



Parshat Haazinu
September 26, 2020//8 Tishrei 5781
For the Sin of Being an Arrogant Sheep
by Rav Hazzan Aliza Berger
Temple Emanuel, Newton, MA

It was right after Erev Rosh Hashanah services that I heard the news. Ruth Bader Ginsburg had died. Erev Rosh Hashanah. Happy. New. Year.

I wanted to cry and scream and panic all at once. My throat constricted. My breathing hitched. Tears threatened to burst from my eyes.

I was heartbroken. And I was furious.

I was heartbroken because we lost the most incredible woman. Ruth Bader Ginsburg was more than brilliant, she had this way of looking at the world and understanding exactly the path she needed to take in order to create more justice, more equality, and more connection. She wasn't just a loving wife and mother, as so many expected of her. She was also a brilliant student, a determined and thoughtful teacher, a pioneer of human rights, and a clear voice in the murky darkness of Washington's political swamps. Her father escaped rampant Anti-Semitism in Odessa, her mother was a first generation American whose family shared a similar story. Ruth Bader Ginsburg knew what could happen when hate and discrimination were allowed to prevail. She channeled her genetic history, her personal history, all the slights and indignities of sexism and discrimination that she faced and used all that pain and all that challenge to fuel her burning quest for righteousness. With Ruth in the Supreme Court, I always had this sense that no matter how impossible, she would find a way, even if that meant cajoling and challenging other

branches of governments to right the wrongs of ill judgement. She was the notorious RBG. She was our hero.

In the seventies, she was thinking about systems of inequality before that was even a thing. She didn't just take random cases that came her way, she sought out the best suits that would help her to prove her point, cases that became bricks in a fortress of truth. She was clear-sighted, her voice was a clarion call to the potential of our country and pulled us through to where we are today. Because of her, I can get a credit card in my own name, I can inherit property, I can work without fear of discrimination because I am a woman, because of her I don't have to choose between building a family and building my career. She made all of these things possible. And yet, in her last chapter, she did not protect the women and the people she stood for.

How could such a brilliant strategist fail to see the writing on the wall?

Maybe it was love. As she shared during her Supreme Court confirmation hearing, "I have had the great good fortune to share life with a partner truly extraordinary for his generation, a man who believed at age 18 when we met, and who believes today, that a woman's work, whether at home or on the job, is as important as a man's," Theirs was a romance for the ages. Marty Ginsburg was outgoing, gregarious, funny, and brilliant. He doted on her. He cooked for her and would show up in her chambers to tell her it was time to come home for dinner. He was her champion. He campaigned for her to be interviewed for the Supreme Court seat. He did everything in his power to make sure she would find success.

When Marty died in 2010, he left her one last note of love:

“My dearest Ruth, you are the only person I have loved in my life — setting aside a bit, parents and kids and their kids — and I have admired and loved you almost since the day we first met at Cornell some 56 years ago...What a treat it has been to watch you progress to the very top of the legal world. I will be in Johns Hopkins Medical Center until Friday, June 25, I believe, and between then and now, I shall think hard on my remaining health and life and consider, on balance, the time has come for me to tough it out or to take leave of life, because the loss of quality now simply overwhelms. I hope you will support where I come out, but I understand you may not. I will not love you any less.”

The day after he passed away, she was back in her legal chamber. She couldn't bring back the love of her life, but she could continue the path that he had dreamed for her. She could honor him by continuing her life's work. Maybe it was her love for Marty, and for law that kept her in her seat.

And maybe there was more to it. Maybe she also thought that staying on the court was best for the country. It was unlikely that someone as progressive as she would be appointed. Besides, she had energy left to give and work yet to do. And as she kept working, that intuition was affirmed. Her fame, her popularity, her name—the notorious RBG came in her 80s when she wrote a fiery dissent in *Shelby County vs. Holder*. A law student, Shana Khizhnik, created a tumbler comparing her to the rapper B.I.G.. As Shana wrote, "I was mostly thinking of the catchy nickname and how she was such a powerful force...here you had this diminutive person, this tiny human...But when you see what she has done, over years, with such dignity and grace, it represented that." Her fame grew through her 80s. She was getting better, wiser, stronger. It seemed like she could do anything.

But she was still human. And as a human, she got lost in her loves and forgot her strategy.

Instead of stepping down when she could be replaced by someone who shared her ideals, someone who could carry forward her torch of justice, she clung to her seat. Instead of spending

her energy nurturing the next generation, she spent her time writing scathing dissents, placing her faith in a future court she imagined would go back to her writings for wisdom and guidance. She chose love. She chose ego. She chose today and sacrificed tomorrow.

Hers is a cautionary tale. Be empowered. Live your dreams. Speak your truth. But do not think that you are essential. Do not cling to the idea that without your life, without your work, the world will fall apart. Instead, be thinking about how you can empower others. Be thinking about how you can build systems of justice, about how you can build others up, about how you can step back and empower others to lead. The project isn't just to become your best self, the project is to become more than just you. To empower everyone around you. To embrace all of us.

Tomorrow is Yom Kippur. Once more we will sing Une Taneh Tokef, and once more we will be confounded by the sheep that parade their way through the machzor. "As a shepherd herds his flock, directing his sheep to pass under his staff, so shall You cause to pass, count, and record the souls of all living, and decree a limit to each persons days, and inscribe their final judgment."

God, you will see us as sheep. Sheep before your staff. Sheep in your flock.

Why sheep?

If you ask me, what animal do you want to be, I would say I want to be a lion, I want to be a gazelle, I want to be some animal that exceptionally fast or strong or talented. I don't want to be a sheep. Sheep are so boring. So quotidian. Always grazing with the flock. Why the sheep?

There's spiritual gold in those sheep. That metaphor has never been more important for us. We sometimes forget we're part of a larger flock and it's when we start to think that our lives matter so much more than the person next to us. That's when we get in trouble.

When I think my life matters more than the people around me, I think it's ok for me to ignore other people's suffering because I need to take time for "me." I reason that I was destined for this privilege, that I've worked for it, I forget that I am no different from my neighbor.

When I think that my life matters more than the people around me, I forget to regard the feelings of people around me, I start to think that I'm the only one with good ideas, I stop listening. I stop learning.

When I think that my life matters more than the people around me, my mind so much nimbler and more equipped to address the legal challenges of today, my desire to be a judge so much greater than the needs of my people, I do not step aside. Instead, I cause the country to be thrown into turmoil when I die.

But when I think like a sheep, I remember that I am one of many worthy souls. I remember that we are stronger together, that my ideas and my life are more valuable and more meaningful when they unfold in the context of community. When I think like a sheep, I remember that my redemption is tied up in yours. When I think like a sheep, I remember that there are larger forces than me guiding the universe, that I have to have humility and trust in a higher power who is going to protect me and all those I love from danger. When I think like a sheep, I remember that this project isn't about me, it's about all of us.

Ruth Bader Ginsburg, I loved you. We loved you. We all looked up to you. We are so grateful for the holy work you did on this earth. The world is a better place because you were a

part of it. It's Yom Kippur tomorrow, and so I'm going to try to get over my anger with you, I'm going to try to set aside the betrayal that I feel. May we be blessed with your capacity to love deeply, with your capacious mind and articulate speech. May we be blessed with your clear sense of justice, your determination to fight for what is right. May we not be arrogant sheep. Let's make sure you did not live in vain.