

Rosh Hashanah 5787 - Day 1

"What Do We Want Judgment to Accomplish?"

By Rabbi Gabriel Botnick

One of the stories that dominated the news cycle this summer was that of Jason Arday, the Cambridge Professor who was accused and suspected of fabricating key elements of his rather remarkable biography. By now I'm sure you're all familiar with the story, but just in case: Arday was a professor of sociology of education at Cambridge, becoming the youngest Black professor in the university's history, at the age of 38. In addition to being autistic, he claimed that he had been non-verbal until the age of 11, and illiterate until 18. Despite these challenges, he managed to earn his bachelor's degree by age 23, and went on to earn a master's, as well as a PhD, by the age of 30. Arday's public and celebrated appointment as a Cambridge professor drew much attention and scrutiny. Serious concerns were raised about apparent plagiarism in his academic writing, as well as questions surrounding elements of his personal story. An internal investigation had cleared Arday of serious wrongdoing, but eventually, the accusations crossed over into mainstream news coverage, and seemingly every news organisation around the world started focusing obsessively on the story.

To be fair, there is certainly valid public interest in exploring and understanding Cambridge's hiring process, and whether or not the elite institution, knowingly or wilfully, turned a blind eye in the process of hiring Arday. Had the hiring committee done their due diligence? Had the administration ignored accusations of academic misconduct that had been brought to their attention? These are all valid questions, and deserve to be addressed through public inquiry. But it became rather obvious throughout the ordeal that the public was much more interested in picking apart Jason Arday's personal and professional life, and showed little, if any, interest in holding Cambridge accountable. After weeks of incessant hounding, and countless news stories, Arday finally resigned his position, and soon thereafter was found dead in the South London home he shared with his wife and two children. While no official statement has been made confirming that Jason Arday died by suicide, his death has been described by police as unexpected but not suspicious; and some who were close to him have spoken of the toll all the public scrutiny took on him. I cannot help but wonder how this story could have reached anything other than an avoidable and tragic end.

We cannot know whether a different manner of inquiry would have changed his response, and none of this means that serious questions should have been ignored: wrongdoing must be investigated, and harmful actions rightly carry consequences. But legitimate inquiry can so easily become something far more destructive. So the question is not only whether we hold someone accountable, it is also what we hope our response will accomplish: do we want only to expose and punish? Or do we also want to leave open the possibility of truth, responsibility, repair, and Teshuvah?

Now, you might say: I don't run a newspaper. I wasn't on Cambridge's hiring committee. This has nothing to do with me. But most of us don't only pass judgment on strangers we read about in the news. We do it — more quietly, but no less consequentially — on the people closest to us. And when someone has wronged us, or when it at least appears that they have, we face a choice about what happens next: whether our response brings only further hurt into the world, or whether it leaves open the possibility of understanding and repair. Of course, as a rabbi, speaking to you on Rosh Hashanah, I believe our tradition has much to say about how to approach this decision.

In today's Torah reading, we read the story of Abraham, Sarah, and Hagar. How Abraham and Sarah had been childless for decades throughout their marriage. Finally, after taking on Hagar as a handmaid during their time down in Egypt, Sarah decides it would be better to sacrifice her own feelings and needs and have Abraham father a child with her handmaid, than for there to be no child to carry on either of their names. As we know, Hagar gives birth to Ishmael, and 14 years later, Sarah miraculously gives birth to Isaac.

A few years after that, Sarah observes Ishmael "playing" with Isaac. And, not liking what she sees, she insists that Abraham cast out both Ishmael and Hagar. Sadly, Abraham consents, and he sends them off into the wilderness with little food and water, and no protection.

This is an absolutely horrible and heartbreaking story. It certainly does not paint our ancestors in a good light. But before we consider Sarah's response, we need to pause over what it was that Sarah actually witnessed. The Torah says that Ishmael was "playing" with Isaac. Now, at first, "playing" sounds rather innocuous. Except the word the Torah uses here, *LeTzachek*, does not only mean playing. It can also mean teasing, tormenting, or fondling. Some say Ishmael had been shooting arrows at Isaac. Others imagine a far more serious form of abuse. But the Torah itself does not tell us which of these interpretations, if any, is correct. And that uncertainty is precisely the point: Sarah sees something she finds disturbing, but before establishing exactly what has happened, she proceeds directly to the most extreme response available.

And notice what's missing from this story: curiosity. Sarah doesn't ask Ishmael why he did what he did. She doesn't ask whether this was cruelty, or carelessness, or a young person's poor judgment — something that could have been addressed, atoned for, and corrected. She doesn't consider whether there might be some pathway back for him — a chance to make *Teshuvah* — or any response short of permanent exile. And she doesn't take into account who else would pay the price for her verdict. Ishmael is just a teenager — not yet independent, and still his mother's responsibility. Which means the sentence Sarah hands down doesn't fall on Ishmael alone. It falls on Hagar too — it means she would be cast out. Not for anything she herself has done, but only because she was the boy's mother.

No, Sarah shows no curiosity about what happened. She leaves no room for repair. She gives no consideration to who else would suffer. She simply reaches her conclusion on what must be done, and demands that Abraham follow suit.

Of course, curiosity would not require Sarah to leave Isaac unprotected. And a path towards Teshuvah would not require her to restore Ishmael's unrestricted access to him. Granting forgiveness is not the same thing as restoring access. Just because we choose to let go of some anger or resentment doesn't mean we must open ourselves up yet again to the person who harmed us. At the same time, protection and permanent banishment are not necessarily the same thing. And Sarah never pauses to consider whether protection might still be possible without making the separation permanent.

Now, this isn't the only place in the Torah where we see someone facing this dilemma — how best to respond to an upsetting and challenging situation. Elsewhere in the Torah, there's another story of someone who is initially upset by what they witness, but before reaching a verdict, decides first to ask a question.

At the start of Parshat Shemini, in the Book of Leviticus, we learn about the high priest: Aaron, and two of his sons: Nadav and Avihu, who die after making an unsanctioned sacrifice. Initially, Aaron seeks to desist from his Divine service in order to mourn his sons. But Moses tells him that this is not an option: Aaron and his remaining sons would have to continue their sacred duties, and reluctantly, Aaron agrees. But then word gets to Moses that Aaron isn't actually doing things as God had commanded. After offering a goat on behalf of the entire community, Aaron and the priests were meant to eat certain parts of that goat near the altar. Except it turns out Aaron hadn't eaten any of the goat. Instead, he burnt the entire animal on the altar.

Hearing this, Moses is furious. But how he responds is astounding: he doesn't yell at Aaron. He doesn't say "what the hell is wrong with you, you idiot?!" Rather the Torah tells us: *Darosh Darash Moshe* — Moses lookingly looked into the matter. And he asks Aaron: *Madua lo achaltem* — why didn't you eat the goat? That is, before Moses passes judgment on his brother, he wants to understand the full picture. And Aaron explains: I just lost two of my sons. I continued working in the service of God. Do you think God would have wanted me to eat at such a difficult time? And Moses, once he hears his brother's reasoning, not only accepts it, but agrees that this was best. He accepts that his initial impression was wrong, and he's willing to be convinced otherwise.

What I love about this story is the phrase *Darosh Darash Moshe* — that Moses lookingly looked into the matter. According to the rabbis, the two words, *Darosh Darash*, are the midpoint of all the words in the Torah, they sit at the text's literary centre. However we might calculate that midpoint today, the rabbis' homiletical message is clear: at the very heart of the Torah is the insistence that we always be curious, and never rush to pass judgment. Sometimes inquiry reveals that the situation was not as we imagined, and that's precisely what happens with Moses and Aaron. But sometimes the person really did act wrongly, and in those moments, our curiosity must lead us to a different question: whether there remains a path back.

There's a fantastic story in the Talmud (Ta'anit 20a-b) about the celebrated sage, Rabbi Elazar, before he became the great scholar he was known to be. The story goes that Rabbi

Elazar was returning home from a particularly powerful Torah study session at his rabbi's house. He was riding on a donkey alongside the banks of a river, with his head held high, in haughty self-satisfaction. Suddenly, he comes upon a man, whom the Talmud describes as exceedingly ugly. This man greets Rabbi Elazar and says, "Peace be with you, my master!" But Rabbi Elazar ignores his greeting, and instead spits back: "Ugh, you nobody! How repulsive is this man?! Are all the people of your town as ugly as you?!" The man doesn't miss a beat, and retorts: "I don't know. Perhaps you should go and ask the artisan who made me."

Immediately, Rabbi Elazar realises what he's done: how he not only insulted this man, but also disparaged God's handiwork. And so he jumps down from his donkey, and throws himself at this man's feet, begging for forgiveness. Understandably, the man ignores him, and continues on his way back home. The whole time, Rabbi Elazar continues to humble himself and pleads to be forgiven. When they reach the man's town, the people recognise Rabbi Elazar, and enthusiastically welcome him: "Greetings, Rabbi. Welcome, Rabbi." The man is disgusted by what he witnesses: "Who are you calling Rabbi?! Our people should never know such rabbis." And he proceeds to recount to his townsfolk what had happened. The people agreed that what Rabbi Elazar said was terrible, but they still encouraged the man to forgive him, which he ultimately did.

Immediately upon being forgiven, Rabbi Elazar went into the nearest study hall, and taught what would become one of his most famous teachings: "A person should always be supple like a reed, and never unyielding like a cedar." It was also after this encounter that Rabbi Elazar transformed from the cold, ascetic student he had been, into the gentle, compassionate rabbi he became famous for being.

It's worth noting that the man's forgiveness did not make Rabbi Elazar's insult any less cruel. It did not declare that the harm no longer mattered. And it did not mean that Rabbi Elazar had been entitled to forgiveness, or to this man's friendship. But it allowed the encounter to become something more than the worst thing Rabbi Elazar had done. It left room for that moment to transform him.

Of course, hindsight is 20/20, and words are much easier than action, especially when it's our own lives, our own feelings at play. Granting forgiveness in our actual lives rarely is so simple. For starters, the person who has wronged us needs to recognise and admit what they've done. We cannot force that recognition. We cannot manufacture remorse. And we cannot guarantee Teshuvah. Yet, at times, we are able to facilitate that first step in the way we speak to them or treat them. We can make clear that acknowledging the wrong will not cause us to deny their entire humanity, that the doorway to Teshuvah remains open to them.

But why should we have to do this? Why should we have to do anything when we are the ones who were wronged, and it's the other person who should bear responsibility? Because when we bear a grudge against another person, it often has absolutely no impact on them whatsoever. Instead, we're the ones who are impacted, as we wind up carrying the weight of

that burden, that anger and resentment. So when we choose to release some of that burden, it can sometimes be more for our own sake, so that we don't have to remain saddled by the load they've thrust upon us.

This doesn't mean we must reopen a relationship that's unsafe. For some of us, the right and necessary response will still be distance, firm boundaries, or no direct contact at all. Leaving open a path towards Teshuvah for someone does not mean that we must walk that path alongside them. Depending on the person and the circumstances, it might mean asking a question before reaching a final conclusion. Listening to an explanation. Accepting a sincere apology. Allowing communication through someone we trust. Or simply refusing to declare that another person can never become anything better.

And so, whether while sitting here in synagogue, or during a quiet moment of reflection at home this week, I want to invite you to think of someone who has wronged or hurt you. Try to consider what might have led that person to do what they did. Not as a way to excuse their actions, but as a way to empathise with them, to better understand what could have helped them to have acted differently. And then, only where it feels safe and appropriate, consider whether there is some way to leave open the possibility of an honest and compassionate conversation. Not to tell them that you are not judging what they did, but to show that you are not reducing them entirely to what they did. That despite your hurt, you have not declared them permanently incapable of Teshuvah.

Of course, there's no guarantee things will go the way we hope. But when someone has wronged us, we still have a choice about what our response brings into the world. We can add only more hurt. Or, without excusing the wrong, and without abandoning our boundaries, we can leave open the possibility of truth, accountability, and repair. That possibility may serve the person who wronged us. But it may also allow us to set down some of what they have made us carry. If we can bring more understanding — and compassion - into the world, then certainly, where we can, it is worth leaving open the possibility, as that is what this time of year is all about.

Shanah Tovah