries. Its economy is dynamic, its culture is vibrant, and its defense forces are strong, and every day seems

to yield Israeli innovations that benefit humanity. As turmoil consumes the Middle East and the scourge of Islamic terrorism spreads, much of the Sunni Arab world has realized it shares a strategic outlook with the Jewish State. And though the Israel-Palestinian conflict tragically continues to fester, the claim that it's the root cause of regional instability is revealed as the Big Lie it has always been.

Here at home, our congregational family has entered an exciting new era, with the inauguration of our transformed Beachwood facility, our return to the majestic Silver Sanctuary for the Holy Days, and the inauguration of our new High Holy Day prayerbooks. All this is in fulfillment of our Vision Statement, which affirms, "We cherish our rich history and traditions and foster a dynamic culture of imagination and innovation." These developments demonstrate our enduring respect for The Temple's heritage of spiritual and intellectual leadership, our commitment to maintain and enhance its present warmth and vitality, and our confidence in the promise of its future.

In so many ways, these are the best of times. Yet, many do not fully share our blessings. Jew-hatred metastasizes on the Internet. European Jews no longer feel safe in their homes, schools, streets, and synagogues. Since last Rosh Hashanah, terrorist attacks killed 40 Israelis and injured 527 in stabbing attacks, shootings, vehicular ramming attacks and one bus bombing. Even in the United States, anti-Semitism and other forms of intolerance flourish and social norms that formerly discouraged the open expression of bigotry have been seriously and irresponsibly undermined.

In the US, mass shootings have taken scores of lives, and we have also seen an alarming and ominous series of deaths of black men and women, mostly men, at the

hands of police officers, or in police custody, some while unarmed or subdued. Here is a handful: Tamir Rice, 12, killed just blocks from our University Circle Temple, holding a toy gun; Eric Garner, 43, was arrested for selling loose cigarettes and died in a choke hold, held down by several officers; Walter Scott, 50, was shot in the back running away from a traffic stop for a broken tail light; Samuel DuBose, 43, was killed by a University of Cincinnati officer when he refused to produce his drivers license and get out of his car; and Terence Crutcher, 40, was tasered, then shot to death in Tulsa, while unarmed, standing still, with his hands raised above his head.

Few of the many deaths have led to prosecution and fewer still to conviction. In every instance, the officers claim justification, and surely that is often true. When it is, they deserve steadfast support. But recording these confrontations is now common, and some of the videos turn the stomach, break the heart, and shock the conscience. Whatever the particular circumstances, each new death reinforces a widely held belief that blacks are subject to systematic law enforcement bias.

In July, after controversial police shootings of black men in Minnesota and Louisiana, five Dallas officers were murdered in a heinous act of apparent retaliation. At the time, they were protecting marchers protesting police violence. The irony, as my Dallas colleague, Rabbi David Stern, put it, was "almost too painful to bear." A little more than a week later, three more officers were slain in Baton Rouge. In the aftermath, three slogans emerged - Black Lives Matter, Blue Lives Matter, and All Lives Matter - as if these affirmations are mutually exclusive and each negates the others. They are not and do not.

At an interfaith vigil, Dallas Mayor Mike Rawlings observed that these tragic events can be addressed only by holding two simultaneous truths: that too many of our nation's police commit acts of violence towards innocent civilians of color; and that the vast majority of our police risk their own lives to protect the lives and freedoms of all our citizens. As a volunteer police chaplain with the Shaker Heights Police, a Department I admire, as I do that of Beachwood, I strongly affirm the latter truth. As a concerned citizen, I likewise affirm the former.

Clearly, our nation has a vast, longstanding, and malignant racial divide. In a very real sense, race is America's original sin. Though the Declaration of Independence proclaims that, "all men are created equal," the Constitution acceded to slavery's continuation and equated slaves to 3/5 of other human beings. The Union could not have been formed without that tainted compromise. And as Chief Justice Taney wrote in the infamous Dred Scott decision of 1857, the framers considered blacks "beings of an inferior order" with "no rights which the white man was bound to respect." Racism was encoded in America's DNA at its founding. Ever since, before and after the Civil War, despite the 13<sup>th</sup> and 14<sup>th</sup> amendments, race has continued to be a tragic American scandal. Segregated schools were not outlawed until 1954, and racial discrimination in voting, employment, housing, and public accommodations was still legal when protests erupted in the 1960's. More than a half century later, it is yet to be fully eradicated.

After riots that began in 1964, President Johnson formed the Kerner Commission. It concluded that, "Our nation [was] moving toward two societies, one black, one white - separate and unequal." In a prophetic sermon in February, 1964, a month after the

white riot in Cleveland's Little Italy over school integration, and two years before the Hough riots, Rabbi Dan Silver z"l discussed rising racial tensions and black protests in Cleveland. He declared, from our Temple's *bima*, "What were the picketing, and the freedom singing, and the sit-in all about? It was a desperate cry, 'See me,' spoken by the half of Cleveland we contrive not to see...See me not as a welfare statistic but as a mother concerned with the place and quality of her child's learning...See me...as a father intimately concerned with the wellbeing of his family and the decency of his neighborhood." He continued, "...[It is] a voice that will cry out and agitate until we listen, [that cries out] 'We have been wronged. As human beings, as citizens, created by God, we have our rights to decency and dignity, to hope, and to a future.'"

Our African-American siblings continue to cry out today. Despite monumental progress since the 60's, we remain far from realizing the dream of Martin Luther King, Jr. z"l, of a nation where children would not be judged by the color of their skin, but by the content of their character. A half-century after Rabbi Silver's stirring wake up call, Rabbi Stern of Dallas urges us, "The God who heard the cry of the oppressed requires us to listen – to narratives of racism, to exposures of white privilege and educational inequities and mythic meritocracies. We do not need to agree with everything we hear, but we need to hear it. And when that hearing produces pain, then we need to feel it. And if that pain motivates us to create a more just and safe society instead of silencing the truths that disturb us, we will know that we have broken through the silence towards hope."

So, let us hear the voice of Nikole Hannah-Jones, a Peabody Award winning

writer, who asks, "How do you explain – how can you make those who are not black feel – the consuming sense of dread and despair, when one sees the smiling faces, in photos, [of black men later killed by police] and knows that but for the grace of God, it could have been your uncle, your brother, your child, you? That if a police officer...were to stop your loved one or you, he may not be able to see... someone into whom...parents, aunts and uncles, grandparents, spouses, children and community had poured their love, hopes and dreams...? How do you explain that awful understanding that each of these deaths confirms for black citizens, that if stopped by the police, we may be stripped down to our most basic of elements...our race."

The perception that black Americans are treated differently by law enforcement is confirmed by substantial research. One study, by Harvard Professor Roland G. Fryer, Jr., found that black men and women are significantly more likely than whites to be touched, handcuffed, pushed to the ground or pepper-sprayed by a police officer, even after accounting for how, where, and when they encounter the police...and even when the police reported that the individuals were compliant. Let us hear Professor Fryer's voice. "Who...wants to have a police officer put their hand on them or yell and scream at them?...Every black man I know has had this experience. Every one...And when I talked to minority youth, almost every single one of them mentions lower-level uses of force as the reason why they believe the world is corrupt."

Columnist Nicholas Kristof writes, "As it happens, the trauma surgeon running the Dallas emergency room when seven police officers were brought in with gunshot wounds is a black man, Brian Williams. He fought to save the lives of those officers and

wept for those he couldn't help. But in other contexts he dreads the police. He told the Associated Press that after one traffic stop he was stretched out spread-eagle on the hood of a police car.... He described his feelings for the police this way, 'I support you. I defend you. I will care for you. That doesn't mean I will not fear you.'

Symone Sanders, former national press secretary for Bernie Sanders, (and no relation) shares her experience: "There were places where literally I couldn't get in. I would go to the...staff entrance, and people would say, 'This is staff only.'...My breaking point was a time I had to let the event staff know I was having trouble getting in places and asked them if they could just really make an extra effort for this particular day, because it had been a long week. Like, 'Could you please just let folks know that I'm coming and I'm black?'"

Professor Naomi Zack at the University of Oregon, points out that the term "white privilege" means whites can take certain things for granted and don't have many of the worries that blacks do. One of them is discriminatory policing. In the black community there is something known as "the talk," a lecture parents give kids, especially sons, about interactions with police. Ironically, I heard about "the talk" from a white parent, a Reform rabbinic colleague. When he adopted his two black sons, now teenagers, he knew there would be challenges, but he didn't imagine having to warn them of special dangers faced by black youth. When *our* sons began to drive, Susie and I advised them to be polite if stopped by an officer. But it never occurred to us, and, unlike the loved ones of black kids, we had no cause to worry, that their lives might depend on it.

A quarter century ago, Peggy McIntosh, Associate Director of the Wellesley College Center for Research on Women, a Caucasian, identified daily effects of white privilege in her life. Among them, she said: I can go shopping...pretty well assured I will not be followed or harassed [in stores]; I can worry about racism without being seen as self-interested; I can take a job with an affirmative action employer without having my co-workers suspect that I got it because of my race; If I have low credibility as a leader, I can be sure that my race is not the problem; and I will feel welcomed and "normal" in the usual walks of public life.

If you doubt white privilege exists, hear the voice of black comedian Chris Rock, who tells his audiences, "There ain't a white man in this room that would change places with me. None of you would change places with me. And I'm rich!" His listeners' telling laughter, and your own, confirms that he is right. White privilege is real, even if we are oblivious to it, and others understandably resent it.

It is important to recognize that not all bias and patterns of discrimination, in police officers or the rest of us, of whatever race, are conscious and overt; they can also be unconscious and implicit. One noteworthy study involved a video game. Participants were shown an image of a person holding either a gun or another object and had to decide quickly whether to shoot the image. They were more likely to mistake black persons as armed when they were not, and to mistake white persons as unarmed when they were armed. A National Opinion Research Center study found that while fewer Americans admit openly to holding racist views, negative racial stereotypes persist. It concluded, "most Americans see most minority groups in a decidedly negative

light on a number of important characteristics." And landmark research by social psychologist, Claude Steele, demonstrates that racial and gender stereotypes are not just wrong, they're harmful.

In synagogue life, "white privilege" means most of us can say, "I can walk into a temple and feel that others do not see me as an outsider or exotic." "I can walk into a temple and feel that my children are seen as Jews." Jews of color and Jews with children of color cannot necessarily say that. There are increasing numbers of Jews in black-Jewish households, by reason of marriage, conversion, and adoption, in the Jewish community and in our congregation, whose Vision Statement begins, "We are a warm, welcoming synagogue family where each person matters." I believe this to be largely, and increasingly true. But racial bias, whatever its source or extent, is not just a problem for others; it is also a problem for us and ours.

It is ours as Clevelanders, too. Last year, a Justice Department investigation of the Cleveland Police Department documented "the unnecessary and excessive use of deadly force...; the unnecessary, excessive or retaliatory use of less than lethal force; excessive force against people who are mentally ill or in crisis; and the employment of poor and dangerous tactics that place officers in situations where avoidable force becomes inevitable." The investigation also found that this pattern has eroded public confidence in the police, caused public safety to suffer, and made delivering police services more difficult and more dangerous. In a consent decree, the City of Cleveland committed to transform the department into "a model of community-oriented policing that will make both police officers and the people they serve safer." Let us pray that

Cleveland, a national exemplar in so many ways, will also be one in this.

An adage known as Miles' Law holds that, "where you stand depends on where you sit." That is certainly true of race. A recent survey found that whites and blacks differ overwhelmingly on whether race affects police use of force and every other aspect of the criminal justice system, fairness in the workplace, applying for a loan, lease or mortgage, how people are treated in stores and restaurants, and voting rights.

Ample evidence shows that it does. In July, the U.S. Court of Appeals for the 4<sup>th</sup> Circuit struck down North Carolina's voter identification law, finding it was designed to "target African-Americans with almost surgical precision." Also this summer, a federal judge threw out Wisconsin's Voter ID law, holding that such restrictions exist only to suppress voting, especially by minorities. He wrote, "[A] preoccupation with mostly phantom election fraud leads to real incidents of disenfranchisement which undermine rather than enhance confidence in elections." In response to such laws, our Reform Movement is working with the NAACP and others to protect voting rights and maximize election participation. Greater Cleveland Congregations, of which The Temple is a member, is conducting a non-partisan Get Out the Vote campaign. And the Maltz Museum is presenting, "This Light of Ours: Activist Photographers of the Civil Rights Movement." Milt Maltz observes, "Ordinary people risked everything to fight for equality in the segregated South of the 1960's. The question this exhibition asks is, 50 years later, who will take up the challenge to right inequities that continue to spark anger across this country? How can we heal this open wound of racial division in America?" Milt's questions echo Hillel's: If I am only for myself, what am I? And if not now, when?

Support for racial equality has been a proud hallmark of the American Jewish community in the 20<sup>th</sup> century. The landmark civil rights legislation of the 60's was drafted in the Reform Movement's Religious Action Center in Washington, DC. And few who were alive at the time will forget the disappearance of one black and two Jewish young men, James Chaney, Michael Schwerner, and Andrew Goodman, whose remains were found buried in an earthen dam near Philadelphia, Mississippi, or the bloody beating of Cleveland's Rabbi Arthur Lelyveld in Hattiesburg, where he'd helped register black voters, or the sight of Rabbi Abraham Joshua Heschel marching arm-in-arm with Dr. King in Selma.

The memories of such events, and of the Black-Jewish partnership of that era, are gratifying, but our job is not done, and past contributions to the cause do not excuse us from the ongoing struggle. When the Torah commands, "Justice, Justice shall you pursue," it is insisting that progress toward a more just society requires unrelenting effort. As the Talmud puts it, "You are not required to finish the work, but neither are you free to desist from it."

Nor is the obligation to care about racial inequality excused by anti-Semitism in parts of the black community, including some in the Black Lives Matter organization, whose despicable platform calls Israel an apartheid state and obscenely accuses it of genocide. I would not associate with any person or organization espousing such views, but the ignorance and prejudice of others cannot excuse unconcern for injustice on our part, even to those whose views we detest. And history reminds us that hatred inflicted on one minority never stops there; inevitably it turns upon others. As German Pastor

Martin Niemoller wrote, "When they came for the Jews I remained silent. I wasn't a Jew. When they came for me, there was no one left to speak out."

Why must we care about racial injustice? We must care because the Torah commands: You shall not stand by idly while another bleeds. We must care because Isaiah declared: Is not this the fast I look for: to unlock the shackles of injustice, to undo the fetters of bondage; to let the oppressed go free and to break every cruel chain? We must care because the Talmud warns, "Do not separate yourself from the community." We must care because Midrash asks, "How can you say you love me if you don't know what hurts me?" We must care because the lives of Jews of color and their loved ones are impacted by systemic racism. We must care because we who are white are unfairly privileged over others on account of our race, and because even white Jews will never be truly safe in a society that inflicts or tolerates racial prejudice. We must care because issues of race continue to divide and damage the country we love and the communities we call home. We must care about racial injustice because common decency demands no less. As Elie Wiesel taught us, "The opposite of love is not hate; it's indifference."

Issues of race and racism in American life are stunningly complex and present challenges that defy ready answers. They are also controversial and emotionally charged. But theologian Reinhold Niebuhr's view, that religion should comfort the afflicted and afflict the comfortable, is a time-honored tradition on this pulpit. So, if my sermon has caused discomfort, I invite you to share my own, to struggle along with me to overcome insularity and resist the comforting allure of denial, to become more aware

of burdens others bear and injustices others suffer, even if we do not. Let us no longer turn away or deceive ourselves, like those Jeremiah described, who declared, "'All is well! All is well!' When it is not well." Rather, let us hear those who cry out for justice in our day and, in Isaiah's words, raise our voices "like a shofar." Then, and only then, will we deserve fulfillment of God's promise that we shall be "like a watered garden and an unfailing stream," that we shall be called "repairer of the breach," and "enjoy the heritage of Jacob, our father." *Keyn y'hi l'ratzon – May this be God's will, and our own.*