Transgression and Forgiveness

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We often compare Rosh Hashanah to "secular New Year's," where we love to point out that Jewish New Year's is much more serious. Four-hour party v. four-hours in synagogue. Now which would you prefer? But seriously, here we all are. And we'll come back again next week, when we fast and beat our chests confessing the litany of transgressions. Our New Year's resolutions are serious matters, about how we behave towards others, maybe nothing less than saving the Earth, as I suggested yesterday. Not that there is anything unlaudable about resolving to lose a few pounds—I think my doctor is here somewhere—but Rosh Hashanah asks a bit more of us than self-care. That being said, I want to share a wonderful piece I saved from the Opinion Page of the New York Times on December 31, 2022, last New Year's Eve. It is both serious and whimsical, actually a bit more whimsical, but penned by a philosophy professor from Dickinson College in Carlisle, Pennsylvania, Crispin Sartwell. Entitled: "Give Me Credit for All the Bad Things I Didn't Do," the piece comes eerily close to what the High Holiday liturgy describes as understanding today as Yom Hadin, the Day of Judgment. I would like to take some time to share it here, somewhat abbreviated:

> *Here we are at the end of another year, and as humans are wont to do around this time, I've been reflecting. Have I been a good person? Has my existence been of net benefit to humanity? When my expiration date comes—whether by murder hornet, bovine spongiform encephalopathy or an encounter with a garbage truck*

that transforms me suddenly into a crimson mist—I expect that St. Peter, Brahman or some similarly all-knowing judge will meet me at the gates of pearl or in the limbo between incarnations, report my tally and tell me where I'm headed next.

To be honest, though not too honest, I'm concerned about how this exit interview is going to go. Honestly, though not too honestly, I've done some things that might be frowned on. I admit it: I don't have a lovely bouquet of moral virtues to wave around. What I have instead is knockdown proof that I richly deserve eternal bliss….

Allow me to start with this claim: We humans, as moral beings, can be as culpable for what we fail to do as for what we do. While some wrongdoers commit wrongs proactively (traditionally known as sins of commission), others do so through inaction or sheer negligence (sins of omission). A coldblooded killer, for example, is an active wrongdoer, while the sleazy real estate developer who fails to maintain a building that subsequently collapses, injuring and killing his tenants, is a passive one.

Clearly, both have done wrong. But while the killer displays an obvious moral truth (that it is bad to do what one shouldn't do), the developer offers a more subtle one (it is bad to not do *what one* should *do).*

Surely, oh Eternal Bouncer, you will agree that if it is bad *to not do what one should do, then it is* good *to not do what one should not. In other words, if omissions can be blameworthy, they can be praiseworthy, too.*

This fundamental moral insight has stunning implications. If embezzling money is wrong, for instance, then not embezzling money is right. However much money I may have embezzled over the years, there is so much more that I have commendably not embezzled, if you follow me. Think of all those banks, all those charities, all those law firms I didn't steal from. The amount of money I stole, if I stole any money, is infinitesimal compared with all the money I could conceivably have stolen. Surely, my restraint should earn me a few points in the plus column.

I used to read the news every morning as a litany of blunders and crimes, getting more and more bummed out as I went along. But then I realized: Not only is each day's crop of bad things miniscule compared with the bad things that might have happened but did not, but almost every bad thing that happened was not something I personally did, or did much of, anyway. There are so many things, I see now, for me to be proud of, every day. I didn't, for instance, blow anything up. I didn't come up with the phrase "Build Back Better agenda."

Just think of what evil we could fail to accomplish if we were united in our inaction.

But I seem to hear you, Omnipotent One, protesting that there was so much good I could have done but failed to do. That, for example, I allowed my abilities and talents, which could have been of service to humanity, [to] atrophy. It's true, I didn't create any great paintings, write any great novels or achieve any scientific breakthroughs. I just lay here on the couch watching ESPN.

On the other hand…

Professor Sartwell goes on to argue that at least he hasn't produced any bad art, concluding that he has made his case:

Now that you've heard the argument, Big Fella, fork over the bliss.

Behind the entertaining prose is a serious argument that if there is such a thing as a sin of omission as well as commission, then we should also get credited for not committing misdeeds just as we ought to get credit for performing righteous acts. But Sartwell goes on to satirize that argument, showing how there is no end to the number of bad things we did not do. It's a very clever piece because his real argument is the opposite of what he is saying, that you don't earn righteousness for sitting on the couch watching ESPN instead of becoming an axe murderer. That's a false dichotomy.

To put it in Jewish terms, the mitzvot, or commandments, are traditionally divided into two categories, positive and negative, *mitzvot aseh* and *mitzvot lo ta'aseh*. That is, a mitzvah can be a positive mitzvah, where we are commanded to *do* something, or a negative mitzvah, where we are commanded to *refrain* from doing something. Hearing the shofar on Rosh Hashanah is a positive mitzvah. Not eating on Yom Kippur is a negative mitzvah. Even though hearing the shofar is technically passive as all you have to do is pay attention, you still have to come to a synagogue where the shofar is blown, and the shofar blower has to work a little harder than that. Another example: on Passover, eating matzah and bitter herbs at the Seder are positive mitzvot. Not eating bread is a negative mitzvah. Transgressions are the mirrors of the mitzvot. If a positive mitzvah entails an action, then not acting on that is the transgression. And if a negative mitzvah

entails inaction, then doing the thing that is forbidden is the transgression. So it is true that "Do not murder" and "Do not steal" are mitzvot, albeit negative ones. Most of the Ten Commandments are negative statements. So should we get credit for not doing things we are not supposed to do? Indeed we should! Why else would we fast next week, an action that is really a lack of action, just *not* eating until a certain time?

So what is the point that Crispin Sartwell is making? He is saying, not so subtly between the lines, that while there are bad people who do bad things, most people are mediocre, not doing terrible things but also not doing good and important things to help humanity. You need to contribute something, he argues, not just sit at home and do nothing.

That is a good point. But Judaism goes further. In Judaism, there are far more specific things we are commanded to *do*. Maimonides divides the traditional number of 613 mitzvot into 248 positive ones and 365 negative ones. While the negative ones outvote the positive ones, that's still a lot of positive commandments. Other rabbis divide the mitzvot a bit differently but it always ends up somewhere in the same proportion. But most importantly, and this reveals the fallacy in Sartwell's satirical column, you get a count, or a "demerit" for each transgression, and a credit every time a different mitzvah is fulfilled. If you hear the shofar, you get a credit. One credit. Not one for each note. And if you don't eat on Yom Kippur, then you get one credit for fasting. You don't get a credit for every single calorie you fail to consume. If you didn't steal, then you get a credit for not being a thief. You don't get a credit for every dollar you did not take, the way that Sartwell proposes. That's like the guy who says, "You got me, I cheated on my spouse a few times, but think about how many hundreds of millions of people in the world that I did not sleep with!" That argument does not work.

Philosophers like to propose dichotomies, ideas that are reflective and opposed to each other. Sartwell explored the opposition between action and inaction. I want to conclude with a dichotomy proposed by a different philosopher, with deep implications for what we are here for today.

The passage I want to share is from Hannah Arendt, one of the most important thinkers of the twentieth century and to whom I will devote my Sunday lecture series to be held this spring. Hannah Arendt was a German Jewish emigree who earned her PhD in philosophy as a young woman in Germany before escaping the Nazis and settling in Manhattan. She was one of the intellectuals rescued by Ridgewood's Varian Fry that we learned about last Yom Hashoah. I will have more to say about Hannah Arendt on Yom Kippur. In this passage, she contrasts forgiveness and vengeance. It's taken from this book, *The Human Condition,* a major philosophical statement, which Arendt published in 1959. And I want to say how is meaningful it is for me to take this passage from this copy of *The Human Condition,* which is from the library of our late congregant Rabbi Gloria Rubin. After Gloria died, her family permitted me to take some of her books, and this is one of them. Arendt writes:

> *Forgiveness is the exact opposite of vengeance, which acts in the form of re-acting against an original trespassing, whereby far from putting an end to the consequences of the first misdeed, everybody remains bound to the process, permitting the chain reaction contained in every action to take its unhindered course. In contrast to revenge, which is the natural automatic reaction to transgression and which because of the irreversibility of the action process can be expected and even calculated, the act of forgiving can never be predicted; it is the*

> *only reaction that acts in an unexpected way and thus, though being a reaction, something of the original character of action. Forgiving, in other words, is the only reaction which does not merely re-act but acts anew and unexpectedly, unconditioned by the act which provoked it and therefore freeing from its consequences both the one who forgives and the one who is forgiven* (p. 216.

Her last point is one we have spoken about before, that the act of forgiveness releases the one who was wronged as well as the one who committed the wrong. Arendt explains why that is. Vengeance is the more obvious reaction to a transgression, and she consciously chooses to use that theological term here. Revenge, or even punishment, is a direct reaction to the wrong committed. When someone hurts us the natural response is to hurt back so that the one who wronged us feels the same pain that we felt. But forgiveness is the opposite kind of reaction, which is why Arendt calls it an "action" a positive act of will that effects an end to the "chain reaction" of each side in a conflict lashing out against the other. Revenge continues and spreads the pain. Forgiveness ends the conflict. When a transgression is forgiven, healing can begin. That's what we ought to strive to do, and that is what Rosh Hashanah reminds us to do.

Rosh Hashanah is called Yom Hadin, the Day of Judgment. We are supposed to gather together in trembling, conceding that we have fallen short in the year just completed. But when we open the Ark we pronounce God's attributes of compassion and forgiveness, not of stern judgment and just rewards. Forgiveness is Arendt's "unexpected response" although we do expect it of God. Attributing that response to God helps teach us to forgive each other. We expect it of God, depend on God's forgiveness. But what we need to do is forgive one another, that unexpected act of interpersonal grace. Sartwell writes about acts of commission and omission

that merit passage at the heavenly Gateway to heaven or hell, reward or punishment. But he knows, as we do, that things are not that simple. Arendt teaches us that that too is a false dichotomy. Acts of forgiveness lift the weight of transgression off our shoulders and permit us to keep on living, which is far more important than worrying about what happens after we complete our lives. And acts of forgiveness are actions, and exponentially more significant than simply refraining from committing theoretical transgressions.

The ultimate flaw of Sartwell's thoughtful piece was that he writes about what it means to be a "good person" as an individual matter. Did he contribute something to benefit the world, or did he sit on his couch watching ESPN? Even though his ultimate act of righteousness is an act of benefit to others, there is no actual interaction with others. It is a lonely, individual and basically existential perspective. But Hannah Arendt, herself a student of Karl Jaspers and Martin Heidegger, two German thinkers commonly associated with the school of existentialism, understands and teaches us that we can only truly achieve salvation through community with others. True forgiveness takes place between people. A true Rosh Hashanah for new year's resolutions takes place together, here with each other. Let us rise for Musaf.