

Does God Have a Conscience —

A Yom Kippur Sermon by Harold M. Schulweis

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I would like for you to look at how we began Kol Nidre. I want you to open your machzor to page 207 if you will.

Because it is the most intriguing and strange page of all Yom Kippur, by what authority do you pray? By authority of the heavenly tribunal and of the court below with divine sanction or with the sanction of this holy congregation, we declare it lawful to pray together with those who have transgressed.

This is a revolutionary proclamation. It declares the interdependence of heaven and earth. The symmetry between the law above and the law below, the dignity and the power of this congregation, the correlation of two tribunals, heavenly and earthly, which is the prologue to the Kol Nidre that authorizes us with the power to loosen all bonds and all vows.

Now, I want you to notice the Kol Nidre is not a prayer. Look at it. It hasn't got the form of a prayer, it's written in Aramaic. It's not a prayer. It is a legal formula. It's recited three times and it deals with the power to nullify vows. And look at the last line of the Kol Nidre. Our vows to God shall not be vows, our bonds shall not be bonds, and our oaths shall not be oaths.

That seemed to be odd? I think kind of strange to begin a day of solemn resolution by the nullification of oaths. We Jews honor our vows. We read it in the bible again and again in the book of Ecclesiastes, "Be not rash with your mouth not let your heart be hasty to utter a word before God. A vow in Judaism is sacred."

Read it again in Deuteronomy. "When you vow a vow to the Lord your God, you must pay it without delay. Be careful to keep any promise you have made with your lips." The rabbis insist "Your yay shall be yay and your nay shall be nay."

So, how dare you begin the most solemn day of vows in a resolution with nullification? What in our tradition gives us human beings the power to annul, to absolve, and to nullify, and to release?

Now, I want you to follow this page because you'll find three proof texts right in the last paragraph. These begin with, the first, "And the congregation shall be forgiven." Then, the second, "Part of the iniquities of these people," and especially, the strange last verse from the Book of Numbers, "The Lord said, "I have forgiven according to thy word." I have forgiven according to thy word." Not my word, God, but thy word.

Now, all these quotations come from one source. They all come from the Book of Numbers. They all deal with the recalcitrance of the Jewish people, their murmuring their inability and

willingness to enter the Promised Land, the question of the spies. They deal with the golden calf, etc, etc.

And they end up with the anger of God. "How long," says God, "shall I bear with this evil congregation that keeps murmuring against me?" Especially after the insult of a golden calf, it says God says, "I have seen this stiff necked people." Let me alone so that I can destroy them and block them out from on to heaven".

God has won. He has taken an oath to destroy the people. This is clear. And as the prophet Isaiah puts it, "If God, Master of the Universe, has proposed an oath, who can nullify it?"

Those are very, very strange number of verses to use in the beginning of Yom Kippur and I want us to examine and see how our tradition, how the imaginative rabbinic tradition understood this.

And I'm going to be quoting to you from the Talmud, from Berakhot and from Shemot Rabbah who, one of the most stunning, the most imaginative, the most audacious and the most unique aspect of Jewish life. Right now, I'm paraphrasing.

When Moses heard that God said, "Let me alone that I may destroy you," he said to himself, "What does it mean, let me alone." Who can stop God? God is omnipotent. God is all powerful. God is omniscient. Who can let him alone? What does it mean to say, "Let me alone"? And immediately, he understood that it was something that he was supposed to do.

Then it says, and I'm now quoting from sacred tradition, from Midrash. Moses seized hold of God's garment and he would not let God go. "I will not let go of you, God, until you forgive these people."

And he said, "I won't let you go until you forgive and absolve these people. You can't abandon these people. What do you want from these people? You brought these people in to Egypt. They were slaves. They were subject to superstition and to idolatry, and to all of that. You have no right to abandon your word. You promised that this will be your people."

And it says in the Midrash, God is moved by Moses' defense of the Jewish people, but He comes-- God comes to Moses and say -- He says to Moses, "It's too late. I already swore that I destroy this people. I can't go back on my word."

And Moses says to Him, "Master of the Universe, did you not teach us that if someone makes an oath, that person can go to a scholar who may absolve this oath. God, come to me and I will absolve the oath."

Say the rabbis, "Then Moses sat and wrapped himself in a prayer shawl to judge God and God came before the seated Moses, and Moses said to God, "Are you sorry? Do you regret your oath?"

And God answered, "I regret the evil that made me issue this oath." And Moses said to God, "It is forgiven to you. You are absolved God. There is no oath and there is no vow." And the Lord said, "I have forgiven according to thy word."

That's the power of the word. Whose word? Moses' word. Moses has a word that is able to absolve and override God's oath. And I want you to consider what's happened here. This is the Gomorra Brachot. It's in Shemot Rabbah. What is happening here?

It's a sacred traditional saying that God is wrong or that God is weak. Not so. The rabbis are advising us that God is not the Grand Inquisitor. God does not say to those who believe in Him, "You forsake your freedom. You followed me blindly. You bite your tongue. You shut your mouth. You bind your hands. You bend your knee. I am not pharaoh. I am the loving God who created you as a free spirit. I created you with the power of the word."

Now, I think this is important especially to many of you who keep on asking of your rabbis including myself what's unique about Judaism. I suggest to you as a candidate for the uniqueness of Judaism, a tradition that you are not readily going to find in any of the ancient traditions that here you find a heroic conception of Jewish spirituality. Believers do not grovel before God. They stand before God with the God-given power of divine image.

And I'm especially happy that there are so many young people here. I know that there are people here from college. And I am particularly interested in that because I know what you study in college. I've gone to college too and I have electives, and I know that this is not a conventional portrayal of Judaism.

In the classes that I took in Comparative Religion, there's no being taught the same way. Textbooks have been changed. You're exposed to the idea that the God of Judaism is an imperial God, an inflexible God, a wrathful commander who gives orders. Judaism is nothing but obedience, only obedience.

You find that, of course, in the caricature of the New Testament. New Testament will make fun and [inaudible][00:12:07] that God of Judaism is a God who is wrathful, who is punishing, who is a judge, and you can do nothing, but obey.

But not only do you find this in the New Testament. When you take your classes in Political Science, when you take your classes in Philosophy, you will find from Baruch Spinoza in the 17th century to Immanuel Kant in the 18th century, and Fichte and Hegel in the 19th century that's same caricature.

Judaism is a religion that is only concerned with having you obey and that characterization, that false caricature, has been internalized even by Jews who think of Judaism as an authoritarian legalistic tradition. That tradition is distorting, it's perverting, and it misses the spiritual heroism and the unique character of Judaism itself.

Let me give you one other illustration, and I can give you many others. We want to examine for example the rabbinic tradition which is found in the Sacred Text of Numbers Rabbah. This is the exegesis.

And here the conflict is over nothing less than the wording of the Ten Commandments. In the wording of the 10 Commandments, you have a statement repeated twice; one is in Exodus and one's in the Book of Deuteronomy. "I, the Lord thy God, visit the iniquity of the fathers upon the children and the children's children, on to the third and fourth generation."

Do you like that? Do you think the rabbis liked it? You're wrong if you do so. They knew that it was in the bible, but here, I want you to listen to and tell it to your children and to your children's children. You have the rabbis envisaging the following conversation between Moses and God.

Moses says, Master of the Universe, Terah, Abraham's father worshiped idols, but Abraham discovered and loved one God. King Ahaz was a cruel king, but he had a son who was a king,

King Hezekiah, who was a wonderful, kind, and good spirit. King Amon was wicked, but his son, King Josiah, was a righteous leader. Is it fair that the righteous be punished for the sins of their fathers?

Can you imagine this text? Can you imagine a rabbi today talking that way to God? Can you imagine a rabbi talking to the Board of Directors this way? He would not only not have tenure, he couldn't keep his job.

What does the Jewish tradition say? You got to know this especially you go to school. You go to better colleges and universities, and your professors do not know this because the rabbis haven't taught it, because what I'm saying now is not taught, it's repressed, it's suppressed, and I want you to know.

What does God respond? You know what God responds to Moses' critique? Moses says to Him, "It's wrong to visit the iniquity of the fathers upon the children." God responds, "You, Moses, have taught me. I will nullify my words," God's words, "and I will, in fact, proclaim and confirm your words."

Therefore, it says in the book of the Torah in Deuteronomy, "The fathers shall not be put to death for their children nor the children be put to death for the fathers. Every man shall be put to death for his own sin."

That's unique. There is one person who is definitely in favor of what I'm saying. There's no question about it and I interpret that as confirmation.

God does not shut Moses up. God does not shut Jeremiah up. God does not shut Hannah up. He doesn't say, "You finite cipher, how dare you challenge or contradict the Master of the Universe?" Never do you find any kind of response from the rabbis, from the tradition, that this is subordination, that this is apostasy, that this is treason. This is [foreign language][00:17:12].

When Moses reminds God of the morality of the issue as Abraham did at Sodom and Gomorrah, you recall, "Shall the judge of the whole world not do justly. God is fulfilled. God is like a wise and loving parent. You should be delighted if your son or your daughter comes to you with a moral assertion that may contradict yours, but you know that it is done on the basis of morality, that is the highest tribute to your parenthood.

Moses appeals to God in the name of God against God. Moses recognizes that there is a God within God, that God has a conscience. And God recognizes the protesting word of Moses' conscience as His own voice.

Authoritarianism that which we spoke in Rosh Hashanah, authoritarianism is very much afraid of conscience. And their argument is that if you allow conscience to be expressed as the prophets do, it will all end in anarchy. It'll end in lawlessness. It'll end in anomie.

Well, that's false. It's false to the history of Judaism. It's false to the bible because what you find is that the resolution of the conflict between Moses and God does not merely lead to the cancellation of the moral law, but an elevation of a higher principle.

You have to understand, those who are afraid, that with conscience let loose, you will let loose heresy. Don't appreciate that conscience is the motivating and energizing of a nobler Jewish law. It keeps Jewish law fresh. It keeps it alive.

Don't misunderstand. Law and conscience are not enemies. No tradition more than Judaism respected the law. The history of the Jewish people itself without any kind of Talmudic overlay understood fully well that Jews are destroyed when there is anarchy, when there is mob rule.

That tradition is summed up in the rabbinic aphorism "Pray for the welfare of the state for were it not for the fear of government, a man would swallow up his neighbor alive." You can't live without law. You can't live without limits. You can't live without structure. But if you live with law only, if you deny at the fresh air of conscience, you will conclude with a society that is one of terror.

The rabbi Nachmanides Ramban said it. He said, "If you have that kind of law, you will have people who are naval birshut HaTorah. You can be a crook. You can be a scoundrel within the letter of the law. If you exclude conscience from your decisions, you can turn law into idolatry.

So, Lochte Kevarecha means "I, God, have forgiven according to your word," and that word is conscience. Now, I said to you before that there is no word for conscience in the bible and there is no word for conscience in the Talmud, but I want you to know as I'm sure you do that there is no word for religion in the bible.

That doesn't mean that the bible is not a religious book and this does not mean that conscience, even though there is no specific translation of that word in biblical Hebrew, is not the pervasive spirit that hovers over the depths of Jewish law and of your own lives.

What are you here for? What does it mean that you recite the Alchetz which you're going to do again and again, and again, and again? You are doing so in order to uncover conscience because the kind of sins that are enumerated are not the overt sins. They are the covert sins.

So, what I want to ask -- I want to turn to is a question that is very important to me, and that is conscience. Do I have it? Do you have it? And is there such a thing as Jewish conscience. Now, there is no question about it. It's the most difficult thing to define. But like many other things, I can tell you about conscience when I experience it. And here are some of the marks of conscience.

There are times when I feel an inner compulsion, something that I have to do, something that I have to say and not out of submission to an authoritarian other, but to an inner authority. There are some positions that I must take. Despite the fact that I know that they're foolish in terms of the utilitarian calculus, I know for example, that they are not in my best interest, that it will not read down to my popularity, and believe me, I want to be popular just like you want to be popular. I want to be loved.

There were certain times when a voice tells me, "Shut up. "All my life I have grown and I never found anything better than silence." There were certain things that it's better to say nothing about. What's more? You can get away with it. No one will be the wiser. But I can't do it." Said Rabbi Gamaliel,

Most of the time, I don't have to appeal to conscience. Most of the time, when I'm asked a particular matter, you are too, I can turn to a book, to a sacred text, to an author, to an authority because that is my salvation. Who can live with a torture and a wrestling of conscience all the time? But I have. I'm a Jew and I have an accumulation of the collective conscience of the Jewish people, and that helps me tremendously, but there were certain hard cases.

What do I do when it's not in the book? What do I do when the authority that I rely upon says things that run absolutely counter to my moral intuition and my moral sensibility? And then, I have to say something that's going to be politically incorrect and theologically incorrect, then, I experience what I think and I can only appeal to your own experience with confirmation, a kind of restlessness, a kind of anxiety.

The issue can be about discrimination or about the pariahs of society, or about the injustice, or about civil rights or women's rights. But when I feel at that particular time despite the fact that it runs counter to my movement, it runs counter to my colleagues, when it counter even to my congregation, I've got to say it.

This is where I identify with this inner compulsion of Jeremiah. Remember, Jeremiah said, "I say. If I say I will not speak anymore in His name, then, there is in my heart a burning fire shut in my bones. And I weary myself to hold in, to shut up, and I cannot. I cannot."

That's conscience. That's part of the science of conscience and it doesn't come from nowhere. It has a history. So, it happens that my history is my Jewish conscience, my Jewish sensibility. It has 3500 years ago, but it didn't start that way. It starts with little things.

Do you mind if I'm a little bit autobiographic? Just a little bit. I'm going to deal with trivial things because conscience is not something that hits you like some sort of theophany. It's progressive, it's cumulative, and it's trivial. I give you a few illustrations, so I thought about it myself. I talked to other people, but conscience, what about examining yourself?

I remember when I was a kid about 10 or 11 years of age, and I went to the grocery store to buy something, and the grocer gave me more change than he should have. And I trembled. It was an absolute terrible decision. And I returned the money to the grocer who didn't even acknowledge the heroism of my stance, and I ran home, and I sort of blurted it out to my parents with fear.

And I was so sure how they react. Would they tell me that I'm a Yeled, that I don't understand the ways of the world, the ways of cutting corners of taking advantage of my good luck and of the foolishness and carelessness of the grocer. My parents will never notice how much their response meant to the shaping and the forming of this little boy's conscience.

Secondary. My father never crossed a picket line, never. He wasn't a worker, but he always said. They're workers. You don't cross a picket line. Decades later, my son, Seth, and I set out to see a movie. And as we drove by, we discovered to our horror that there was a picket line and I couldn't cross the picket line. I think my son understood.

Now, it's interesting because whether papa was right or wrong is quite arguable. Surely there were strikes that should not be honored. But conscience doesn't tell me everything. It doesn't tell me whether this is a good strike or a bad strike. It doesn't tell me how to vote on this text plan or that plan, or whether that I should vote for the health plan of Clinton or the health plan of JC. It has to do with something else. Not with the detail of what means I'm going to use, it has to do with my sensibility, with my way of looking at life.

Conscience stirs up in me ultimate questions. Who am I? What moves me? What makes me cry? What makes me risk? What makes me do stupid things? What makes me sacrifice? That conscience which my mother used to call and my daddy used to call a yiddishe neshamah, that conscience is not innate. I'm not born with a conscience, but I am born into a community of

conscience of some 3500 years that is transmitted and pounded into us in a hundred different ways.

The last of illustration which is autobiographic, I ask you why you build your patience with this, has to do with teachers. Papa can teach conscience. Mama can teach conscience, so can a teacher.

And as I was thinking about this thing, over and over again, I thought of Rabbi Mirsky. I haven't thought of Rabbi Mirsky in years. Rabbi Mirsky taught at Talmudical Academy High School and he was once interpreting a little text from the bible, a biblical text, and I remember his intonation, the way he sang the verse, the way he punctuated.

And he said --there were no girls, just boys -- was "When you lend your neighbor any manner of loan," he's quoting out of the bible, "you shall not go into his house and fetch his pledge." You shall stand outside. You shall stand outside and the man shall bring forth the pledge unto you."

And Rabbi Mirsky stopped and said, "Why? It's my money. It's my pledge. I am the creditor. I am the creditor and the pledge, the money is inside. Why shouldn't I go inside to take my pledge back?" And he said, "Because he may be your debtor, but this man was created in the image of God and you don't own him. He's a poor man." And then he went on to quote the bible. "And if he be poor, you shall not sleep with his pledge when the sun goes down."

"Why not?" said Rabbi Mirsky, and he read again the bible. "For that is his only covering. It is the garment for his skin. Where shall he sleep? With what shall he cover himself? And when he cries on to me I will hear him for I am a compassionate god."

I can never read that verse without remembering Rabbi Mirsky. What was Rabbi Mirsky doing? Was he teaching me socialism? Was he teaching me capitalism? Was he teaching me liberalism? Was he teaching me conservatism? He was teaching me the conscience of halachah.

Jewish law is not for the sake of law. The law has a goal. Jewish law has a conscience and their conscience won't tell you a specific path or what not to choose, but will tell you whether you're a capitalist or whether you're a socialist, whether you're a creditor, whether you're a debtor, you must keep in mind the homeless, the hungry, the beaten, the sick, the broken, the pariah, the widow, the orphan, the stranger in your midst for these are God's children.

That's called the beginning of conscience and that's what you're about to do. What are you going to hear tomorrow? Tomorrow, the rabbis are going to choose a Haftorah from a prophet of the eighth century before the Common Era. Listen to what your ancestor. Weigh you got whatever you got.

Is not this my chosen fast to lose the bands of tyranny, to relieve the burdens of the poor, to free the oppressed? Is it not to share your bread with the hungry and bring the homeless to thy house, when you see the naked that you cover them, and that you hide not yourself from your fellow human being?

That's Jewish spirituality, real spirituality. Not the spirituality what takes you into the mountain tops, takes you on an island, not the kind of spirituality which allows you to escape. Oh, it's fine. You contemplate the stars. Go contemplate the stars and the moon, and the sun, and the

grass, and the meadows, but don't let it be which it will blind you from the filth, from dirt, from swollen bellies, from cold.

That's the voice of Isaiah that's pounded, pounded into your fathers and your mothers, and your grandfathers and your ancestors for all these years and is now internalized in you. That is your sensibility. That conscience is, if I had to give it a definition, the inner witness of God.

You have a conscience. You have a conscience. Don't you have a conscience? It's a foolishly worded question. You don't have a conscience. You are your conscience. You are absolutely your conscience.

Whatever you are if you want to know what you are, don't pull out your wallet and show me your identification card. Don't pull out your wallet and show me your credit card. You are your conscience.

And if you don't have a conscience, you are an inauthentic self. And if we are here today for any reason at all, it's for one purpose only. If you pray, it's for only one purpose. Find within myself that conscience, and that conscience makes me strong.

I must confess to you and I don't like to boast about my religiosity, but I can tell you, if there's any time that I feel close to God, anytime, it is when I do something that comes out of my conscience, that I know that is right, and believe me, at that time, I am not scared. I'm as frightened as anybody else.

Shakespeare was right. Conscience makes cowards of us all. But when you listen to your conscience, you will find yourself transformed. You will find spirituality in you, you will find your honest identity, and you will find courage.

That's why the -- you know what the Psalm is that you use every single day from the month of Elul before Rosh Hashanah until Hoshanah Rabbah, one Psalm, Psalm 27, Adonai ori v'yishi mimi ira? Adonai ma'oz-chayai, mimi efchad? Lord, my light, whom shall I fear? Lord, my stronghold, of whom shall I be afraid."

It's critical for you in the way in which you relate to your husbands and your wives and your sons and your daughters, and your fathers and your mothers. Conscience has tremendous implications. No, it continues to frustrate.

I get such joy reading sociologists and political scientists who tell us that while people vote their economic self-interest, Jews who have the incomes of Episcopalians or Luke vote like Puerto Ricans in the East and like Mexicans in the West. And these political scientists tell us that prosperous people do not vote with the poor, but Jews do.

You want to challenge that? I will show you every single article and book that's dealt with the political behavior of American Jews. Well, you know about that. There are people who still consider us to be very stupid whose voting patterns on foreign aid and civil rights and wealthier proposals are not to their interest.

They must think that we are fools. We are the first and the loudest community in America to have protested against ethnic cleansing in Bosnia to the surprise of Anthony Lewis, no great friend of Israel to the surprise of many people.

The Grand Inquisitor must be laughing. What a delicious irony to have Elie Wiesel, a survivor of the holocaust in Hungary at the dedication of the United States National Holocaust Memorial Museum turned to Mr. Clinton and say to Mr. Clinton "At such an occasion, Mr. Clinton, the United States of America has got to intervene. It's got to do something to stop the bloody slaughter of the Croats and the Muslims."

My God, isn't that funny? Croats? Croats? Muslims? Croatia whose Nazi puppet state and its vicious anti-Semitic Ustase movement was responsible for the slaughter of so many Jews and Muslims. But what made the American Jewish Committee, the American Jewish Congress, the Anti Defamation League, all of the Jewish religious bodies meet with the administration officials and members of the senate to protest continued action? What, self-interest? Nonsense. No self-interest at all.

What do I got to do with Sarajevo? How many Jews in -- maybe a thousand Jews in all of Sarajevo. But you know what it was? It was the triumph of Jewish countries over vengeance, over the urge to get even with the sons and daughters of the Croats and the Muslims.

You know about MAZON because you contribute to MAZON, and your sons and daughters contribute to MAZON. MAZON is the Jewish response to hunger. It entered into a partnership with the Sarajevo Jewish community provided \$50,000 in food and in medicine which was distributed for the Jewish community which numbers no more than a thousand and to non-Jews with a small group of others who around the world, MAZON provided 405 tons of food and medical care? What have I got to do with Sarajevo, with Croats or with Muslims, or the Jewish help in Somalia and in the Vietnamese boat people? Somalia's countries.

Say it to your children, for God's sake. Say it to them. Why do you do these things? The answer is very simple, not complicated. That's the way we are. You want a better explanation? Not a better explanation, that's the way we are. But I want you to remember one thing, that if Jewish conscience is not inborn and it is not, it can be lost.

Jewish conscience is not carried in the DNA. Jewish conscience is not automatically inherited. And therefore, the heart can be coarsened and the Jewish heart can become thick. And the heart of my child and your child can die. And if that dies, the Jewish neshama dies.

So, I say to you, when you pray, understand what you are doing. You are trying to uncover and to recover, and to discover your conscience. That's your task, your fathers and your mothers, your grandparents.

You may not know the law. You may not know Hebrew and you may not know all the dates of Jewish history, but you know the heart. You teach your children character. You teach them to feel the humiliation of the disenchanted. You teach them to be outraged at injustice. You teach them rachmones, pity, compassion. That is a remarkable character of the Jewish people.

By what authority do you pray? By what authority do you nullify the evil [inaudible][00:43:34] of the world? By authority of the heavenly tribunal and of the court below with divine sanction, and with the sanction of this holy congregation, we declare it lawful to pray together.

Pray for your conscience. It's you at your best. And without it, you're nothing.