



Taste of Chavruta — 5772 — Authority

## KEY QUESTIONS:

- *What sorts of authority are there in ancient and modern Judaism? What about in modern society?*
  - *What is the source of these authorities?*
- *How do we deal with conflicts between Jewish and secular authorities?*
- *How do we reconcile subservience to earthly authorities with acknowledging that God's authority is ultimate?*

## 10. It is not in heaven!

### Babylonian Talmud, *Baba Metazia* 59b

On that day Rabbi Eliezer brought forth every argument in the world, but the sages refused to accept them. Then he said to them, 'If I am right, this carob tree will prove it.' The carob tree moved a hundred cubits from its place in the grounds... They said to him, 'No proof can be brought from a carob tree.' Then he said to them, 'If I am right, this stream of water will prove it.' And the stream of water began to flow backward. But they said to him, 'No proof can be brought from a stream of water'...

Rabbi Eliezer said to them, 'If I am right, heaven itself will prove it.' Whereupon, a heavenly voice cried out, 'What do you want of Rabbi Eliezer? The law always agrees with his views.' Rabbi Joshua rose to his feet and cried, '*It is not in heaven*' (Deuteronomy 30:12). What did he mean by this? Rabbi Jeremiah said, 'What he meant was that once the Torah was given on Mount Sinai, no attention need to be paid to a heavenly voice in matters of law. For it was written, "*After the majority must one incline*" (Exodus 23:2).

Rabbi Nathan met Elijah the prophet and asked him, 'What did the Holy One, blessed be He, do at that time?' Elijah replied, 'He laughed with joy, saying "My children have prevailed over Me. My children have prevailed."'

Translation: Francine Klagsbrun

### תלמוד בבלי, בבא מציעא נ"ט ע"ב

באותו היום השיב רבי אליעזר כל תשובות שבעולם ולא קיבלו הימנו. אמר להם: 'אם הלכה כמותי חרוב זה יוכיח.' נעקר חרוב ממקומו מאה אמה... אמרו לו: 'אין מביאין ראיה מן החרוב.' חזר ואמר להם: 'אם הלכה כמותי אמת המים יוכיחו.' חזרו אמת המים לאחוריהם. אמרו לו: 'אין מביאין ראיה מאמת המים...'

חזר ואמר להם: 'אם הלכה כמותי מן השמים יוכיחו.' יצאתה בת קול ואמרה: 'מה לכם אצל רבי אליעזר שהלכה כמותו בכל מקום!' עמד רבי יהושע על רגליו ואמר (דברים ל':י"ב): 'לא בשמים היא.' מאי לא בשמים היא? אמר רבי ירמיה: 'שכבר נתנה תורה מהר סיני, אין אנו משגיחין בבת קול, שכבר כתבת בהר סיני בתורה (שמות כ"ג:ב) אחרי רבים להטת.'

אשכחיה רבי נתן לאלהו, אמר ליה: 'מאי עביד קודשא בריך הוא בההיא שעתא?' אמר ליה: 'קא חייך "ואמר נצחוני בני, נצחוני בני."'

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That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles... as to them shall seem most likely to effect their safety and happiness.

### *US Declaration of Independence*

(United States of America, 1776)

[http://upload.wikimedia.org/wikipedia/commons/0/07/Us\\_declaration\\_independence.jpg](http://upload.wikimedia.org/wikipedia/commons/0/07/Us_declaration_independence.jpg)



## 10. It is not in heaven!

And those people should not be listened to who keep saying the voice of the people is the voice of God, since the riotousness of the crowd is always very close to madness.

**Alcuin (c.735-804), Letter 164 *Works* (1863)**

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### **Points to consider**

How come, even though Rabbi Eliezer is confirmed to be totally right by a heavenly voice, the law does not follow his rulings?

What do the rabbis mean by the quote from Exodus, 'After the majority must one incline'?  
How does this rabbinic 'majority' compare with Alcuin's 'crowd'?

How can we as humans prevail over God? Does this in any way compromise God's divine authority?