

From an early age, we are taught about the importance of a fair trial. Justice, we are told, requires a neutral arbitrator and due process of law. What, then, are we to make of the Untanah Tokef? This piyut (liturgical poem) uses the metaphor of a trial to describe what is in store for all of us, beginning with images of God as an all-powerful judge: "As a shepherd considers the flock, when it passes beneath the staff, You count and consider every life. You set bounds; You decide destiny; You inscribe judgments." Meanwhile, God is addressed as "judge and plaintiff, counselor and witness" who "inscribe[s] and seal[s]," "record[s] and recount[s]". At this point in the prayer, it seems like nothing is in our control, and we are entirely at God's mercy.

And it get worse! The Untaneh Tokef tells us that on the High Holidays our fate for the coming year is written and sealed: who will live and who will die, who will prosper and who will not, who will be happy and who will not. For me, as a lawyer by profession, these are huge red flags: if God is the judge, the advocate, the witness AND the court reporter -- and if our fate is decided in advance -- how can any of us expect a fair trial?

The answer comes in the final section of the piyut: "Utshuvah, utfilah, utzadakah -- through return to the right path, through prayer and righteous giving, we can transcend the harshness of the decree." Here we are reminded that despite the seemingly arbitrary forces at work in the world, each of us has agency and power over how we choose to live our lives. Imagine, this was written in the 11th Century -- as one of the commentators in the machzor puts it, it was "a time when fear and sorrow were closer to the surface of public life than they are now" -- yet even then the author understood the importance of the idea that we what we do during our time here on Earth matters.

Does this mean that if we are righteous and prayerful and generous, nothing bad will happen to us? Of course not. Another commentator from the machzor puts it this way: "I cannot control the unexpected blows that will affect my family, my job, my health. But I can control how I live with them. . . . Tshuvah, tefilah and tzedakah will not stop stock-market crashes, lung cancer, or the other blows that come our way, but they can radically transform how we are affected by those blows." This highlights a challenge that translators of the Untanah Tokef have grappled with over the years. The prayer says that through tshuvah, tefilah and tzedakah, "maavirin et roah hagzayrah," which means most literally that we can "remove the evil of the decree". But another translation states that we can "avert the evil of the decree" -- in other words, we cannot prevent bad things from happening, but we can avoid or lessen the harshness of those events.

The translation in our machzor goes one step farther, telling us that we can "transcend the harshness of the decree". This is how I choose to interpret the Untanah Tokef: as a wake-up call -- like the sound of the shofar -- a call to take action to make our lives not just less harsh, not just tolerable, but transcendent.