

**Two Flags Fly:  
Israel, America and This Moment  
Kol Nidrei/Erev Yom Kippur  
September 25, 2023**

A woman walks up the steps of a neo-classical courthouse. In front of the entrance, on the right, is a stone pillar with a single word engraved at the top: "Truth." On the left is a matching image. "Truth" appears there as well. The woman looks from one to the other, shakes her head and says: "Sure. But which one will set me free?"

A man gets ready to enter a room for a meeting. He puts his hand on the doorknob, looks back at the person behind him and says: "I don't know how I feel about the issue. But I'm prepared to be outraged."

My friends, at this sacred season, at this peak moment in our spiritual calendar, let us take a breath, and look around. In Israel. In America. Have we seen such things before? What is truth, and what is fiction? What are we fighting over, and what are the stakes? Outrage is all around us. What are we to do, in such a time as this?

In most synagogues in this country, two flags fly in the Sanctuary. One is an American flag. The other, designed to evoke longing, resembles a tallit. It is the Israeli flag.

Vexillologists – [those devoted to the study of flags](#) -- can speak more about the symbols in each of these pieces of cloth. For now, I am interested in the fact that both are here, together. They stand before us.

But they are not silent. Both demand our attention. This time, this year, both call out. You could say, in a way, that both flags weep.

They are but threads of a cloth. But they are also strings on our hearts.

**In the pathways of our people, and in the history of our country, we have faced tough times before. But this is a time that calls us to stand up for what we want, and who we are.**

**For Israel, and the Jewish people. And for America, a place that has long been uniquely hospitable to Jews.**

For most of our lives, we have seen shared values and overlapping blessings from both home and homeland. Now, though, both places face new challenges. And there are threads of commonality in the division, in the tension tearing at the unity of both.

Many Jews... and a great many non-Jews as well... view one well-known part of the Torah as a kind of universal law. There are those who want to Hang Ten, put the Ten Commandments up in courtrooms and classes as a foundation of Western life and law.

But the Ten Commandments are not a Jewish version of natural law. They were not meant for everyone. The first four are for Israelites alone... the worship of our God, the shape of our spiritual life, the observance of our Shabbat.

There *is*, however, a Jewish view of a moral code meant to apply to all. The Talmud [[Sanhedrin 56a-b](#)] outlines *Sheva Mitzvot B'nai Noach*, the Seven Commandments of the Children of Noah. *This* is our bare minimum of basic decency. Overlapping but not identical to its better-known cousin, it includes prohibitions on murder, theft, dishonesty, and sexual violence.

But it also proclaims that to be a good person... you have to live in a society... with a defined judicial system!

[In fact, this is the *first* mitzvah of the seven!

תנו רבנן שבע מצות נצטוו בני נח דינין

**The Sages taught** in a *baraita*: **The descendants of Noah**, i.e., all of humanity, **were commanded** to observe **seven mitzvot**: The mitzva of establishing courts of **judgment**.]

There must be a way of administering justice...in any setting deemed worthy and just.

***Our spiritual tradition clearly claims that a necessary condition for living in a moral society is an agreed-upon method of adjudicating disputes in our everyday lives. Our secular lives. In Judaism, this is not a political statement. It is a religious requirement!***

**It is no accident that, at a time of crisis, the courts are under attack. In Israel. And in the United States. Read and weep! Behold, and despair! How easy, how tempting to throw up our hands and walk away.**

**But for us, for our part, this moment calls not for retreat. It is a time to engage. It is a time for more involvement, not less.**

**We begin in Israel.** The unrest is palpable...and unprecedented. For 40 weeks at least 150,000 Israelis have been gathering *every Saturday night*, and many weeknights as well. In the US, that would be seven *million* people. Every week! They come hoping to halt plans to change, and radically weaken the country's judicial system.

As of April, more than two million Israelis, one fifth of the country, had participated in these protests. The figure now is much higher. But even with the earlier numbers, that would be over 65 million Americans.

We cannot go into all the details about why this is happening now, what it means, and what will soon follow if the Supreme Court's role as a check against the coalition is undercut. Consequences will come fast... for women, for gays and lesbians, for the Palestinian minority, for Reform and Conservative Jews, for Israeli-Diaspora relations, for the behavior of police, for soldiers wondering whether and why to serve when so many others are exempt, for the role of ultra-Orthodox rabbis in the lives of secular citizens, for physicians who want to heal but are now thinking of leaving in droves, for start-up entrepreneurs wondering whether investments are wise, for educators worried about the content of classrooms, and more. Plans are already in place for an agenda so extreme it would shock every one of us here today.

But images of protest speak powerfully for themselves. Thousands, tens of... hundreds of thousands of Israelis... carrying flags. The Israeli flag. The one you see behind me.

And the signs, held high, with the words of the Israeli Declaration of Independence, its premise and its promises, enlarged for all to see.

These are the acts of patriots. They are a cry from the heart, from those who love their country. They come from the left, the center, and the center-right. Most have never marched like this before! And they, in a way *which has never happened before, are asking us, Jews around the world, to join them!*

The American-born Israeli writer Yossi Klein HaLevi defines what it means to be a Jewish and democratic state. Israel is and must be, he says, “a state for all Jews, even those who are not citizens – and a state for all its citizens, even those who are not Jews.”

We have a stake in that state! As angry as it makes us to see faces of women on advertisements literally wiped out so as not to offend a religious passer-by, as much as we may want to walk away over segregated busses or girls denied transportation and shamed for wearing tank tops, or flights diverted when ultra-Orthodox men refuse to sit down next to a woman... now is the time for the opposite response.

How deep is this crisis? Should American Jews be involved?

Consider this astonishing statement from a recent article by three center-right Israelis who have all, in the past, called out American Jews for criticizing Israel:

Diaspora support for Israel has traditionally taken the form of support for its government. But now the greatest threat facing Israel *is* its government. Jews in the Diaspora can no longer support Israel without asking which Israel they are supporting.

Fifty years ago, on this very date in the Jewish calendar, as retold in the recently released movie *Golda*, Israel was nearly destroyed by external forces. We must ensure, now, that internal strife does not achieve what the armies of others could not. There are those who were there then who believe the stakes today are just that high.

**What can we do from here? How can we help? What am I asking of you now? Just two things. It is time... to learn, and return.**

**First, learn, connect, engage, and stand up.** As of Tuesday morning, there will be links on our website for places to go, to grow, to hear about what is happening – including an amazing recent Webinar presented by *The Times of Israel* called “Diaspora Jews: Time to Take a Stand.” We will follow up, with opportunities for a deeper dive in our own synagogue, and beyond.

Find out about the ex-pat Israelis holding demonstrations all over the world... DC to New York to Philadelphia to LA and Seattle and San Francisco,

to Toronto and Montreal, Europe and Australia. Demand that the Jewish organizations you support indeed support the Jewish values you believe in!

Do not fear that speaking out gives aid to those who despise Israel. The opposite is the case! Standing up for democracy is a defense, not a detraction! And remember how many Israelis *are asking us* to join them!

Every crisis is also an opportunity. Out of this confrontation may yet come a conversation about the meaning of a Jewish state, a reckoning which has been ducked and dodged and is decades overdue.

**And then. There is almost nothing in the world that works as well in building a deep and lasting Jewish identity... as a trip to Israel.** Many of you have been, perhaps often. Some have not. It is time to go. Again, or for the first time.

Let us return. I would like to see a Beth Israel Congregational Trip to Israel in July of 2025, two summers from now. The lead time should give ample time to plan, and to save. It allows for input, to shape the kind of trip you want. I invite anyone who is interested to a Planning Brunch on Sunday, November 19, at 11:30 AM. More information will come soon.

I hope you will join me. And then, at our Pesach Seders this Spring, we can truly conclude with the traditional words: “next year in Jerusalem.”

**And closer to home. The other flag which flies behind me now.**

Sixty years ago, in August 1963, there was another gathering, at the symbolic heart of *this* country's capital. That day, my parents made a decision. They were too afraid to go downtown with a two-year old in tow. They regretted that decision *not to go* for a long time.

The founding documents of this nation speak of equality and democracy. It is clear now that, when written, "we the people" meant white Christian land-owning men.

But those words were a promise. The true greatness of this country has been its capacity to change. Imperfectly, unevenly, often too slowly, with fits and starts and wrong turns and retreat and regret, nevertheless, over time that circle has continually grown. Just as the flag itself has gained more stars, so have the founding vision and original ideals grown brighter as they came to include more and more people.

Each expansion of rights was a struggle, each new light a fight for equality. What is self-evident today, though, is that "we the people" means white and black and yellow and brown... as well as those we once called "red," Christian and Muslims and Jews and beyond, men and women.

Not everyone sees this progress with the same eyes or greets it with an open heart. I rejoice at a rising tide; too many live in terror that the gains of



one group come only at the expense of another. There is fear enough to go around. And pain and anger. It grows dark. We stand between dreams and screams. The edges of the flag begin to fray.

We have faced these fault lines before. Civil war, fear of foreigners, reaction to immigrants, blacklists, guilt by association... this is a dark part of our American story. And still, for Jews, this place has been one of the greatest beacons, a haven of hope and anchor of security, in all our long journey.

It is the hard knocks of history that compel us to put into practice the Pledge's promise of "liberty and justice for all." Twice "chai," 36 times the Torah commands us to care for the stranger, to speak up for the vulnerable... because we were strangers in the land of Egypt. Long ago and for centuries since we have tasted the bitterness of exclusion, bigotry, persecution - and worse. We know the cost. Dignity. Stability. Security. Our very lives.

In this land, the place we first turned to for redress against exclusion was, in fact, the court. It was the venue we knew would give us a fair hearing. It is the place to which we brought our pleas for inclusion. And it is the only setting which, by definition, weighs justice in ways which protect minorities.

And, now, in our country as well as Israel, it is the focus of our fiercest divisions, and our biggest fights. We are riven over who sits as a justice, and we are torn, and touched, by what they decide.

Whatever your opinion of matters before the courts, I hope we can agree that threats, intimidation, insinuation and attacks on officers and witnesses alike undermine the entire system. And this is a system we all need. A functional court -- and democracy itself -- depend on broad-based trust in the fairness of this process.

**What is at stake for us as Jews, here, and there? How welcome will we be in a place that has been home? How connected can we be to a homeland, a place to which we are bound, still, as partners in destiny?**

In the Prophets, in Jeremiah, we read:

וּדְרְשׁוּ אֶת־שְׁלוֹם הָעִיר אֲשֶׁר הִגַּלְתִּי אֶתְכֶם שָׁמָּה וְהִתְפַּלְלוּ בְעַדָּהּ אֱלֹהֵיהָ  
כִּי בְשָׁלוֹמָהּ יִהְיֶה לָכֶם שְׁלוֹם:

Seek the welfare of the city to which I have exiled you and pray to GOD in its behalf;  
for in its prosperity you shall prosper. (Jeremiah 29:7)

And in the Torah we are told:

צֶדֶק צֶדֶק תִּרְדָּף לְמַעַן תִּחְיֶה וְיִרְשַׁת אֶת־הָאָרֶץ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ:

Justice, justice shall you pursue [or, probably: utmost justice you shall follow], |  
that you may thrive and occupy the land that your God יהוה is giving you.

Some of us may live just a bit over a bridge... Margate, Ventnor, AC. But even there, we are not an island. We are not alone. Even in a resort, we are not removed from what is happening around us.

*Aleinu l'amod...* It is incumbent upon us to stand up, to stand out, to know what we stand for. “*Hinei yamim ba'im*, behold, days are coming,” we read... For there may be moments, in the days ahead, when the time will be right, and the need will be great, and you will know in your heart, in your very soul, what is the right thing to do!

We come together this night for an ancient rite, a sacred ceremony. In the words leading up to the Aramaic prayer Kol Nidrei, we recite a Hebrew formula:

בִּישִׁיבָה שֶׁל מַעְלָה וּבִישִׁיבָה שֶׁל מַטָּה  
עַל דְּעַת הַמָּקוֹם וְעַל דְּעַת הַקְּהָל...  
אָנוּ מִתִּירִין לְהַתְּפַלֵּל עִם הָעֹבְרִינִים:

We appeal to a *yeshiva shel ma'alah*, and a *yeshiva shel matah*. A heavenly yeshiva, and an earthly one. The word “yeshiva” usually implies an assembly, a house of learning. But here, this is legal language. This is not a school. What we appeal to with these words is a court.

So the incantation actually means:

With the permission of the heavenly court, and the permission of the earthly court,  
with the knowledge of the Almighty, and the consent of the congregation,  
we are given permission on this night... to pray together with transgressors.

**This night, with lights low and intensity high, in solemn setting, we appeal to the court of of our soul and the court of our mind. In the midst of division and disagreement, even a sense of being torn asunder,**

**somehow, we say, we may find a way, this day, to be at one. Even with those we see as wrong.**

In the end, at the last, it not an elusive truth but a restored sense of commitment and connection and community which sets us free. Not outrage, but atonement, and love.

Two flags cry.

But look hard, for they yet say more. They also inspire, remind us of what we stand for...and revive in us the dream of who and what we hope to be.

*L'shana Tovah.*