

## The Torah Is Not in Heaven – Nitzavim/Vayelekh 5773

Rabbi Michael Safra

Every year around this time, as we prepare to spend many hours in the synagogue, somebody sends me a story about little Jonny who sitting and staring at the *yahrtzeit* boards one day. In that particular synagogue, some of the plaques had little American flags on them. The rabbi saw that Jonny was engrossed, so he approached the boy and Jonny asked about the flags, and the rabbi explained, “Those special plaques are for the people who died in the service.”

They looked at the plaques together until Jonny, his voice trembling, broke the silence. “Rabbi,” he asked, “Which service was that? The first day or the second?”

One of the challenges of this season is that thousands of people who do not come to synagogue often flock to services for Rosh Hashanah and Yom Kippur. They sense that those days are important. They open the Mahzor. And then they are often disappointed to find that the words don’t speak to them. They walk away unsatisfied, wondering why they don’t feel changed by the experience.

I want to address that issue by looking at a text from Parashat Nitzavim. I invite you to open your *humashim* to p. 1170. Moses is completing his discourse to the people just before they are going to enter the Promised Land and he worries that they might somehow feel unworthy. We read in verse 11 on p. 1170:

Surely, this instruction which I enjoin upon you this day is not too baffling for you, nor is it beyond reach. לא בשמים היא, It is not in the heavens, that you should say, “Who among us can go up to the heavens and get it for us and impart it to us, that we may observe it?” Neither is it beyond the sea, that you should say, “Who among us can cross to the other side of the sea and get it for us and impart it to us, that we may observe it?” No, the thing is very close to you, in your mouth and in your heart, to observe it.

These are among the most empowering words in the entire Torah. And in some ways they are surprising. Remember the story of Sinai: There was smoke and fire; Moses went up to receive the law and the people were told to stay away. The Torah was “up there” and we were “down here.” But now Moses is saying that it was right here with us all along.

לא בשמים היא, It is not in the heavens.

The verse is the centerpiece of a famous Talmudic debate about a particular kind of oven. The Rabbis said that this particular oven was impure while Rabbi Eliezer maintained it was pure. It is said that on that day Rabbi Eliezer offered every argument in the world to support his position but the Rabbis would not agree with him.

Finally he said, “אם הלכה כמותי, If the law is like me, If I am right, let this carob tree prove it!” The carob tree uprooted itself and shot up 100 cubits in the air; but the Rabbis responded, “We don’t bring proof from a carob tree.” So Rabbi Eliezer tried again: “If I am right, let this stream prove it!” And the water in the stream started flowing backwards. But the Rabbis said, “We don’t bring proof from a stream of water.” So Rabbi Eliezer said, “If I am right, let the walls of this Bet Midrash prove it!” And the walls leaned over but didn’t fall. But Rabbi Joshua rebuked the walls: “If Torah scholars are debating a matter of law, what business have you to intervene?” (And the Talmud says, they are still standing like that to this day!)

Rabbi Eliezer continued, “If the law is like me, let it be proven from the heavens.” And a Bat Kol, a Heavenly Voice rang out and said: “מה לכם אצל רבי אליעזר, Why are you giving Rabbi Eliezer such a hard time? The law always follows his opinion!” But Rabbi Joshua stood up and proclaimed, “לא בשמים היא, The Torah is not in the heavens.”

A later sage, Rabbi Jeremiah explains that once the Torah was given on Mount Sinai, it left the heavenly realm forever. It is our job to interpret the law and we must trust in ourselves to practice it and make meaning.

This story is really popular in the Conservative movement because it asserts our authority and *responsibility* to interpret laws and to help them evolve and remain relevant. The Torah doesn’t belong to prophets. We are all invited to read it and anybody can become an expert. We have the right ... and of course along with that right comes great responsibility.

So back to the High Holy Days, because Teshuvah/Repentance is not in the heavens either. Our Mahzor quotes the Mishnah to warn us: Repentance on Yom Kippur brings atonement for transgressions בין אדם למקום, between a human being and God. But for transgressions בין אדם לחברו, between one human being and another, Yom Kippur brings no atonement.

The prayers may be masterful, but they are not magical. Sitting in the synagogue – no matter how long you sit or how much you pay attention – sitting and listening doesn’t do much. לא בשמים היא, If we want to make the prayer experience meaningful, we have to immerse ourselves, especially outside the synagogue.

Tonight the holy season begins with Selichot, and then we have four days to catch up with friends and relatives and mend relationships. We have four days to pledge to change ourselves and the way we look at the world. We have four days to give *tzedakkah* so we can come to the synagogue **prepared**. The words won’t have meaning unless we are prepared.

And then the New Year kicks off ימי תשובה, עשרת ימי תשובה, ten more days of repentance that lead to Yom Kippur, because God cannot grant atonement, God cannot grant blessing, God cannot improve the world without us.

I love the Midrash where the Rabbis question the commandment: אַחֲרֵי ה' אֱלֹהֵיכֶם תֵּלְכוּ, You shall follow after Adonai your God.

Rabbi Hama ben Hanina asks, "What does it mean to "follow after Adonai"? After all, the Torah says elsewhere that God is a devouring fire. How can a mortal follow that? The verse means to teach us that we should follow the **attributes** of the Holy One. God clothed the naked – as God made skins for Adam and Eve in the Garden of Eden – so you also should clothe the naked. God visited the sick – as God visited Abraham after his circumcision – so you also should visit the sick. God comforted Isaac after Abraham's passing, so you should also comfort the mourner. And God buried Moses in Gai, so you also must bury the dead.

We are essentially responsible for doing God's work. In my column in the Scroll this month – and you'll be hearing much more about this – we introduced the concept of *derekh erez*, which is going to be a theme in the Talmud Torah and throughout the synagogue this year. *Derekh erez* loosely translates as ethics or civility, but I like to think of it as the human component to God's work. לֹא בְשֵׁמִים הִיא, Goodness, moral living, *godliness* is not reserved for the heavens.

Even the very concept of God. Lots of people have trouble believing in God. And if by God we mean an all-powerful man sitting in heaven and judging us and deciding who will live and who will die ... well I don't believe in that kind of God either. That vision of God, which is certainly prominent in the Mahzor, is only a metaphor.

I believe in the God described by Martin Buber in *I and Thou*. That God is found in relationships – when I take the time to truly understand and love another human being, God is in that relationship. Or the God described by the French philosopher Emanuel Levinas, who is found when I look into another person's face and recognize that I have responsibilities towards that person by virtue of the fact that he or she is another human being. God is found in *responsibility*. God is found in commitment. God is found on earth. And if we want to connect with God in the synagogue, we'd better consider our actions and our relationships outside the synagogue – before ... and after ... the holiday.

לֹא בְשֵׁמִים הִיא

It is said that in a particular Russian town on the day after Rosh Hashanah, the czar issued a challenge. Solve my riddle ... or else I will close your synagogue and you will have no place to go for Yom Kippur: If God is all-powerful and God is invisible, how can God see God's self?

The people were exceedingly worried. They were unsure of how to answer the question. They asked the rabbi. He studied. He went into the forest to meditate. But he couldn't figure it out.

Finally he visited the *cheder* and he asked one of the young children: If God is all-powerful and God is invisible, how can God see God's self? And a child came forward and answered, "It is quite simple. You taught us this, Rabbi." The rabbi was surprised, but interested, and the boy continued:

“You taught us that each person is created in God’s image. So when God wants to see God’s self, all God has to do is look at one of us. We are God’s mirror.”

*לא בשמים היא*, The Torah, God, spirituality is not only in the heavens that I should say, “Who among us can go up to the heavens and get it for me.” During these days of awe, I pray that our actions and commitments may make God’s presence most evident in our lives. Shabbat Shalom and Shanah Tovah.