

Parshat Balak

The big news last week was the Supreme Court decision on same-sex marriage. I'm not going to talk about what observant Jews should think or do about same-sex marriage. Instead I want to talk about the Court's dissenting opinion, written by Associate Justice Samuel Alito.

He bases much of his opinion on his view that the Court has overstepped the limits of its power. I'm going to read a just few excerpts of the dissent. In this first part, he's referring to the petitioners, who are arguing in favor of legalization.

"...they seek this [protection] not from a legislative body elected by the people, but from unelected judges. Faced with such a request, judges have cause for both **caution** and **humility**."

"...the only real limit on what future majorities will be able to do is their own sense of what those with political power and cultural influence are willing to tolerate. Even enthusiastic supporters of same-sex marriage should worry about...what the majority's claim of power portends."

He's accusing the Justices in the majority of "imposing their personal vision of liberty" on the people, and allowing their own views and prejudices to blind them to the meaning of the Constitution. So while I don't agree with his eventual conclusion, he raises an important point about the need to recognize our own motivations and be mindful of the limits and extent of our power; and this is exactly what we find in this week's parsha.

To summarize the story, briefly:

Balak is worried about this huge group of Israelites who are camped on the edge of his land, so he tries to get the prophet Bilaam to come and curse them. But God tells Bilaam he can't curse them. But Balak asks a 2nd time, so Bilaam asks God a 2nd time, and this time God tells him he can go if he wants to, but again cautions him that he will only be able to say what God tells him.

So why does He tell Bilaam it's OK to go? God hasn't changed his mind; He still tells Bilaam that he can't say anything but the words God will put in his mouth. But He is giving Bilaam the choice of whether to go or not.

Here's what the Rambam says, about having this choice; about having free will: [Mishneh Torah, Laws of Repentance (5:1-3)]

"Free will is given to every man. If he wishes, he can choose the good path and be righteous or the evil path and be wicked...no one forces him or predestines him or predisposes him to any one of the two paths, but he chooses the path he so desires of his own absolute freewill and knowledge."

And that's exactly what Bilaam does.

"And Bilaam rose up in the morning, and saddled his ass, and went with the princes of Moab."

...as if he were willing to go through with the cursing, even though God had not changed his mind. As Rashi notes, this recalls Avraham's going out to sacrifice Yitzchak

"Avraham arose early in the morning and saddled his ass." So these are two parallel, yet opposite instances: Bilaam exercised his free will to attempt to deliver the curses, even though he knows God doesn't want him to; Avraham exercises his free will to **obey** God (when he could have resisted) with the intention of murdering his son. These two instances are like bookends. The question for us is, where in that row of books do we find the right book: the balance between, at one end of the bookshelf, choosing our actions based on our own unexamined tendencies, fears, and desires; and at the other end, basing our behaviors on what we are told by God?

Now, Bilaam is on his way to do precisely what he knows God doesn't want him to do. So on the way, God places an angel in his path to oppose him; not just to stop him, but also, and perhaps just as importantly, to show him that he has blinded himself to what he should have seen. He was blinded by perhaps his own greed, his hatred, or his fear that Balak would have him killed if he didn't do what he'd asked him. Therefore God uses a lowly animal to make this a very stark lesson. He is saying to Bilaam, "Even this ass has greater clarity of vision and perception than you!"

When the angel is revealed to Bilaam, he still thinks God does not know that he intends to curse Israel. He says to the angel,

"I sinned because I did not know that you were standing in my way." Rabbi Simcha Bunim of Peshischa, a late-17th century Hasidic leader in Poland, said that Bilaam's ignorance is, in itself, a sin. He doesn't want to see his own limitations and recognize his motivations. Bilaam should have been aware that God ALWAYS stands before him. God is always standing there, but we have enough power to exercise free will in a way that overcomes God's power. God is omnipresent, but he is not omnipotent. Thus, we CAN act contrary to God's will. He is always standing there to stop us from committing evil; **but** we have the power to **ignore** it.

So when Bilaam arrives, Balak takes him up to the top of the mountain from where he can look down on the people camped in the valley below. He is in a powerful position; and there is the danger: having power often blinds us to God's presence and God's demands; and hubris and arrogance almost guarantee it.

The top of a mountain is both a place of power and a reminder of our obligation to limit our own power, to restrain it. It was the place of greatest intimacy with God, when Moshe went up on Har Sinai. Yet this intimacy had limits (Moshe didn't get to see God's face.) We are obligated to restrain our power according to the values God has taught us. By showing restraint, we avoid committing injustice, actions which contradict these values. Restraint is not weakness—it's the real power.

I want to go back for a moment to refer to another dissenting opinion in the same-sex marriage decision, another statement that addresses the abuse of power. This one is from Clarence Thomas, who was addressing the argument that the right of gay couples to marry includes the idea of personal dignity. He writes:

“Slaves did not lose their dignity (any more than they lost their humanity) because the government allowed them to be enslaved. Those held in internment camps did not lose their dignity because the government confined them. And those denied governmental benefits certainly do not lose their dignity because the government denies them those benefits. The government cannot bestow dignity, and it cannot take it away.”

This implies that every human has implicit, undeniable, God-given right to dignity. And what is dignity but the power of self-determination? To “life, liberty, and the pursuit of happiness?” But to say that we as humans with free will do not have the power to limit those rights is a fallacy. When we are in position of political or economic power, we can, and we do, prevent people from exercising their rights. Slavery was undignified. The slaves deserved dignity, but they certainly didn’t have it.

Zeba Blay, a culture writer for the Huffington Post, points out the fallacy in Thomas’ legal reasoning:

“Clarence Thomas is married to a white woman -- something that would have been illegal today if it weren't for the Supreme Court's ruling ...If the law of the land stated that Thomas and his white wife couldn't be married...would his dignity truly remain intact? Would he have no sense of injustice?

“The dignity of slaves doesn't absolve the United States of its sins. The dignity of Japanese Americans held in internment camps didn't make the discrimination any less real. Maintaining one's dignity doesn't makes oppression, marginalization, and the denial of basic human rights okay.”

Clearly, we DO have the power to rob people of their dignity, and even their lives. This Parsha makes it clear how easy it is, when we allow ourselves to be blinded by our own desires or emotions, to act in contradiction to God’s values.

As the Parsha shows, we are most often tempted to wield our power over people whom we perceive as different, and threatening. But how do we know how far to go? How do we make sure not to follow the advice and urging of a powerful or political authority, or of a wealthy or powerful person or group, or even a vocal minority of our fellow citizens, to destroy or persecute a group that is “different,” **without opening our own eyes to consider what God wants?** How do we build the discipline that sensitizes us to do this reflexively? How do we expand and refine our regard for others—for people who are different, have different needs, desires, behaviors, people whom we see as dangerous?

Six weeks ago, we finished Sefer Vayikra, in which we learned about the detailed and complicated ritual behavior God has laid out for us. This is the framework for our peoplehood. This shared and communally accepted structure keeps us a coherent, connected people and distinguishes us and binds us, gives us our shared identity.

But what are we to do, when the clear meaning of the text is an answer we find untenable? What are we supposed to do with the parts of the Torah that condemn homosexuality, or tell us to slaughter our enemies, their children, and their animals? Is it possible that when our eyes are opened to a new reality, parts of the text which were once clear should now be considered **less important**? This is problematic; but it's always been a problem, not just in modern history: the Torah SheB'al Peh is both evidence of and response to this problem.

In this week's Haftorah, the prophet Micah says,

“Remember what Balak, king of Moab, plotted against you; and how Bilaam, son of Beor, responded to him....and you will recognize the gracious acts of the Lord.”

He urges the people to respond with gratitude, respect, and praise for God's love and protection. Yet he reminds us very clearly that the prescribed rituals are the structure, but NOT the essence.

“With what shall I approach the Lord...With burnt offerings, with calves a year old? Will he be pleased with thousands of rams, myriad streams of oil? Shall I give my first-born for my transgressions, the fruit of my body for my sins?

“He has told you...what is good, and what the Lord requires of you: only to do justice and to love goodness, and to walk modestly with your God.”

What does it mean “to walk modestly with God?” As the Parsha teaches us:

To try to understand what is strange to us, and treat “strangers” with kindness—particularly those over whom we have power.

To open our eyes and our hearts and our minds to others, even those whom we regard as less powerful or important than we are (like Bilaam's donkey).

To open our eyes to our own selfishness, greed, and arrogance, and not let these lead to a misuse of power.

To make room and have regard for people who point out things we are blind to, and to avoid the urge to repress or silence them.

As we see from Bilaam's experience, we can't rely **only** on our own perceptions and opinions; we may not see the angel standing before us, to prevent us from committing evil. We need to be constantly alert, examining our own motivations and perceptions. We need to ask ourselves: what, or who, is invisible to us?

For Bilaam, and for Avraham before him, God sent an angel in order to prevent each man from committing an unspeakable act. But we can't count on that personal intervention. Since we aren't receiving direct prophetic messages from God, since we can't count on him to place an angel in front of us and stop us, WE must become the people who stand on the path. WE must become the people who block the prophets of hate and murderous intent. We have to train OURSELVES to be the angel, standing in the way of evil.

Shabbat Shalom