

Rosh Hashana 5766

Hide and Seek

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I recently had the privilege of doing a funeral for the brother of a congregant. This was not your typical funeral. Nor was it your typical brother of a congregant! The man who died had spent much of his life writing and teaching poetry. And he had also spent much of his life struggling with addiction, at times sleeping on benches and wandering the streets. From a young age, he had been diagnosed with a rare genetic disorder that wreaked havoc on his life and on his family. From childhood up until his death, his sister, a member of our community, had dedicated a large part of her life, to taking care of him.

I was both surprised and not surprised to learn about this side to this Temple member's life. I was surprised because I didn't know her all that well before being invited to do the funeral, and I had no idea that she had been carrying this burden. I was not surprised because I already had a great deal of respect for her, with the limited amount of knowledge I had of her. I had a sense that there was a story there, hidden away.

I share this with you because it taught me something about our relationships with each other – whether with others in our Temple community, at work, or even our own friends and families. We might see the same person week after week at Shabbat services, day after day around a conference room table and not have the faintest idea of what they are going through.

We operate on assumptions. We assume that if somebody looks “together” that they don’t have burdens. There is a kind of veneer of civility in which we dwell with each other.

We don’t share with each other the things that are most important.

Of course, it would be ridiculous to imagine that all of us would share the most intimate sides of ourselves with everyone we know. It would violate personal boundaries for us to expose ourselves fully to every co-worker or fellow congregant or even family member. The people with whom we share must be respectful, and the relationships in which we share those pieces of ourselves must also be reciprocal.

But there is value in being able to share those foundational stories – those root experiences – with the people who make up our community. There is power in being able to trust each other enough to share our burdens. When a community truly knows itself – when people really know what is going on in the lives of others – then that community can work together to respond and to make everyone’s lives better.

But when we just continue to dance across the surface of our lives with each other, to play hide and seek with each other, never really connecting in a meaningful way, it is difficult for deep and lasting change to occur.

This game of hide and seek goes back to the days of the Creation of the world, when Adam and Eve were living in the Garden of Eden. In the beginning their lives were easy, they had plenty of delicious fruit to eat, they coexisted peacefully with the animals, and God took care of them. There was just one rule. One tree – the tree of knowledge of good and bad – was off limits. God told them that as soon as they ate of that tree, they would die.

But one day, a shrewd serpent seduced Eve into eating from the forbidden tree, telling her that they wouldn't die – rather, their eyes would be opened, and they would be like divine beings who know good and bad. And so Eve ate the fruit, and she gave some to Adam. And their eyes were opened, and they perceived that they were naked; so they made clothes for themselves.

Later, they heard the sound of God moving about in the garden; so Adam and Eve hid from God among the trees. And God called out to them and said “Ayeka?” – “Where are you?”

This is the time of year when the shofar rings out with God's question “Ayeka?” “Where are you?” And we evaluate ourselves, assessing where we are in relation to God - where we are in relation to each other and the world.

This is the time of year when we play Jewish hide and seek. We approach the people in our lives who mean the most to us, and we seek out the hurt that is hidden within them that we may have caused them during the year. Only once the stories of hurt and the pain are out in the open is it then possible to apologize, forgive, and receive forgiveness.

Take a moment to think back to your childhood and remember what it used to feel like to play hide and seek. Finding a good hiding place is a big part of it – I can still remember the place I would hide in my childhood home - that narrow space in the laundry room, between the folded up ironing board and the wall next to the washing machine. And seeking is exciting as well – you never know if the moment of truth is behind the closet door or under the bed.

Now, can you remember that experience of hiding and seeking. Remember? - when you hide, the most thrilling moment is not being looked over, but being discovered. The cathartic moment that everyone is waiting for is the moment of finding and being found. I can still remember back to those butterflies in my stomach, the pounding of my heart in my chest, and then the exhilaration of being found or finding. It's that moment of connecting again that is so satisfying.

The process of teshuvah – of atonement – is like that game of hide and seek. We don't know how we have hurt someone until we seek it out and they tell us. The moment leading up to the uncovering is full of anxiety – our palms may actually sweat – but the discovery itself can be cathartic, and the apology and forgiveness that follow have the potential to be exhilarating. We have bridged the gap between us, we are once again connected.

Now I want you to imagine what the world might look like if we could play that hide and seek game, not only with those closest to us, but with our neighbors, and with people who seem very different from us. What if the Mexican American woman to whom you distribute food every month at the Vickery Food Distribution center were to have a substantive conversation with you. Imagine meeting at Starbucks and, over a cup of coffee, learning about the real struggles of each other's lives.

As you sip your coffee, you tell her about your feelings of frustration and sadness that you were planning to move to Richardson from your Dallas home because your child didn't get into a private school and the DISD school in your neighborhood was unsafe.

She then reveals to you that just last week her son had been assaulted and robbed in the bathroom of his public high school. She can't afford private school or to move to a better school district and feels like a bad parent for having to send her son off to that school each morning.

Knowing what you now know about each other's lives, and knowing that there are probably many other Jews and Mexican Americans out there experiencing the same thing, amazing acts of teshuvah, acts of atonement, of accountability and transformation could happen.

Imagine Temple Emanu-El parents and parents from the Vickery neighborhood coming together to develop an agenda to improve the public schools. Picture these parents calling a meeting with members of the school board and the city council to hold them accountable to making our public schools safer. Connections between people have transformed your community.

Now, I want you to imagine another transformational exchange. Imagine taking part in a conversation with a US soldier, who has recently returned from a tour of duty in Iraq with the 82<sup>nd</sup> Airborne Division, and Munia Arar, a Canadian citizen whose husband was rendered by the US to a Syrian prison for the purposes of interrogation.

The US soldier might tell us, as three other former members of the Army's 82nd Airborne Division recently reported, that soldiers in their battalion in Iraq routinely beat and abused prisoners to help gather intelligence on the insurgency and to amuse themselves. He might share with us the burden he was carrying in his soul after having witnessed and even participated in acts of torture and degrading treatment.

He might tell us of how Iraqis they captured during the siege of Fallujah were kicked and beaten, their bones broken and skin and eyes doused with chemical irritants. Interrogators pressed guards to beat up prisoners, and a fellow sergeant recalled watching a particular interrogator beating the detainee himself. "He would always say to us, 'You didn't see anything, right?' " "And we would always say, 'No, sergeant.' "

After trying to report the allegations to his superiors for 17 months, one soldier in the battalion, Captain Fishback, wrote to two senior Republican Senators saying that despite his efforts, he had been unable to get clear, consistent answers from his leadership about what constitutes lawful and humane treatment of detainees. He was certain that this confusion contributed to a wide range of abuses that he witnessed.

After hearing this American soldier's story, imagine turning to Munia Arar and hearing about her husband's year of hell. In September 2002, Munia's husband Maher, a Syrian-born citizen of Canada, was detained at an airport in the US. He had left a family vacation in Tunisia early and was making his way back to Canada to his job as a software engineer. Munia didn't see him again until a year later.

The US detained Maher because he was suspected of being a member of Al Qaeda. Our government put Maher on a plane to Syria where he was imprisoned in an underground cell the size of a grave, and where he was tortured and interrogated for a year, without trial or legal representation. In the end, the Syrians could produce no evidence of any

connection between Maher and Al Qaeda, and he was sent back to Canada, an innocent man.

This story represents one out of over 100 instances of our government's practice of "extraordinary rendition," a program designed to extradite terror suspects from one country to others that are less scrupulously observing the Geneva Conventions.

In this global game of hide and seek, the US government has been operating under the assumption that US citizens want them to be doing everything possible, even resorting to torture, to keep us safe from the threat of terror. Many of our public officials have been suppressing reports of rendition and hiding from reports of torture in American-run detention centers. Other officials have obscured the real meaning of torture by defining it out of existence, saying in a 2002 memo that was only rescinded this year, that one cannot be accused of torture unless one has caused pain equivalent to major organ failure.

We know now that the events uncovered last year at Abu Ghraib were not isolated incidents: three hundred and seventy cases of abuse and torture are currently under investigation; 108 detainees in U.S. custody in Iraq and Afghanistan have died; 137

military personnel have been punished for abuse; and as many as 100 “ghost detainees” have been kept off of prison records in Iraq and hidden from the International Red Cross.

We know now from official reports that two-thirds of those held in Abu Ghraib were there “by mistake,” an estimated 40% of detainees at Guantanamo never belonged there, and 85% of those captured at Bagram in Afghanistan have since been released without any charges or evidence of terror links. There have been reports of routine physical and psychological abuse at each of these facilities.

We should applaud the fact that our government is prosecuting some of the worst perpetrators of torture at Abu Ghraib as well as several soldiers who were responsible for the deaths of Afghani prisoners under their protection. However, documents that have been made public from these cases demonstrate that the use of torture has been approved at the highest levels of the Administration.

As Jews, we understand that the most fundamental ethical principle, which results from our belief in God as Creator and Parent of all humanity, is that every human being is seen as reflecting the Image of God. Torture shatters and defiles God’s Image. The purpose of torture is to make detainees’ lives so painful that they say or do whatever the interrogator wants. Torture deprives a human being of will, spirit, and personal dignity. Jewish tradition calls for humane treatment even of one’s enemies.

If we as citizens were to seek out substantive conversations about torture with each other – conversations like the one we just imagined – and if these conversations could be

replicated among Americans across our country, we would find that the reports of torture are actually connected to us. We would realize that our neighbors down the street have children in the US military and that the veiled Muslim woman we always see at the Albertson's has a cousin who has been detained without trial. The hidden suffering of those being tortured and the hidden burdens of those participating in and witnessing the torture are the suffering and the burdens of our neighbors, our fellow citizens, our fellow human beings.

We as citizens are complicit in what our government does, whether in the open or in secret, whether we are aware of what they are doing or not. We need to be engaged as citizen seekers about torture. We need to unearth the stories, listen to them mindfully, and decide what we really think about torture,. And once we know what we think, then it is upon us to raise our voices and let our public officials know what we want them to do about it. Because, ultimately, we are all responsible.

Perhaps after hearing story after story like Munia's and Captain Fishback's, we as citizens would call for an act of teshuva, atonement, accountability and transformation, on the part of our government. The conversation might evolve as Israel's did in the late 90s, re-imagining how it understood the relationship between torture and security.

Jews have a long and tragic history of being tortured, from the time of the Inquisition through the Holocaust. In response to this, Israel had at the time of its founding enshrined *k'vod ha-briot*, human dignity, as the core, foundational value of their law.

But, given the ongoing threat of terror, in 1987, an Israeli judicial commission of inquiry had reported that “moderate physical pressure” was defensible in cases in which an interrogator “committed an act that was immediately necessary” to save lives from grave harm, the so-called case of the “ticking bomb”. Eleven years later, B'Tselem – the Israeli Center for Human Rights in the Occupied Territories published a report showing that, out of the over 1,000 Palestinians Israel interrogated annually, eighty-five percent of them were subjected to methods which constitute torture.

In light of this report, the State of Israel had to ask itself, “Ayeka?” “Where are you? What are you doing?”

Israel found that once you crack open the door to torture in the one scenario of the “ticking bomb”, it becomes easier to open the door wider and wider until prisoners are routinely being subject to torture and abuse. Additionally, torture actually doesn't elicit reliable information. Career interrogators claim that little valuable information was ever revealed to them through physical coercion.

There are in fact forceful arguments that resorting to torture and other cruel and degrading treatment hinders rather than serves a war effort whose success depends on securing the loyalty of the people among whom it struggles. The Ansar al-Islam terror network in Iraq, for example, an al Qaeda affiliate, prints pictures from Abut Ghraib in its recruiting literature.

Finally, legally sanctioned torture cannot be approved by the instance of Jewish law that would most seem to permit it. According to the principle of the *rodef*, the one who is pursuing another to kill him, we are required to take action in self defense in order to preserve innocent human life. However, that action must be intended to save a particular victim from imminent, probable harm; such action must be spontaneous rather than premeditated, and must cause minimal possible harm to the *rodef*, the pursuer himself.

The *rodef* principle did not apply to even the majority of torture cases in Israel in 1998, nor does it apply to our current situation. Accounts of current practices at American-run facilities suggest that cruel, inhuman and degrading treatment is applied to large numbers of detainees who almost certainly lack specific knowledge about imminent future attacks. As we hear in the statistics I mentioned earlier, the vast majority of these detainees whom we are abusing are in our custody by mistake.

For these reasons in a landmark 1999 ruling, Israel eradicated torture and other cruel, inhuman and degrading treatment on grounds of human dignity. The methods Israel eradicated include techniques the US currently uses. Some of the applicants before the

court had been directly involved in hostilities against Israel, and Israel's Security Services claimed that information revealed in their interrogations had helped thwart other serious attacks. Even so, the court categorically prohibited use of physical coercion in interrogations.

It is important to point out that this 1999 Israeli Supreme Court ruling did preserve a "necessity" defense that could *post facto* pardon a specific interrogator from criminal liability in a true "ticking bomb" situation. This means that a specific interrogator could be pardoned from liability if after the fact, it was found that the situation in which he used moderate physical pressure was a true ticking bomb situation.

At the conclusion of their decision, the Israeli jurists acknowledged that banning inhumane means such as torture, even for honorable ends, ". . . is the destiny of democracy, as not all means are acceptable to it, and not all practices employed by its enemies are open before it. Although a democracy must fight with one hand tied behind its back, it nonetheless has the upper hand. Preserving the rule of law and recognition of an individual's liberty constitutes an important component in its understanding of security."

It is hard to be engaged in a national conversation about torture. It would be much easier to just put our trust in our government and hope that it is doing what it can to protect us while protecting human dignity. It would be much easier to look at ourselves and our nation and assume, “we’re good people; this is a good country.” My country wouldn’t ever do anything that I would find to be morally repugnant. But, in the words of Rabbi Levi Olan, “in this kind of a world, it isn’t enough just to be good.”

He continued:

The world is full of good people, commonsense people, practical people, and look at the mess we are in. . . . If we are going to meet the present crises with anything that will really help, we had better see our common guilt in this hour, yes, our sins. This recognition will be the first step in the change that is necessary if we are to measure up to the threat and danger of our time. . . . No religion is worth its salt these days unless it makes us feel uncomfortable first, unless it makes real for us the old ideas of sin and repentance.

According to a Midrash, it was not physical nakedness that Eve and Adam perceived when they ate that fruit. It was their sense of being judged and evaluated that caused them to feel self-conscious and to want to hide from God. They saw that they were complicit in a sin against God, and their response was to hide – to try to extricate themselves from their relationship with God.

This is the time of year to come out of hiding – for evaluation and for judgment, for reconnection to our community and to God.

In the case of US-sponsored torture, there are many things you can do to stay connected, to figure out where you stand, and to take action. Read the reports in the paper. Talk about torture with your friends and your family, and try to clarify where you stand.

Go to the website of Rabbis for Human Rights North America and read more about torture and Jewish tradition. Sign their letter calling on President and Bush and Congress to outlaw torture absolutely.

The conversation about torture is a moral conversation - one that we should all be engaged in – one that has the potential to transform people's lives.

A Chasidic master told the following story: Rabbi Baruch's grandson was playing hide-and-seek with another boy. He hid himself and waited for his playmate to find him. He waited and waited, and still, his friend hadn't found him. After waiting for what felt like forever, he came out from his hiding place, but the other was nowhere in sight. Now he realized that the boy had not looked for him. Weeping, he came to his grandfather to complain of this faithless friend.

Rabbi Baruch's eyes, too, brimmed with tears, and he said: God says the same thing: I hide, but no one wants to seek Me!

We are all engaged in a complex game of hide and seek – and we’re pretty good at the hiding part. The tragedy is that we forget the seeking part. We forget to seek out each other’s faces, seek out each other’s stories, seek out the ways in which we are connected. We forget how to ask, “Ayeka?” “Where are you?”

When we do remember to seek connection with our community and our nation, in sin and in blessing, we are on the path towards encountering God.

And then God counts down and calls out to us, “Ready or not, here I come!!”