

Accepting Responsibility
Parshat Ki Tisa

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Caesar Barber, 56, a maintenance worker from the Bronx who weighs about 270 pounds and stands 5 foot 10, claims McDonald's, Burger King, Wendy's and KFC jeopardized his health with their greasy, salty food. He filed a class action lawsuit this past summer in New York State Supreme Court in the Bronx on behalf of an unspecified number of other obese and ill New Yorkers who also feast on fast food. What is the basis of this lawsuit? "They never explained to me what I was eating," Barber said on ABC's Good Morning America. Barber's attorney Samuel Hirsch said that the multibillion-dollar fast food industry has an obligation to warn consumers of the dangers of eating from their menus...my client has had two heart attacks and is diabetic and we believe that he is entitled to unspecified damages at a jury trial." A food industry spokesman says that he is surprised Barber's attorney can make his legal argument with a straight face.

Last week, police arrested two men for allegedly stealing and then peddling body parts cut off corpses donated to UCLA Medical School for research. How did the university respond? "These alleged crimes violate the trust of the donors, their families and UCLA. We are deeply sorry," the dean of UCLA medical school, Gerald Levy, said at a press conference. And the two who were apprehended, did they express regret over this gruesome crime and breach of trust? Well, not exactly. Ernest Nelson was quoted by the Los Angeles Times as saying that for six years he went to UCLA's body freezer at the medical school twice a week with saw in hand and dismembered donated bodies. His defense: "I call one of the most prestigious universities in the world, and their director gives me the protocol, I follow that protocol and now they charge me with receiving stolen body parts?" Nelson had been paying for the body parts with cashier's checks.

Sports writers are praising Colin Campbell executive vice-president of hockey operations for the NHL and commissioner Gary Bettman for their quick action in suspending Todd Bertuzzi the premier right winger for the Vancouver Canucks for the remainder of the season and the playoffs. What was his crime - a vicious on-ice attack that left an opponent Colorado's Steve Moore with a fractured neck. "This is not part of our game and it will not be tolerated," said NHL commissioner Gary Bettman.

But, it is a part of the game and it has been tolerated for a long time. As we say in Hebrew, *ma pitom* - Why all of a sudden the righteous indignation?" Could it be that the

incident was so embarrassing the league had no choice but to accept a certain degree of responsibility? No we are assured - it is not that they were finally caught with their hands in the cookie jar - as it were - it is that this incident was radically different than all the other fighting that has become such an accepted part of hockey on the professional level. What is being called by some, the most expensive punch in history - Bertuzzi will forfeit his pay for the remainder of the regular season, about \$500,000, his team was fined \$250,000 and also probably lost any chance to compete in the playoffs as a result of his being sidelined. Bertuzzi seems genuinely sorry for his actions - he apologized to the injured player, to his family, to his teammates and even to the children who watch hockey. But, the league remains unimpressed: "Sorry is nice" - they said, "but it does not mend broken bones..." Should we applaud the leagues decisive action and clear sense of accountability? Not so fast. Had they made it clear along time ago that violence was not going to be a part of this sport - maybe this excessive violence would have never happened. Hockey has a culture that would have applauded Bertuzzi for beating up Moore in a fight - but has taken on the patina of righteous indignation because he committed the terrible crime of throwing a sucker-punch. Are we now going to get calls to clean up hockey ? Probably not. By pointing the finger directly at the offending Bertuzzi - the NHL seems to be saying the problem here is not ours - it is not that we have encouraged a culture of violence and pandered to the worst desires of our fans who come out night after night to see these fights as much as to see the games - it is just this one guy who didn't fight fair - it is his fault and he is going to pay for his poor judgement!

You know this accepting responsibility thing is not easy. Who is responsible for Caesar Barbers heart attacks and diabetes? McDonald's or his own lack of restraint? Who is responsible for the crime at UCLA medical school? And who is responsible for the violence in the National Hockey League?

"Never apologize, never explain" - is a statement first attributed to John Wayne but it has become not only the mantra of contemporary business and politics - it seems to be seeping into every corner of our society and contemporary consciousness.

Would it surprise you if I told you that we Jews don't quite look at this the same way?

The Torah reading for this morning recounts the dramatic episode of the egel hazahav - the golden calf. No sooner did we receive the Ten Commandments than it appears that we violated the first of those commandments: the prohibition to worship other gods. Moses comes down the mountain after spending the last 40 days and 40 nights in seclusion with the Holy One Blessed Be He, and he is greeted by his people dancing around the golden calf. Moses is shocked and God is outraged. Moses hurls the tablets to the ground and

God prepares to destroy the entire people and begin again with just Moses himself. Recognizing what is at stake, Moses quickly subdues his own frustration and disappointment and turns to God to plead for the lives of his people. Some of what he says is recorded in the Torah itself - but the most interesting part of this conversation is found in the midrash - the literary musings of the rabbis who clearly saw in this dramatic moment an opportunity to make a point. In a fascinating passage, the Talmud reports that at this crucial moment Moses turned to God and said: "Ribono shel olom! Master of the Universe - you know, You really do have to take some responsibility for this terrible transgression..." One can only imagine God's reaction to this statement - but in my mind - this surely must have given the Creator of the Universe pause. I imagine God doing a John Stewart sort of double take, "Wha...?! Me? You want to blame this on ME? - this I gotta hear." Or at least this is the way God says it in my imagination.

So, Moses, having at least bought himself a few seconds and stopped God from zapping his people right there on the spot, wipes his brow and gathers his thoughts - and for the first time in recorded human history begins to argue a defense that will be repeated by plaintiff attorney's and defense attorney's for generations to come. Moses begins to argue why his client, the Israelites, could not possibly be responsible for this terrible desecration.

"Uh, look", stammers Moses as he begins to build up some confidence arguing before the highest court in the universe, "after all, it was You Lord who gave the children of Israel the gold and silver in great abundance when they left Egypt. Had it not been for all of this gold and silver, which YOU gave them, they would never have been able to make the Golden Calf and they could not now have been participating in this terrible travesty!" Warming to his argument, you can almost see Moses' voice rising to a crescendo as he drives his argument home: "O' Lord, (clearly playing to the crowd now) had YOU not given all of these riches to them in the first place they would have nothing out of which to make the Golden Calf, and they could not have gone astray from the worship of YOU."

Heads immediately turn to God - is He buying it? The Israelites wait with baited breath as God takes a second to think it over and then responds: "No way Moses. Unacceptable. If to any extent I am responsible - it does not mitigate their culpability one bit, it does not diminish their guilt at all. It was their choice, their call - and they made the wrong one. They are guilty as charged!"

Now, you know how the story ends. Ultimately Moses does appeal to God's compassion and the children of Israel are not destroyed there on the plains of Sinai - but it is not this argument which saves them. This one just will not fly. God rejects once and for all the argument of mitigating circumstances, the concept of passing the buck. Plaintiff's attorneys and defense attorneys be forewarned - maybe these tactics will get you some dollars here in earthly courts - but don't try this argument before the Highest court - God just does not buy it - never did, never will.

Think how different our Bible might have turned out had it not been written by God but by say, Scott Turow. In a chapter probably entitled "Presumed Innocent", the Garden of Eden story would come out something like this: God confronts Adam and says, "Did you eat of the tree from which I had forbidden you to eat?" Adam's attorney immediately steps forward and says to Adam - "don't answer that question, in fact don't say anything - you have the right to remain silent." "Uh" whispers Adam to his attorney, "this is God asking the questions, you know Creator of heaven and earth - are you sure that pleading the 5th is the right approach here?" "Trust me" says his attorney - I've been here before. "Your honor, I mean your lordship, my client is not guilty - Eve gave him the fruit of the tree to eat - it is her fault not his!" The crowd in the court room gasps, all eyes turn to Eve and before her attorney can even respond she jumps up and says - "Hey it wasn't MY fault, the serpent duped me, I was framed!"

But the Bible was not written by Scott Turow, and while it clearly understood this human propensity to pass the buck, to flee from responsibility - it would have no part in it. The very next verse has God passing His judgement - there is no evasion of responsibility here - none at all. "Ki asita zot, arur ata - Because you did this cursed shall you be!" Each of the participants is found guilty- each is given their punishment - each is expected to accept responsibility. Things work a little different in our bible. And in this difference is highlighted the contrast between our values, that demand acceptance of responsibility and the value system of a contemporary culture that seems to advise the avoidance of responsibility at all costs. In America if we can make them, whomever "them" may be - just a little bit responsible, we can make us a lot less responsible. In Judaism the focus is entirely different - if you are the slightest bit at fault you are wholly responsible. The other guy? I'll deal with him later - right now we are talking about you, my friend, don't change the subject.

But that is precisely the point. The art of American culture is about changing the subject; deflecting the blame and avoiding responsibility. Judaism is about facing the music, assessing proper blame and accepting responsibility.

And we have raised a generation of good little Americans. Our children are experts in changing the subject, deflecting the blame and avoiding the responsibility. Ask any teacher about the dramatic change that has occurred in our classrooms over the last generation. When I was a kid (don't you just love sentences that begin that way?) Well anyway, when I was a kid the worst thing I could hear from a teacher was, "I am really disappointed in you Alan, I am going to have to speak to your parents." I knew that meant I was finished. It meant my arguments had failed, my appeals had fallen on deaf ears. But certainly my mother would come to my defense? Not a chance. I knew my mother was old school - Jewish school. I knew that if she thought I was the slightest bit at fault (and believe me I was usually more than slightly at fault) - then from her perspective I was wholly responsible. I would get no sympathy from her.

Fast forward to today. “I am really disappointed in you Chloe, I am going to have to speak to your parents...” Immediate smile on the face of little Chloe - because she knows, as does the teacher, that Mom, the high powered attorney for the defense, is about to enter the scene. A generation ago, I may have valiantly tried to change the subject, deflect the blame and avoid the responsibility - but my mom would have none of it. Today - it is the parents themselves who are leading the charge. A generation ago I might have been disappointed in my mother - but she was busy teaching me the importance of accepting responsibility - today’s little darlings - love when their parents are called in - wait, they’ll use their cell phones to call them for you!

In Pirke Avot Chapter 3, mishna 11, it states: kol she-yirat heto kodemet l’hakhmato, hakhmato mitkayemet; v’khol she-hakhmato kodemet l’yirat heto, eyn hakhmato mitkayemet. “When a person’s wisdom is given priority over his fear of sin - his wisdom will not endure. But, when she gives priority to the fear of sin over her wisdom - that wisdom will endure.”

The message is clear - and it could not be more relevant. A wisdom that is not grounded in moral responsibility has no future. Wisdom and reason will serve any master with equal loyalty. If the Shoah taught us nothing else, it taught us that the most advanced society of its day could still be morally corrupt . The Nazis marched to the poetry of Goethe and the music of Wagner.

The eye reports what it sees. The heart responds with desire. It is only yirat elohim - the fear of God that acts as a brake. If not the intellect will be harnessed for justification and rational explanation to prove anything. Is McDonald’s at fault? How about UCLA Medical School? Does the NHL need to accept some responsibility? Those are all good and important questions - but they are of little interest to me.

Parents, it is time we stopped acting as our children’s attorney’s and started acting as their educators. Our challenge is not to help them evade responsibility but to learn how to accept it.

Sesame Street can teach them the letters and even the words - but only religion can teach them the tune. That is why this place and its role in the life of your children is so crucial.

Raysheet hakhma, yirat adonai - The beginning of wisdom is the fear of the Lord! - my friends, it has become too much about being smart and not enough about being good.

It concerns me to see a generation of parents who would settle for nothing short of the finest secular education - but have no hesitation to minimize religious education. It is lovely when a child learns how to read Chaucer by the age of three - but quite honestly -

when we take our TBS nursery students into the chapel every Friday - and open the ark and sing with them - "Shma Yisrael..." I think we are teaching them something much more impressive. You don't have to have a rabbinical degree to decide that you will teach your children two things. When they go to sleep - say the Shma with them - one line - Shma yisrael - and when they wake up teach them one line: Modeh ani lefanekha melekh hai v'kayam - I am grateful to You, O' Ever living King - who has blessed me with life. That is not so hard. But in so doing we have the power to teach our children that the beginning of wisdom is the fear of the Lord, that goodness does matter even more than smarts.

It was Abraham Joshua Heschel who said it best: "When I was young I admired clever people - but as I grew old I came to admire kind people."

This is what we need to teach our children, this is what Parshat Ki Tisa taught us so long ago: Raysheet hakhma, yirat adonai - more important than wisdom, certainly more important than cleverness - is kindness and goodness and the fear of God.