

This week's column was written by Rabbi Samuel Barth, senior lecturer in Liturgy and Worship, JTS.

**Ne'ilah: Final Closing, or Not Quite?**

"*P'tach lanu sha'ar*" (Keep open the gate for us) are the words of a fragment of a *piyyut* attributed to Elazar Kallir (6th century, Land of Israel) [see the Rabbinical Assembly's *Mahzor Lev Shalem*, 414].

"*Hashemesh yavo ... n'vo'ah sh'arayich*" (The day will come to an end . . . let us enter Your gates). These are images that carry certainty and finality. On Rosh Hashanah and Yom Kippur, the words of the liturgy speak of being *written* in the Book of Life, the Book of Forgiveness, etc. Only at *Ne'ilah* do we move to the verb *chotmeinu* (seal us) to emphasize the resolution that comes at the end of this extraordinary day. Even on Shabbat, *Avinu Malkeinu* appears at the very end of *Ne'ilah*, with this transition to the finality of a sealed destiny appearing (426; see the lines that appear at the foot of the page in bold type).

Close to the beginning of *Ne'ilah*, the Sephardic poem *El Nora Alilah* (Awe Inspiring God; 407) attributed to Ibn Ezra has begun to appear in many Ashkenazi communities. Usually sung with a lively, even triumphant, melody, the poem speaks of *Ne'ilah* with finality, with the last stanza almost presumptuous in its certainty:

May we Your children celebrate with joy and gladness

Length of days merited in this closing hour (*sha'at haneilah*)

Rabbi Lionel Blue, in his poignant prayer of introduction, notes that

Time alone does not heal the wounds we bear nor the wound we cause. We have prayed a little . . . and asked for much forgiveness and done much less to earn it . . . Therefore we turn aside from our cleverness and our pride and come to You as poor people who receive . . . Our minds no longer run about to seek You, but wait in patience for You to find us . . . each of us is precious in Your sight. (UK Movement for Reform Judaism's *Days of Awe Machzor*, 635)

*Ne'ilah* holds out much promise, and also challenge. Some of us through prayers, melodies, and inner effort will find (or be found by) God's presence. But for us all there is a real journey. Rabbi Jonathan Magonet teaches,

No life is without its struggle for values, its search for meaning. In today's fragmented world when we live off the remnants of our tradition among the remnants of our People it is not easy to know where the truth of our task lies . . . For the journey through Yom Kippur was a real journey—one to be measured not by what we feel when it is over, but by how we lead our lives . . . when the final shofar blast has pierced not only the highest reach of heavens, but also the deepest reach of our souls. (630)

As always, I am interested in hearing comments and reflections on these thoughts about prayer and liturgy. You may reach me at [sabarth@jtsa.edu](mailto:sabarth@jtsa.edu).

# Torah from JTS

## Yom Kippur 5774

### Parashah Commentary

This week's commentary was written by Rabbi Daniel Nevins, Pearl Resnick Dean of The Rabbinical School and dean of the Division of Religious Leadership, JTS.

### Taking What Isn't Ours

It's not literally a skeleton in my closet, but I was still upset to find it hanging there. A few months ago I was taking out a jacket and noticed that a wood hanger had the name of a Jerusalem hotel on it. Honestly, I never meant to take a souvenir hanger. Probably I left a similar one of my own behind in its place, but there it is, a hot hanger in my closet. When I visit Jerusalem later this year, I plan to bring it back.

Do you, perhaps, have any "souvenirs" from hotels or other places that you have visited around the world? There is a line between ephemeral items like a bar of soap or ballpoint pen that your hosts may have expected or even encouraged you to take, and larger things like bathrobes that are expensive and meant to stay put. Many hotels now offer such items for sale, not so subtly informing their guests that robes and other durable goods are not being offered as freebies.

Jewish ethics set a high bar for even "borrowing" the property of others without permission. In the Babylonian Talmud (Bava Metzia 43b), the Rabbis debate whether such borrowing is a serious crime or a misdemeanor, but the medieval codes call it simple theft. I remember one teacher giving a *mussar* (ethics) talk in which he accused all of us yeshivah students of being thieves. He'd noticed people picking up pencils to make notes without asking first to whom they belonged. "You're all thieves," he thundered. Are we all thieves?

On Yom Kippur, we repeatedly confess, "*Ashamnu, bagadnu, gazalnu*" (we have sinned, we have betrayed, we have stolen). There you have it, our abject confession: we are all thieves. Of course, there is nothing so simple about this admission. Most of us have not intentionally stolen physical property from others, but that is setting the bar too low. Mistakes like mine happen, and we need to take better care. Intellectual property is often more valuable than even jewels, and yet we are quite casual with the appropriation of other people's ideas and expressions. We rationalize that this is a "victimless crime," since the owner still keeps his or

her own property and may not even notice what was taken. Ultimately, every person's ideas are influenced by the work of others, and it can be impossible to demarcate the boundary between legitimate adaptation and illegitimate imitation. Rationalizations abound.

Moreover, today's trend is toward "open source" creation of content. Stewart Brand first declared in 1984 that "information wants to be free," but even he acknowledged that there is a constant struggle between proprietary knowledge and free access, between control and collaboration. Perhaps the argument that "everyone does it" has eroded our respect for intellectual property, but on Yom Kippur we should think again about how to honor the ideas of others, seeking permission and giving credit where it is due.

Aside from issues of ownership, mores are also shifting about the propriety of sharing personal information. Our society used to place a premium on privacy, but today we are expected to view ourselves as a "brand," with our social capital dependent on how many "friends," links, and "likes" we accrue. It can seem prudish to refrain from putting personal photos and accounts up on social media, and many people feel pressured to reveal information that used to be considered private. Transparency has become a regnant value of our culture; modesty and discretion have suffered accordingly. But not everything important ought to be seen. There is mystery and power in that which is hidden. The medieval Rabbenu Gershom issued an edict banning people from opening the private mail of others. We would do ourselves a favor in being more discreet about what we share and what we seek to find out about other people.

On Yom Kippur, we read about the service of the high priest. We will solemnly recite the steps of his worship, from the elaborate rituals of washing and prostration to the sprinkling of sacrificial blood. In our mind's eye, we can see him entering the Holy of Holies and praying on behalf of the whole house of Israel. But that's just it—in our imagination we can see it, but in reality, the service of the high priest was invisible to the People and even to other priests. The priest was glorious when he came out of the Holy of Holies, but that was in part because he had been hidden for a tense time while representing the nation.

As we stand before God, seeking atonement, we straddle a divide between public and private presence. We sing and sway together with each other, chanting "*Anu amekha, v'atah Eloheinu*" (We are your People, and You are our God). We stand together then, but we each are also alone, in private conversation and confession before our Creator. In each aspect of our prayer, let us be honest and strong, humbled and then joyous as we seek atonement. Alone and together, may we merit to be inscribed and sealed for a new year of life and of peace.

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## A Taste of Torah

**A commentary by Rabbi Matthew Berkowitz, director of Israel Programs, JTS.**

### The Discipline of Atonement

This coming Shabbat culminates the period of *aseret yamei teshuvah*, the ten days of repentance, as we commemorate Yom Kippur, the Day of Atonement. It is the Sabbath of Sabbaths in which we seek to successfully complete our journey toward making amends and recall the ritual of purification that unfolded in biblical times. This particular ritual is detailed during the *Musaf* service of Yom Kippur. We read that the high priest would set aside his elegant garments and don the garb of a regular priest as he entered the Holy of Holies. There he would atone for his own sins, the transgressions of his family, and the sins of all of Israel. Subsequently, two goats were selected—one for God and the other designated for "Azazel." While the former goat would be offered as a sacrifice, the latter animal would be led into the desert wilderness to this mysterious place. How can we better understand this intriguing ritual of the scapegoat?

Nahmanides (13th-century Spanish commentator Rabbi Moshe ben Nahman, or Ramban) sheds light on the significance of the goat and of Azazel. Regarding the latter, Ramban surveys the beliefs of other commentators:

This was a high mountain—a flinty precipitous peak, as it is said, "a land which is cut off" (Lev 16:22). This is the language of Rashi. Others say this means the "hardest" place in the mountains . . . Accordingly, the meaning of the word *la'azazel* is to a hard place [the root of the word *azazel* being *az*—strong], with the letter *zayin* doubled just like *izuz* (strong) and mighty (Psalms 24:8). [Chavel, *Ramban: Commentary on Torah*, 217]

Nahmanides, however, remains unconvinced, rejecting these interpretations. He argues rather that the goat and Azazel must be understood within a context of idolatrous Near Eastern cultures. The *se'ir* (goat) sent to Azazel is meant to recall a goat-like spirit that represented desolation and destruction. The Israelite nation, then, seeks to reframe this previously idolatrous practice, symbolizing both a break from pagan practice and a break with its wayward past. Expelling sins to a place of desolation diminishes and removes the power of transgression from the People's presence.

While today we may lament the fate of the innocent scapegoat, the power and significance of this ritual resonates with us. All too often, sin as represented by habitual, harmful behavior (idolatry of another sort) takes hold of us. A downward spiral ensues as we find ourselves embroiled in chaos and desolation. The challenge for each of us is to reclaim a path of discipline in our individual and communal lives. To do so, such destructive habits need to be exiled. The very controlled and complex ritual of confession and expulsion as represented by the scapegoat becomes a powerful model for atonement. Discipline expels disorder and chaos. We journey a step further from the chaos of the wilderness as we endeavor to bring the Promised Land within reach. *Ken yehi ratzon*. So it may it be for all of us in this High Holiday season.

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