

Dvar at Shir Hadash on Parsha Yitro

Scott Axelrod. Newton, MA. February 7, 2015.

I Introduction

Let me give you some head's up about the structure of what I am about to say. It's a variant of:

Tell them what your going to tell them; tell them; and then tell them what you told them.

This variant is:

Ask a concrete question; ponder a lot of complexities trying to answer it; then come back to the question at the end and hope they answer it for you.

So, let me begin with the question:

How do we as a society grow up from being children ruled by a parent?

In a little more detail, the question is:

How do we choose rules and leaders so that we can play well together even while some insist on still being guided by a parent, while others insist we were abandoned at birth and just need to get on with it ourselves?

OK, so now I'll start pondering. Starting with an overview of this week's parsha.

II Jethro's advice, God Speaks

This week's parsha presents us with a narrative of how the Jewish community, wandering in the desert, transformed from a community organized around the direct leadership of one man, Moses, to a hierarchical community organized by laws. The parsha is called Yitro, after the name of Moses's father-in-law, who is called Jethro in English. Jethro points out to Moses that he cannot be the sole administrator and judge for the community. Jethro advises Moses to set up a system for dispensing judgment.

Moses takes Jethro's advice and appoints a hierarchical system of judges, "leaders of thousands, leaders of hundreds, leaders of fifties, and leaders of tens" [Ex 18:25¹]. Yahweh has Moses prepare the people to hear his voice directly from a "dense cloud". Yahweh says to Moses he will do this so that "all the people may hear when I speak to you and may trust you always" [Ex 19:9]. The people hear the voice of God issuing the Ten Commandments.

There are of course layers and layers of commentary on this. Some commentary makes a point that the people only hear the first two commandments. In any case, the Torah records Yahweh telling the people directly: [Ex 20:1-2]

I am God your Lord, who brought you out of Egypt, from the place of slavery. Do not have any other gods before Me.

The people are fearful and say to Moses, "You speak to us, and we will listen. But let God not speak with us any more, for we will die if He Does." [Ex 20:16]

¹ Translation of the torah are taken from "The Living Torah" by Rabbi Aryeh Kaplan, unless otherwise specified.

III Modern and Ancient Mindsets

This week's parsha is a core narrative in the Jewish struggle to use divine inspiration to help mold the community. The problem for us is to reconcile a modern, scientific, democratic mindset with faithfulness, on some level, to an ancient, theistic, authoritarian mindset. Jews have been struggling with this for a long time. In the twelfth century, Maimonides, was a leader who knew that Judaism must become compatible with Greek scientific knowledge being brought back through the Arab world. Maimonides never claimed to communicate directly with God. He seems to me to have had a basically rationalist mindset. But he did play the role of Moses as an interpreter of the law. His fourteen-volume Mishneh Torah still carries significant canonical authority as a codification of Talmudic law.² He was always careful to sanctify the divine, while being practical about the down-to-Earth. He looked forward to the Messianic era on the one hand, and, on the other hand, recommended accepting back Jews who falsely converted away from Judaism on pain of death. Maimonides was accepted as a great religious leader in his time, although there was of course some dissent.

In the seventeenth century, Spinoza tried to push the Jewish community further forward towards a scientific mindset. The God he believed in was compatible with science and did not intervene supernaturally. Spinoza rejected a belief that Moses authored Torah. He was eventually excommunicated from the Dutch Jewish community he belonged to. But the threads of his thinking have been influential to all philosophically minded Jews.

In this havurah, we have freely discussed what might be the “real” story of the authorship of Torah. But we should appreciate why this

²Sentence quoted from Wikipedia article on Maimonides.

was once considered heretical, and still is considered heretical by some orthodox Jews.

Deuteronomy 27:8 says Moses commanded the elders of Israel to write (on stones setup after the Jews crossed the Jordan to the land of milk and honey) “all the words of ... Torah in a clear script”. Our rituals support the tradition that the original Torah has survived letter perfect from generation to generation. Many Jews sincerely believe the argument that you could not just make up a story where: (first of all) an entire nation hears directly from God, as they did in today’s parsha; (second of all) they have that story inscribed in stone, as it is in Deuteronomy; and (finally) they have an elaborate system to make sure that story is transmitted accurately from generation to generation. The argument is that the Torah would be rejected as a lie unless the people who wrote it down were the people who the Torah says did it.

Most of us feel free to reject an argument such as this. We enjoy the advantages of living in a secular culture, with a constitution that enshrines democracy and rights such as freedom of speech and religion. We are free to question (almost) everything and voice our opinions without fear of retribution. The legal framework we live under is the Constitution and its amendments, not the Torah and its commandments.

US law has evolved in response to both secular thought and the bible, just as today’s parsha shows Mosaic law evolving in response to both human advice and the divine voice. Our constitution has a system of checks and balances to protect us against abuses of power. The founding fathers of the US were surely aware of Jethro’s advice to Moses to appoint leaders who are “able men, such as fear God, men of truth, hating covetousness” [Ex 18:21 in the words of the King James Bible]. I believe the founders understood the power to

sway people based on appeals to divinity and were respectful not to abuse that power. For example, Benjamin Franklin and Thomas Jefferson both suggested that allegorical scenes from Exodus be used on the official seal of the United States, but the founders collectively rejected this suggestion.

In contrast to the Ten Commandments which are, well, commandments from on high, the first ten amendments are a bill of rights. They prevent the government from impinging on individual freedoms. This has opened up an ideological commons for robust public debate.

IV The Tragedy Of Our Ideological Commons

Perhaps when I used the word “commons” just now, some of you thought of the economic concept of “the tragedy of the commons”. The phrase originated with the image of animals grazing on a public common ground, or pasture. The tragedy of the commons is that the common pasture can eventually be ruined because individuals gain advantage by allowing their own sheep and cows unlimited grazing.

The founders of this country were well aware of the problems of abuse of power. Most of them were careful not to overuse their own powers. They didn’t want to corrupt the commons themselves. Their concern was allowing for open debate, not to regulate debate. The main mechanism they put in place to prevent other people’s sacred cows from trampling the commons were the checks and balances provided by having different branches of government. Those check and balances are ultimately ensured by a thoughtful electorate. Ultimately, the mechanism to ensure such a thoughtful electorate is education.

My concern is that our political common ground is becoming corrupted. Even the mechanisms of checks and balances and education

are under attack. I fear that our national conversation gets hijacked when people attach a level of sanctity to particular political beliefs that allows them to reject from thoughtful consideration anyone who disagrees with any of their sanctified positions. It runs counter to having thoughtful voters.

I think we need strategies to protect our intellectual and political common grounds. The writings of the sages have many useful insights in this regard. For example, Maimonides in the Mishneh Torah talks about the issue of selecting judges³:

It is forbidden to lead the people with arrogance but rather with humbleness and fear. Any leader who places excessive fear on the people, not for the sake of heaven will be punished

But who is doing the punishment. What's the mechanism? Maimonides had great success in helping establish the notion of a non-corporeal god, but he did not go so far as to remove the supernatural altogether. Maimonides wouldn't say that the mechanism was entirely in human hands, so he had great success in molding a faith in divinity that kept the community together and lead humans to act better.

V Struggling with Ideas and Stories

Let me come back to the metaphor I started with, the metaphor of us all as a society of children trying to grow up. I have been talking about an "ideological common ground". That's really a fancy term for the playground we're all on.

On the other hand, I laud political and religious leaders like Maimonides and Spinoza, Franklin and Jefferson, Kaplan and Heschel,

³ Rambam, Shoftim, Laws of Sandhedrin Chapter 25:12, quoted in The Ingredients of Leadership by TorahLab.

Martin Luther King and LBJ, who tried, in very different ways, to evolve society in inclusive ways for the betterment of the ideological commons.

On the one hand, I'm saying that there are some people, like Jerry Falwell and Rupert Murdoch, who use divinity and divisiveness to hijack our US national discussion with "excessive fear" and anger and partisanship, not "for the sake of heaven" but often for the sake of profit.

What I just did was throw out some names to try to establish some common friends and foes on the playground. Doing so can be very effective, but it also borders on the very divisiveness I complain about.

In drafts of this dvar, I did make some attempts to try to do better by coming up with some ideas and stories that I hoped would help us play better on that ideological common ground.

One idea I had was to build on my talk at the Shir Hadash Tikkun Leil Shavuot organized by Arthur last spring (which is traditionally a study session based on Parsha Yitro). I attempted to further the discussion about how the left and right are divided over how much they care about the moral foundations of loyalty, authority, and sanctity. I recapitulated how psychologist Jonathan Haidt claims this divide explains why rural and working-class Americans vote against their own interests. I also recapitulated how these same divisive foundation of loyalty, authority, and sanctity are at the core of many of the Ten Commandments. From there, I wanted to take a step toward finding common ground by discussing other values, like truthfulness in the broad sense of fidelity to reality and humility in the face of the unknown.

But I gave up on my attempt to develop this idea because it de-

volved into too much “pondering of complexities”.

Another approach I tried, was coming up with a story. I tried to build on my experience of feeling to be interacting with God which I talked about in a dvar on the Akedah this past Rosh Hashanah. I tried to construct what seems to me to be a psychologically realistic story upon which this week’s Parsha might be based. I imagined Moses hearing the voice of God in his head and trying to get it across to the people directly. And I imagined their reaction. I thought telling the story might help us collectively consider purported acts of divine inspiration and talk about whether they capture pure and noble inspiration or are a manipulation of belief.

But I gave up my attempt to develop this story because it seemed too fanciful.

It is hard to come up with good ideas and stories that lead people to play better. That’s one thing that great leaders do. Perhaps my failed attempts at doing so contribute to a definition of leadership. That is, a definition in the sense of Maimonides, by negative example.

VI Closing with the Question

I will close by coming back to the questions I stated at the beginning:

How do we as a society grow up from being children ruled by a parent?

The more detailed version of the question was:

How do we choose rules and leaders so that we can play well together even while some insist on still being guided by a parent, while others insist we were abandoned at birth and just need to get on with it ourselves?

To give you time to think, I'll phrase the question one more way:

How can we help our leaders, or be leaders who genuinely work for a better world in a rational way while understanding that most people are swayed by their spiritual and baser needs and by their personal affiliations and loyalties?

I'll get us started by contributing two points, learned from my negative example:

- Keep the message clear.
- Inspire, but do not lead astray.