

Deut. Va-Ethannan. 3.23-6

In opening my JPS Tanach, I thrilled when I saw penciled in marginalia that I must have added to the text when I was studying with Max Ticktin a few decades ago. A few of us—Myra Sklerew, Ruth Guyer and myself—hoodwinked Max into some five years of study on the “pretext” that we wanted to prepare for a bat mitzvah, which we were denied when we teens. He happily agreed and we met every two weeks on Sunday mornings for years, working our way through the Tanach and prophets and more. (We did have the Bat Mitzvah on June 22, 2003. As I recall, the parsha was the same that Max had for his Bar Mitzvah, but he didn’t want to *leyn*.) I wish I had the memory for what Max instilled in those seminars, but Max returned to me as I flipped through these pages. And I felt so lucky. What I say this morning, though, is no reflection on Max. Only a reflection on how poor a student I was and my slim grasp of the Hebrew that was his true love.

One thing that Max repeatedly emphasized was the “presentism” of this parsha—*heutikkeit*, he put it, making mention of Buber. *Hayom*, a today-ness, as at summary claim 7.11; and 4.4; 4.8; 4.20. The idea is that the teachings are for you Now, for your children’s children, etc. This is a historical narrative and the teachings are framed historically. But the import, the compilers thought, was somewhat ahistorical—to be passed down and preserved and reenacted, as the reference found in the Haggadah makes clear: “What’s the point of these decrees

and laws ask your children. And then the historical reminder that we were slaves in Egypt (6.20). So the idea is keep that “at hand,” whether you are lying down or walking: View what’s written in stone as a portable handbook. And the “you,” Max pointed out, is plural, like the four sons who have to be taught the lessons in the Haggadah.

The framing of this parsha is a bit tricky. Or at least I found it so. It’s a one-sided-discourse: Moses speaking to the people as they prepare to enter the lands they captured after the exile, Canaan. He’s reminding them of how poorly they behaved w/r to idol worship etc. He takes the blame and accepts that Joshua has to go in his stead.

The originalist interpreters of constitution/Torah and more would take comfort in this passage at 4.2: “Don’t add or take anything away from the laws I give you.” But what are we to make of a history of rabbinic interpretation, Talmud etc.? Or comparably, a history of years and years of commentary on Greek writings?

We can’t but be interpreters of law, bible and more, if we are readers, and experiencers of the world, etc. Even if these laws are close to hand, they get translated, interpreted, as they did into Greek—in the Septuagint. Remember, Thomas More forbade the English translation of the Bible. William Tyndale famously translated the bible in Antwerp and he was strangled and then burnt at the

stake in 1536 as a heretic and maybe follower of Luther. But despite all this, Henry VIII, not shortly thereafter, authorized an English bible! So much for originalism. So much for banning the act of translation.

“*Cleave to G-d*” is how the parsha opens. There is something odd about the term, given that G-d is non-physical, though he does seem to have a physical, audible voice. So maybe “cling” to his teachings means “cling” as “grasp,” “cling” as “strive,” “cling” as “model yourself on the teachings of law, etc.”? The teachings are always close to hand, and in that sense, within reach wherever you are.

The listeners and followers are “wise and discerning people,” law-abiding, or at least, that’s the aspiration. But note, as Michael Walzer, another one of my mentors, does in his wonderful *In God’s Shadow: Politics in the Hebrew Bible* (Yale U. Press, 2012), the audience of *Deuteronomy* are brothers, “bretheren.” That’s the collective and scope of the ethical world. There are clear boundaries of this polity. Walzer notes that the discourse is addressed to a holy people, with a mutual commitment, with bretheren across tribes, as opposed to a hierarchy of priests, etc. You get a sense of the invocation of a collective will across persons through to today. Still, it’s a restricted collective, a kinship community. “The object of moral conduct is your brother” (154). Walzer notes that “Bretheren/brother” occurs 50x in Deut. And “neighbor” only 18 x. In *Proverbs*,

the object is more often “your neighbor,” “your friend.” In these other/later ? books, since “God created neighbors as well as brothers, the war of extermination is ruled out.... warfare is a secular, not a religious activity; therefore its violence is limited.” 155. Remember Walzer wrote *Just and Unjust Wars*, one of the most consequential political philosophy/history warfare books of the 20th C.

There is so much that I find problematic in this parsha: the constant threat of punishment and being blotted out if you disobey, rather than teaching through didactic or clever persuasion. The promise of land and prosperity, if you do good. You’ll get rewarded if you listen. You’ll get an inheritance. The sanctions are external. The power of conscience—guilt, shame, emulation, self-regulation have no place. And yet, we are to be enlightened parents—teaching our history so our children and children’s children know not only of our past and suffering, but presumably, our good deeds, our modeling, our compassion, and our wisdom and discernment. I would hate to see what Israeli hardliners, keen on land and its prosperity, do with these texts.

I would go with Aristotle, a love of mine. Maybe the text we are reading today is a 5th C. BCE compilation? Aristotle is writing a century later. Flourishing is to do with your character and regulative emotions indicative of good character, e.g., proper shame, a sense of generosity, courage for what is fine and noble, a love of others. Aristotle, too, restricted *philia* or friendship and politics to those that

were near. Go outside the borders, and there are non-Greeks, barbarians, a word meant to capture the “ba-ba-ba” that those on the other side of the border speak. The Romans open the borders, in part, as part of imperial conquest. Still, the world got bigger. The object of moral concern was expanded. From the Cynics and Stoics onward, there was a *polis*, a polity that extended to the cosmos—hence the term “cosmopolitan”—citizen of the universe. That’s actually a term that Diogenes the Cynic coined. He was a colorful character, made for good history—he slept in earthen tubs, had sexual intercourse in the streets, and crossed dressed. He hated the coinage—“deface the currency,” he declared in the streets (a Yippie of his day, an Abby Hoffman figure who too mocked currency when I floated dollar bills from the Wall Street trading gallery. Brokers ran for the bills and trading was disrupted.) When asked where he was from, Diogenes famously said: From everywhere and nowhere. “I’m a citizen of the universe: a cosmopolitan.” In an age of hyper-nationalism, maybe that’s a slogan worth restoring.

Ah— I almost forgot. There is, of course, a repetition of the Ten Commandments (with slight variation) from Exodus. My husband, Marshall Presser, reminded me of a joke he used to tell relevant here. (He’s the supreme jokester of the family.) So I will wrap up with some light humor and bring you back to the English countryside, but away from Henry VIII, Thomas More, or heretics:

A parson in a small English town cannot find his bicycle. He calls the sexton and asks him if he has seen it.

“No. But why don’t you give a sermon on the Ten Commandments and see who looks guilty when you get to “Thou Shall Not Steal.”

“Good idea,” says the parson. The sexton says, “I’m visiting my sister this weekend. Tell me how it goes.”

On Monday the sexton returns and asks the parson, “How did it go?”

The parson answers: “I didn’t give the sermon. When I was composing it, I got to “Thou Shall not Commit Adultery” and I remembered where I left it.”

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