

Yom Kippur Morning 5771
The Light of Economic Justice
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Shabbat Shalom and *Good Yontif*. When I think about preparing for Yom Kippur, I often think about my father. You see, I am an RK, a rabbi's kid, so Yom Kippur in my house meant the pressure of writing a meaningful sermon. My how times have changed! Now in our house both parents feel the weight of crafting just right message for the season. But it's not so bad. And, if Itai or Yonah want to be rabbis someday, I will certainly support their decision with pride, but at this point I am encouraging their passion for baseball. Maybe one day they will fulfill their dad's dream of becoming the double play combination for the L.A. Dodgers. I guess in the spirit of Yom Kippur I should come clean. I am a Dodger fan. I beg your forgiveness.

When I remember my dad writing his holiday sermons, I picture him sitting in his study, transferring notes from a yellow legal pad with the clicking and clacking of his electric typewriter into the elegant prose of his teaching. As I watched him work, a small brown frame on the wall would always catch my attention. In the frame hung a tan stationary with eight lines of graceful cursive writing. The date on the note read November 1916.

The frame held a thank you note to my great-great grandfather, Simon Cohn, from the first Jewish justice appointed to the Supreme Court, Louis D. Brandeis. Simon Cohn owned a general store in Oxnard, Ventura County, as well as lemon groves and lima bean fields. Upon the appointment of Justice Brandeis to the Supreme Court in 1916, Simon Cohn sent Brandeis two bushels of congratulatory lima beans. I can only imagine the delight my great-great grandfather must have felt in Justice Brandeis's accomplishment. At a time when many injustices still faced Jews in early 20th century America, a Jew had been named to the highest court in the land. The thank you note was simple and heartfelt. It reads, "Dear Mr. Cohn, Let me thank you for your very courteous Thanksgiving greeting which our friends shall share with us. Yours Truly, Louis D. Brandeis." Today this letter hangs in my study at home. It inspires me with both pride and personal nostalgia. Not only does it remind me of the first Jewish justice on the Supreme Court, it reminds me of the value of Jewish justice. This Yom Kippur season, the words and judicial legacy of Justice Brandeis reverberate. Let me explain.

In his day, Brandeis was a leading progressive of the Gilded Age. Skeptical of the rampant, unchecked accumulation of wealth by big industry and corporations, Brandeis built his private practice championing the interests of small business owners over the robber barons and monopoly holders of his day. Brandeis looked around at the state of business and the "get rich quick" environment, and observed a fundamental unfairness in which the system favored what he called a "financial oligarchy". By 1914 Brandeis laid out his observations in a book called, *Other People's Money and How the Bankers Use It*. Brandeis looked at the J.P. Morgans and Rockefellers of America and identified them as a threat to the economy and to American democracy. Not only were monopolies formed, but commercial and investment banks merged, clients investing with these banks were charged exorbitant underwriting fees, and the companies used client's capital rather than their own in risky investments. These companies used faulty accounting to bolster their books and short terms borrowing to affect stock prices for

rapid, unstable gains.¹ As these companies grew in power, they also influenced the policies of legislators in Washington to skew financial policy in their favor. All of these factors characterized what Brandeis called “the curse of bigness”, an inordinate amount of wealth and power in the hands of a few. He knew that such a system was corrupt and unsustainable. He predicted that many would end up suffering. And of course, in October of 1929 the stock market crashed leading to the Great Depression. His words were prophetic.

It is eerie to consider the words of Brandeis in light of our Great Recession, let alone the last decade. How can we not hear what Brandeis railed against in his day and not think about Enron? How can we not think about Bear Sterns and Lehman Brothers, AIG, derivatives, credit default swaps, and the implosion of the housing market? Risk at any price once again became the means to achieve the ultimate end, rapid and enormous accumulation of wealth, without considering the consequences for society as a whole.

Since the late 1990’s the share of America’s pie of prosperity has dwindled. According to Jeffrey Rosen of *The New Republic Magazine*, since the 1990’s the largest 20 financial institutions went from controlling 35% of the financial assets in the U.S. to controlling 70% of the assets. The six largest banks currently control the equivalent of 60% of American gross national product. At the start of this decade, Barbara Ehrenreich’s critically acclaimed book *Nicked and Dimed: On (Not) Getting By in America*, chronicled the lives of the working poor, and how minimum wage is by no means a living wage. Two days ago, the U.S. Census bureau announced that 1 in 7 Americans now live below the poverty line. Between last Yom Kippur and this Yom Kippur 4 million people slipped into this category. But the line is arbitrary. How many more men, women, and children hover just above the poverty line in desperation? Some of the fundamental inequalities of our economy that Brandeis critiqued in his time have returned in our own time.

What does all this have to do with our purpose in synagogue today? We fast and we focus and we pray to restore balance in our lives. We seek to purge our personal ledgers of mistakes and misdeeds that cause us to live our lives askew. But searching for balance is not just a personal quest. Our liturgy reminds us that it is a communal responsibility, “*Al chet she chatanu l’fanecha* - the sin we have committed against You. And our fast is not just about avoiding our physical needs in pursuit of the spiritual. Our fast serves to remind us that while our state of hunger today will pass, many in our country live in a perpetual state of hunger and need. Our fast tells us that balance in our larger society needs to be restored, too. If we do not help to alleviate suffering around us, then our fast will be in vain.

Our 2,600 year old Haftarah this morning from the prophet Isaiah goes to the heart of the matter. The people cry out, wondering why God does not hear their plea. Seething with the righteous indignation of God, Isaiah retorts, “To be sure they seek Me daily, eager to learn My ways...They are eager for the nearness of God: Why when we fasted did You not see? When we starved our bodies, did you pay no heed?” And in the name of God, Isaiah answers with uncompromising truth, “Because on your fast day you see to your business and oppress all your laborers!” “Is such the fast I desire, a day for

¹ See Jeffrey Rosen’s article “Why Brandeis Matters” in the July 22, 2010 edition of *The New Republic* magazine.

men to starve their bodies? No this is the fast I desire: to unlock the fetters of wickedness, and untie the cords of the yoke, to let the oppressed go free... It is to share bread with the hungry, and to take the wretched poor into your home; when you see the naked, to clothe him, and not to ignore your kin. Then shall your light burst through like the dawn and your healing spring up quickly. Then, when you call, Adonai will answer; when you cry, God will say, 'Hineini, Here I am.'²

Our fast is meant to sensitize us to real need in the world around us. It is not to be ritual as usual. Are we hungry? Good. Do we feel pains in our stomach? We should. The emptiness in our stomachs reminds us of those who cannot make ends meet, who do not know where their next meal will come from, who do not know if they will be able to stay in their homes. Even within the walls of this synagogue, there are those who know this vulnerability because when the fast ends tonight the questions of their livelihood remain. No, our nation's circumstances today cannot make this Yom Kippur and this fast rote. America is out of balance. As Americans, Jewish Americans, we have an obligation to speak up and act so that balance might be restored. Embedded in Yom Kippur within the smoldering embers of Isaiah's passion is the mitzvah to speak out for economic justice and work for systemic change in our society.

As we reflect this morning on the message of Isaiah, Yom Kippur, and economic justice, I want to be clear, this is not about advocating for, or endorsing a political party. This is not about Republicans and it is not about Democrats. This is about gleaning the wisdom and values of our tradition, because Judaism has something to teach us about economic ethics. If our Jewish mission is, in the words of Deuteronomy, "*Tzedek, tzedek tirdof* - Pursue Justice, only justice,"³ then bringing our Jewish values to bear will help us to achieve our mission and bring healing.

There are three Jewish attitudes toward poverty and economic justice that we ought to consider as we shape our own responses to these issues in our society. The first is what one might call the Passover perspective, the one that pervades our people's consciousness. Our Torah declares, "You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt. You shall not ill-treat any widow or orphan. If you do mistreat them, I will heed their outcry as soon as they cry out to me."⁴ Upon leaving slavery, our people is commanded to be extra careful in how we treat the most vulnerable in society. As the Israelites are poised to enter the Promised Land, Moses again admonishes the people regarding the poor, "You shall not abuse a needy and destitute laborer, whether a fellow countryman or a stranger in one of the communities of your land. You must pay him his wages on the same day, before the sun sets, for he is needy and urgently depends on it."⁵ We cannot oppress the poor, the widow, the orphan, and the stranger because we were the poor, the hungry, the stranger in the land of Egypt. Judaism does not ask us to live the life of the ascetic or shun wealth. Yet if our economic gain is at the expense of the weakest and most defenseless elements of our society we have rejected the very premise of our redemption from Egypt, to be God's ears in heeding the cry of the oppressed, and never hardening our hearts.

² Isaiah Chapter 58, Yom Kippur Haftarah

³ Deuteronomy 16:20

⁴ Exodus 22:20-22

⁵ Deuteronomy 24:14-15

The 20th century Jewish intellectual Milton Himmelfarb observed the Passover perspective in the political activity of the American Jewish community of the 1950's and 1960's. He famously said, "Jews live like Episcopalians, but vote like Puerto Ricans." Even after Jews in this country had achieved the economic status of their well-established Protestant neighbors, they maintained the sensitivity of their immigrant roots. Himmelfarb marveled that most groups who achieved upward mobility voted in a way that aligned with their economic self-interest. It was not this way with the Jewish community. Rather than voting their economic interest, Jews voted economic justice. They voted out of a sense of Jewish values, out of that sense of having tasted the bread of affliction, of remembering Egypt.

The second attitude toward wealth and poverty in our tradition is what I call the "it ain't really yours" phenomenon. Judaism tries to check our sense of ownership and entitlement. Psalm 24 declares, "The earth is the Lord's and the fullness thereof, the world and all who dwell in it." All these things that we think we own are really only lent to us. The sources of wealth preceded us on this earth, and we cannot take it with us once we die. We are entitled to collect some marbles as we live out our days, and we can even pass some marbles on to our kids, but we don't get all the marbles. Torah builds in redistribution of wealth to ensure balance. Every seven years debts are to be forgiven, and the land is to lie fallow. Perhaps it is a reminder that the accumulation of wealth is not the end all and be all. At the end of seven cycles of seven years, there is a jubilee year. In this 50th year each Israelite clan may go back to his ancestral lands. That is to say that if over the period of decades a family becomes destitute and must sell its land, at a certain point, assets are to be reset. These Torah laws teach us that ownership is a fluid and impermanent thing, and that any of us can slip into poverty. When our tradition bids us to give up some wealth, or leave the corner of our fields for the poor, it safeguards the basic needs of all, and tempers our appetite for more.

The third approach to poverty is what Rabbi Jill Jacobs calls the "poverty paradox". This attitude questions whether or not poverty is a natural state and what can be done about it. In giving his final instructions to the Israelites before they enter the land of Israel, Moses offers the following enigmatic and contradictory statement: There shall be no needy among you-since Adonai will surely bless you in the land that Adonai your God will give you-if only you heed Adonai your God and take care to keep all this Instruction I command you this day...If, however, there is a needy person among you...do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever his needs. You shall surely give to him...for the poor will never cease from the land.⁶

So which is it, will poverty cease to exist or will it always be there? In her book, *There Shall Be No Needy*, Rabbi Jill Jacobs suggests that these two bookend statements reflect two different ways to respond to the scourge of poverty. She writes, "A common debate among those involved in anti-poverty work concerns the relative values of direct service, addressing immediate needs, and of advocacy or organizing, addressing the need for systemic change. Advocates of direct service argue that the hungry need to be fed *today* and that the homeless need somewhere to sleep *tonight*. Those who prefer

⁶ Deuteronomy 15:4-11

organizing or advocacy point out that soup kitchens and shelters will never make hunger and homelessness disappear, whereas structural change might wipe out these problems.⁷

Our Torah champions each approach, responding to desperate and immediate needs, the symptoms of poverty, while constantly working for systemic change, erasing the causes of economic injustice. As Reform Jews, we understand well the immediacy of need within our communities. We care, we are generous, and we embrace *tzedakah* as one of Judaism's highest values. I especially think of individuals in our community who lead us in *tzedakah's* cause: Frank Jonas, Debbie Courtney, Jane Herzog, and Carla White who organize our SSH, our Sunday sandwich making hevre. They help hundreds of us - adults and children- turn into a well-oiled meal- making machine here at the temple. I think about Dolores Gould and Kay Barner who spearhead PTBE's participation in the Interfaith Hospitality Network. We are one of several synagogues and churches who house and feed homeless families as they work to get back onto stable footing. And I think about our current congregant of the year, Joan Tabb Waisbein, who over the past year has succeeded with a dedicated team of volunteers in facilitating the hiring of 60 congregants looking for work with the "Congregants Helping Congregants Employment network." If you asked these individuals what compels them, they would tell you it is because they feel a duty to help their fellow human being. They would tell you that these values were instilled in them by their families. They would tell you that their efforts are about inclusivity and dignity extending from our immediate PTBE community to the broader Bay Area community.

We understand the imperative to heal the world, the call of *tikkun olam* in responding to the symptoms of brokenness around us. This value has become a hallmark of our religious expression today. The Reform movement also has its roots in the prophetic tradition. We have been taught about the power of renewal these High Holy Days. Now is the time to renew our allegiance to the prophetic vision. The prophetic voice, as expressed in our Haftarah today, demands a different kind of society, one void of scarcity and deprivation.

Throughout the 20th century we American Jews stood up for a vision of social justice from better labor conditions and fighting exploitation in the early part of the century, to the Civil Rights movement of the 50's and 60's. In light of today's economic realities in the United States, economic justice is the new civil rights issue of our time. We have a role to play in changing our society. We have a legacy to fulfill that dates back to the prophets. We have a legacy to fulfill that goes back to Brandeis. The Supreme Court Justice wrote that as Jews we need to be good Americans, but to be good Americans, we have to be good Jews. Being good Jews means letting our core values guide us. When it comes to the issue of economic justice, Rabbi Jill Jacobs sums up seven core Jewish values that sustain Jewish economic law. These principles, some of which we considered this morning, can be a starting place for our action:

- 1) The world and everything in it belongs to God
- 2) The fates of the wealthy and the poor are inextricably linked.

⁷ *There Shall Be No Needy: Pursuing Social Justice Through Jewish Law and Tradition*, Rabbi Jill Jacobs, p.16

- 3) Corrective measures are necessary to prevent some people from becoming exceedingly wealthy at the expense of others, and to keep the gap between the rich and the poor from becoming too wide.
- 4) Even the poorest members of society possess inherent dignity
- 5) The responsibility of poverty relief is an obligation
- 6) Strategies for poverty relief must balance short-term and long term needs
- 7) The eradication of poverty is an essential part of bringing about a perfected world⁸

These principles are lofty ideals, but they remain theories until we apply them to the pressing economic issues of our times: accessible health care, establishing a living wage, questions of taxation, quality education, homelessness, hunger. We can live these values in our homes and in the workplace, when we step into the ballot box and when we consider public policy, when we teach our children and our grandchildren, when we commune here in search of healing, and when we unite to bring healing to others. These values can serve as a beacon and compass for realizing Isaiah's vision of a society in balance.

I will conclude this morning with a story told by Rabbi Steven Leder in his book, *More Money Than God: Living a Rich Life Without Losing Your Soul*: Many years ago in a small Russian village there lived only one wealthy man. Everyone else in the village suffered terribly through the hot summers and the cold winters with barely enough food to eat and little if any fuel to heat their homes. During a particularly brutal winter, the rabbi came to visit the rich man. He answered the door as the fire crackled in the background. 'How is your lovely wife?' the rabbi asked the man, while he still stood in the doorway. 'She's fine thank you. Why don't you come in?' 'And your brother in Kiev, is he also well?' 'Yes, yes,' the rich man answered. 'Come inside and we'll talk.' 'You have a son studying in Moscow, do you not,' asked the rabbi.' 'I do,' answered the man, beginning to shiver in his open doorway, 'Now come inside.' 'I can't come inside,' the rabbi responded. 'You see I have come to ask you for money to buy fuel so that the poor can heat their homes. But if I come inside, you and I will sit by the warm fire, and you won't understand. If, on the other hand we stand here in the doorway and you shiver, then you will understand better why the poor need your help.'⁹

Yom Kippur is our moment to shiver. My prayer this morning is that we shiver just a little each day of 5771, and that it stirs us into compassion and becoming pursuers of justice.

⁸ *There Shall Be No Needy: Pursuing Social Justice Through Jewish Law and Tradition*, Rabbi Jill Jacobs, p.22

⁹ *More Money Than God: Living a Rich Life Without Losing Your Soul* Rabbi Steven Z. Leder p.p.35-36.