

Rabbi David M. Frank, Temple Solel, Cardiff, CA Yom Kippur 5772

“Civil Engineering”

The year was 1856. The place was the hallowed chamber of the United States Senate. Senator Charles Sumner had just delivered an impassioned speech against admitting Kansas to the Union as a slave state.

Suffice it to say, his words did not fall on deaf ears. In a matter of moments, his speech travelled over to the House of Representatives and infuriated certain congressmen, so much so that one, in particular, decided to act.

South Carolina congressman, Preston Brooks, in defiance of all protocol, dared to enter the Senate chamber. There he found Senator Sumner stamping copies of his speech after the Senate had adjourned for the day. Seizing the opportunity, Congressman Brooks snuck up on him, and with the metal top of his cane proceeded to beat the senator to a bloody pulp.

And we think today's Congress misbehaves!

According to the official Senate history, it was noted of Congressman Brooks that, “if he had believed Sumner to be a gentleman, he might have challenged him to a duel. Instead, he chose a light cane of the type used to discipline unruly dogs.”

However, there was one famous duel in our American political history. It took place back when there really were Tea Partiers! It involved Alexander Hamilton, one of the framers of the Constitution and the first Secretary of the Treasury under George Washington.

Never mind the fact that Hamilton had to resign from office in 1795 because his extra-marital affair became public (sound familiar?). He still had strong political clout and used it repeatedly against his nemesis, Aaron Burr, vice-president to Thomas Jefferson.

Burr finally had enough, and challenged Hamilton to a pistol duel. On July 11, 1804, the two men met on the dueling grounds in Weehawken, New Jersey. Each fired one shot. Thus ended Hamilton's life and career.

So, I guess by comparison, our present-day politicians aren't that bad. After all, we don't have canings in the Senate, or pistols at dawn.

But, I would still say that we are living in a political climate that is insufferable, and one that is only ratcheting up in rancor and intensity as next year's election approaches. Our politicians are perpetually defaming each other with innuendo, turning issues of national importance into personal attacks, and throwing their former colleagues under the bus in memoirs and television interviews.

I don't know about you, but I am appalled and fed up with the way in which our elected leaders are doing business. The debt ceiling debate, which will soon be reignited, was an utter disgrace, creating great theater, but a totally unnecessary national emergency, and certainly contributing to the downgrade of our country's credit rating.

The United States faces daunting challenges right now, and our elected leaders can't seem to figure out a way to get along. This is not about Republican or Democrat, liberal or Tea party politics – this is about the very soul of America.

We have a big job to do. We need to put Americans back to work; we need to climb out of this recession, which is strangling everyone of us. We have to deal with our national debt, and with our national security in a time of rapidly shifting geo-politics.

We have got to come to terms with the disgraceful news that one in six Americans are currently living below the poverty line, and that we are among the worst of all the developed nations in the world in our infant mortality rate, falling behind 40 other developed countries and on par with Cuba and Lithuania, mainly due to lack of adequate healthcare for many Americans.

On top of that we have a Medicare and Social Security system that is losing viability, with no foreseeable solution in sight.

I could go on, and I'm sure you could as well. As Rabbi Tarfon said long ago: "The day is short, the task is great, and the master of the house is pressing."

The question we need to urgently ask right now is, how are we going to craft a unified vision for our country?

It is not the first time we have faced crisis, and we have never shied away from meeting bold decisions – from abolishing slavery, to defeating Hitler and climbing out of the Great Depression, to ending segregation and securing civil rights, to rising from the ashes of 9/11. But it was never easy and it required something America is desperately lacking right now – and that is, in a word, civility!

Why civility, you might ask? Is being nicer going to somehow solve all our problems?

Dr. Stephen Carter, Professor of Law at Yale University, studies and writes extensively about civility. He defines civility as, "the sum of all the sacrifices that we make for the sake of living together." And this is the attitude that is in short supply in America today. As Professor Carter has observed: "nowadays we live in a world where no politician ... would dare run for office asking people to

sacrifice, saying, I'm going to ask you to do something that's hard, something that's special for others."

But, if you think about it, civility is precisely what has helped us, throughout American history, to meet our greatest national challenges. As President John F. Kennedy once called upon us: "Ask not what your country can do for you – ask what you can do for your country."

So, you see, civility is far more than behaving nicely. Civility is a whole moral category.

Professor Carter points out that our first national conversation about civility actually began in the early days of the railroad. In the 1800's, the transcontinental railroad was built, and everyone literally jumped on board.

But the rail cars posed a new challenge in decorum. Passengers didn't sit in individual seats like we do today; they were crammed together on little benches. It was really the first time large numbers of Americans had to share a confined physical space.

So, with the advent of the railroad, a host of etiquette manuals were published to detail proper conduct for rail passengers. We still have some copies of these little manuals around today. They covered things like loud talking, or spitting, or smoking cigars on the rail cars.

In a little gem called "The Gentlemen's Book of Etiquette and Manual of Politeness," published in 1875, at the dawn of the transcontinental railroad, I found the following admonition:

One may smoke in a railway-carriage in spite of by-laws, if one has first obtained the consent of every one present; but if there be a lady there, though she give her consent, smoke not. In nine cases out of ten, she will give it from good nature.

By the way, though not specific to rail travel, gentlemen are also advised in this same manual that:

A true gentleman never stops to consider what may be the position of any woman whom it is in his power to aid in the street. He will assist an Irish washerwoman with her large basket or bundle over a crossing, or carry over the little charges of a distressed negro nurse, with the same gentle courtesy which he would extend toward the lady who was stepping from her private carriage.

Putting aside the obvious un-P.C. references for the moment, this is an interesting piece. Because it gets to the very heart of civility – making a sacrifice,

even for someone we don't know, a complete stranger. "Civility is the sum of all the sacrifices that we make for the sake of living together."

Now, to perhaps stretch a point here, we might also classify the Torah as our big Jewish etiquette manual. And as such, the question I've often asked myself is, what would be the hardest rule of etiquette in the Torah to follow? I have concluded that it might very possibly be this one: "When you see the donkey of your enemy fallen under his load, and you feel like passing him by, you must stop and work with him to lift it up."

This clearly goes against every natural human impulse. Your enemy is finally getting what he deserves – his donkey is down for the count. And now the Torah is telling you to stop and lend a hand to someone you know for a fact hates you? But it's actually right here, in this seemingly extreme scenario, that we can learn a great deal about civility.

The first lesson comes from imagining the scene itself – what might really take place were we to find ourselves in this situation?

So, there's our enemy with his prostrate donkey, whose load is off kilter and slipping off its back. Enemies or not, we now have a cooperative task to perform together. You stand here, and I stand there and, on three, you push and I'll pull. Push, pull, hold, lift – all done in coordination. Working together is the only way that animal is going to be righted, which is exactly why the Torah is so precise in its wording – it says, "you must stop and work *with* him to lift it up."

So, two people who have been adversaries, now have a common stakeholder issue – the Torah is not letting either of them go until that donkey is on its feet! And here, we have one of the essential ingredients of civility. Seeing our adversary as a common stakeholder motivates us to *work together* toward a common goal.

The Torah is smart – it is telling us to take our egos out it, to counter our natural instinct to chastise our opponents and, most importantly, to realize that our highest self-interest is served when the common good is achieved.

This is something that is missing in politics today. We have so many urgent stakeholder issues – far more than one donkey to raise – yet, our leaders can't seem to get past their political ideologies to work together. But, as the Torah is teaching us, figuring out how to push, pull, lift in sync, even with our adversaries, is the only way America is going to get the task done.

The second lesson of this challenging piece of Torah etiquette is taught to us in a commentary. The Midrash describes two donkey drivers who were traveling along the same road. One donkey suddenly starts buckling under its load and the other donkey driver just passes right by.

The driver of the fallen donkey yells out our Torah verse, as a plea and an obligation for him to stop and help. So he does, and as they're working together, they start talking and shmoozing. The donkey driver, who at first had refused to stop and help, began to think to himself, wow, this guy really likes me and I had no idea! Afterwards, concludes the Midrash, they went to an inn, and ate and drank together.

This is another aspect of civility. By standing on principle and refusing to even engage our rival, we lose the opportunity to know the person, and perhaps think differently about him or her. Which is why, contrary to Hank William's recent inappropriate analogy to Hitler and Netanyahu, I believe it was good for President Obama and Speaker Boehner to golf together.

In this regard, I often think about the late president Ronald Reagan and then Speaker of the House Tip O'Neill, who shared many celebrated social meals, at which they enjoyed each other's company and told their homespun Irish stories. Even though they were fierce political rivals, their personal relationship was actually something quite special.

They argued relentlessly, and publically, but always respectfully. And because of this, they could also work together on successful legislation – like Social Security and a major tax reform. Of these two powerful politicians it was often said that, by day they were political rivals but, after 6 pm, they were friends.

At the Speaker's retirement party, President Reagan offered these words: "Mr. Speaker, I'm grateful you have permitted me in the past and I hope in the future that singular honor – the honor of calling you my friend." Respecting and engaging our opponent is fundamental to a civil government and society – again, something sorely lacking in our current political climate.

The third lesson the Torah teaches us has mainly to do with the donkey itself. Because what happens if the men don't raise up the donkey, and instead continue their feud? The poor animal continues to lie there in distress, an innocent victim of politics.

Who really suffers the most in the end when two adversaries can't get along? It's their families, their friends, their political constituents. It is the stranger, the anonymous victim of a collapsed job market, or unaffordable healthcare premiums, or a Federal government on the brink of dysfunction because our politicians cannot work together to forge a civil society.

And although this attitude is most evident in Washington, the worst, I fear, is that it's trickling down through the fibers of our social networks. Talk radio and television are incendiary. The freeways are deadly racetracks in which drivers think they're in a private bubble, instead of in a shared communal space. The

Internet, our virtual highway, can be used as a flamethrower to propagate misinformation and ill will.

It is bad enough that we have become indifferent strangers to our fellow citizens, but even worse that we don't treat them well. Our civil society is coming unglued and it is up to us to say, "*ad kan v'lo yoter,*" here I draw the line, and no further.

I do not know whether we can change the attitude of our politicians – after all, our halls of congress apparently have a long history of conflict and adversarial conduct. But, we can certainly remind them of the best they have achieved when they worked together, and use our influence to demand greater civility on both sides of the isle.

Yet mostly, on this Yom Kippur, we can recognize that civility begins with us – with you and me. Civility starts within families, by the manner in which spouses interact and children are raised. Civility is engendered in what we say and do in the office, in the supermarket line, or at our child's school. Civility is expressed in the social and political attitudes we espouse to our friends, and in the sacrifices we are willing to make to live in a community with people we don't even know.

We, every one of us, must stand against the prevailing trend of take-no-prisoners ideology, of road rage on our physical and virtual highways, against a selfish attitude of entitlement, and lack of concern for the stranger in our town, or in another part of the country.

Yes, the words of the *Al Cheyt* resound more loudly than ever today. *Al cheyt sh'chatanu l'faneycha* – for the sin we have sinned against You by arrogance, by selfishness, by word, by action, by inaction. Of all these sins and more, you and I are guilty, and we cannot assign blame only to those in power. Incivility begins in individual human behavior, and can only end when we vow to end it.

When I think about the greatest days of our nation, I am convinced it was shared sacrifice – giving something up – that enabled us to overcome and persevere. In a word, civility. And for us to continue to lead the world as a great nation, we must individually and collectively bring civility back as a core American value – a value that dictates working together as common stakeholders for the sake our country; a value that demands personal respect between opponents, and compromise for the greater good. And a value that, most of all, inspires compassion for those strangers fallen by the roadside.

I recently read that after the assassination attempt on President Reagan, he was apparently in much worse shape than anyone knew. His rival, Speaker Tip O'Neill came immediately to the hospital.

He walked up to Reagan's beside, took both of Reagan's hands in his, and knelt down by the side of the bed. "Thanks for coming, Tip," he heard the president

whisper. Then, together, the two men recited the 23rd Psalm: “Yea though I walk through the valley of the shadow of death, I shall fear no evil.” Finally, before Speaker O’Neill took his leave, he kissed President Reagan on his forehead.

On Yom Kippur, we are mindful that each of us walks through the valley of the shadow. We can choose to walk it alone, at odds with our companions and frustrated in our adversarial struggles. Or, as I would urge us to do on this holiest of days, we can join hands and hearts, we can lift each other up, and we can walk that path together. I know that, if we could do this, our country would be grateful.