

**Hung Jury:
Erev Rosh Hashanah Early Service 5771
September 8, 2010**

My friends, picture with me, if you will, a strange scene of angels and divine beings gathered before the Heavenly Throne. A anxious buzz fills the air, as everyone begins to take their place.

Two figures, though... two figures who feature prominently in what turns out to be an annual gathering require some explanation, before our story can begin. The first is Satan, and the second is the Messiah.

Now, in Jewish lore and legend, we can say with some confidence that Satan appears rather rarely – although as it happens I may mention him in passing tomorrow morning. And it is probably safe to say that this figure functions, at least, in a metaphorical way: he is the one who argues against humankind, tries to lead us astray. He is an external projection of what we otherwise know as the *yetzer ha'ra*, our inclination to get into trouble. He is a central character of my story, but I am equally confident that I made him up.

The other figure is taken more literally by some in our midst. Never meant to be a divine figure, per se, in Jewish tradition the Messiah is a descendant of King David who will lead us back to power and independence in our land. Progressive Jews have, for over a century now, looked towards a Messianic Age rather than believing in an actual personal, literal individual Messiah. I share the skepticism about a personal Messiah. Except, perhaps, in the role the Messiah plays in this story, defending us all, and arguing on our behalf.

Let's listen, now, and see what we may learn:

Satan stands still before the Divine Throne, the Eternal Prosecutor, addressing his remarks to the Ruler of Rulers. In all the heavenly court, the angels fall silent, hushed... trembling with thoughts of the outcome of the case.

"Dear God, and distinguished angels of the jury," Satan says, "the facts speak for themselves. You angels! You said it best, before that fateful sixth day. Do not create humankind, you advised the Holy One. The angel Truth said: do not create humankind, for they will all be liars and cheats. Peace gave the same advice, for people will be quarrelsome, and full of strife. Even the disciples of Rabbi Shammai said this, and I say it to you again: It would have been better if humankind had never been created. It is the Days of Awe. The books are open. The choice is yours! Correct the mistake! I urge you -- find humanity guilty!"

The Messiah, the Advocate Who Is Yet to Come, rose quietly and looked around. His flaming red hair was like anger... but the eyes were blue and sad. The Messiah looked briefly at Satan. "I can quote Talmud as well as you can," he said softly, "and with better motives."

The Messiah coughed, then faced the jury. "It is true," he said, "that on a previous Rosh Hashanah -- the first Rosh Hashanah, which was the sixth day of creation -- there was a debate about the creation of human beings. And it is true that on another Rosh Hashanah, a bare majority of rabbis surveyed agreed with Shammai that it would have been better if human beings had not been created. But, thank God, this heavenly body never has reached a similar conclusion.

"Remember, too, I implore you, what the disciples of Rabbi Hillel said in that discussion. Now that human beings have been created, let them examine their deeds closely, and always try to do better."

The Messiah walked towards the jury, stopped, and stared straight at them. "Every year you have given them that chance to keep growing. Do so again this year. I hold out before you my vision, a better future, a time when I will go to them. Keep that hope alive as well."

From somewhere, an unseen source, not really on the Divine Throne but from everywhere at once, the word of God filled the court. It wasn't a voice, really, but a presence, a feeling inside every angel and being in the room. "May the jury confer."

The angels conferred. A moment later, Raphael, the messenger, rose. "I am sorry, Holy One. We tried. But the verdict, for now, is the same as last year. We are evenly divided."

Satan exploded. "Is there not one year that you can decide the result on Rosh Hashanah? Either way, just decide it early? Are there not some years when humanity is so good or, better yet, so evil... that we don't have to wait around until Yom Kippur for the verdict?"

The presence stirred again. Satan felt a rebuke. "You serve Me well as a prosecutor, Satan. But control your impatience." And then, directed once more at the entire room: "Convene again in ten days." And all was still.

And so, my friends, is the story every year. Our fate, the fate of our community, the fate of our world... is in the hands... of a hung jury. Our tradition tells us that the period in between Rosh Hashanah and Yom Kippur is a precious reprieve. *Aseret Y'mai HaTeshuvah*. Ten Days of Repentance. Ten Days to Change our Lives. Ten Days to Save the World.

What will you do, during this space of time? How will you act, and what will you change? What will you do, so that on Yom Kippur you have a better chance, we have a better chance... the world has a better chance... for a better year to come?

L'shanah Tovah.