

Drash – commentary on the weekly Torah Portion  
Bo – Exodus 10-12

Presented to the Fabrangen Havurah of Washington, DC on Zoom  
January 20, 2024

Eric Rosenthal

Greetings from Mexico City. I am here in this beautiful city for the month to study Spanish. I've worked here for thirty years on and off, but now I'm fortunate to have the chance to intensively study the language. I travelled here with my copy of the Torah portion and my Martin Buber book to help me prepare for this drash. And I have had some quiet time to think.

I landed a wonderful Torah portion. Probably the part of the Torah that has influenced me more than any other and that has influenced Jews and non-Jews alike more than any other. Reading about the Exodus of the Jews from slavery it is hard not to be inspired – to have hope for the liberation of all slaves and all oppressed peoples. Having grown up in a mostly secular home the Passover Seder is what held our family together. And this story shaped our thinking about what it means to be Jewish. It is very much the precursor to the creation of our people and to the State of Israel. And it has long been an inspiration to the broader public. From Frederick Douglas to Martin Luther King, the promise of freedom has been especially resonant with African American rights activists.

Upon reading the Torah portion again, I was particularly struck by the line in Exodus 12:49 where it says, "There shall be one law for the citizen and the stranger who dwells among you." When the Jews left Egypt, the story tells us that there were "mixed multitudes" who escaped. It was not the Jewish former slaves; other slaves or downtrodden people took the opportunity of the tumult to escape as well. In the laws that we received there was a core message about how we should order our society. From the very beginning, the Israelites had to contend with how they would build a just society that included both Jews and non-Jews.

"There shall be one law for the citizen and the stranger who dwells among you." I'd like to ask you today to think about what that statement really means. What seems like a perfectly straightforward commandment can have profoundly different meanings based on how you interpret it. If you see it in the narrow "formal" sense – the literal language – or whether you see it as a promise of "substantive" equal protection for all. This law could be used to reorder society to ensure justice, or it could be enforced narrowly and leave certain people out. Indeed, to my dismay, the language seems to suggest that only people who are circumcised have a right to equal protection.

Hopefully we have progressed. If we are to take this as a promise to substantive equality, this standard has now become the basis in modern times for all liberal democracies. It is written into the Universal Declaration of Human Rights and is the cornerstone of international human rights law. It is a part of American jurisprudence. Yet even in modern times in the United

States, our interpretation of the same words has been something of a roller coaster. For fifty years, the concept was viewed by our courts as guaranteeing only “separate but equal” protections. That is what the US Supreme Court held in *Plessy v. Ferguson* in 1896 – a pernicious interpretation of one law for all people. It took half a century of experience to prove that separate is *never* truly equal. And in 1954 the Supreme Court overruled *Plessy* in *Brown v. Board of Education*.

In my own work, I’m a teacher and advocate for the rights of people with disabilities. I explained to my students: if you have one law that says “everyone can come into this restaurant” but there are stairs and no ramps, then people with disabilities can’t come in. If you interpret equal protection broadly, you can see that it should require the provision of ramps so everyone can enter. In the work that I do for the right of people in psychiatric hospitals, the question is: if you provide mental health or social services to all people is it ok to provide it in the segregated environment of a psychiatric hospital? Should you have to give up your freedom to get mental health services in a closed and locked institution? Or does one law for all people require you to fully transform your society so people with disabilities can stay and their homes and live fully in society the same services and opportunities as others.

The US Supreme Court in *Olmstead v. LC* ruled that it is a form of discrimination to require people to give up their freedom to get services like others. Under US law, people with disabilities have a right to live in the community and it is a form of unlawful segregation to require them to live in institutions.

In my work, we have fought to extend this concept to international law. Just this month, my organization, Disability Rights International, won our most important case ever from the Inter-American Commission on Human Rights against the State of Guatemala. The Inter-American Commission agreed with our argument that it is discriminatory to require people with disabilities – people labelled with mental illness; people seen as “strangers” in society – to be locked up so they can get mental health services. It is a legal decision that will be felt throughout the Americas.

Now, thinking about this in the context of the Jewish people and the State of Israel, I’d like to share with you a story about an experience that had an enormous influence on my own life and how I thought about these issues.

I graduated from college in 1985 not knowing what to do with myself. I had read Amos Oz, *In the Land of Israel*, and so I decided to go to Israel to join the peace movement – with the idealism that only a young college graduate can have. My best friend at the time lived in Rome, and I decided to stop in Rome on my way to Israel to see him. But when I got there, I found that we had made a terrible mistake. He thought I was going to be arriving a week later.

So I arrived at his house in Rome, and only his father was home. He lived in a beautiful villa on the *Appia Antica*, the ancient Roman Appian Way. His father, Barrie Simmons, was a *Gestalt* psychologist, a psychotherapist, who was an emigrant from the United States. When I arrived,

he explained to me that as a therapist he talked to people all the time. So, for him, a vacation was not having to talk to anyone. And he was now on vacation.

But Barrie Simmons made me an offer. He said that I could stay in his house for a week, so long as I kept quiet and did not talk to him. I could come and go as I pleased and see Rome, and I could read in his beautiful garden. And there was one book that he wanted me to read and discuss with him at the end of my trip.

He told me, you say you are going to Israel to join the peace movement. But I think you are also a young Jew trying to understand your Jewish identity. I too am Jewish, and I don't know many Jews here in Rome, so I'd really like to have an opportunity to discuss this book with you.

By the way, he said as an afterthought, you probably won't make much of a contribution to Arab-Jewish understanding until you know what it is to be a Jew. I was taken aback at the time, but perhaps no truer words could have been said.

The book was called *Encounters with Martin Buber*, by Aubrey Hodes. I've never been able to find another copy of that book, and if anyone has a copy, please let me know. The closest I found – sent to me by a friend – is another out of print version of the same story called *Martin Buber: An Intimate Portrait* (1971).

The book recounts conversations between Buber and Aubrey Hodes, a recent immigrant to Israel from the UK living on a Kibbutz near Nazareth. Aubrey had a relative who he deeply loved who had a breakdown and was placed in a psychiatric facility. Once a week, we went to Jerusalem to visit her. But each time he visited, he felt she was more and more distant, like a ghost of the woman he once knew. He was heartbroken and did not know what to do.

But as he walked to the psychiatric facility each week, he passed a home with a brass plaque on the front door that said "Martin Buber." He screwed up his courage, and one day he stopped at a grocery store on the corner and called Buber. He said he was in crisis and asked if they could talk. Martin invited him to come over, and five minutes later they were face-to-face. What began then became a deep friendship, and the book recounts a series of conversations over more than ten years until Buber died in 1965.

Now I've tried reading Martin Buber's philosophy many times, and it is difficult to understand. But in the context of Buber helping Aubrey Hodes deal with his relative, the Buber's concept of the "I and Thou" seemed very concrete. Buber says that Judaism calls on people to treat others as full human beings, to take in their whole being (as "Thou"). At times, it calls on people to ask questions of others that they may never have asked themselves – as Barrie Simmons did with me when I visited him in Rome.

Buber counseled Hodes to keep visiting his relative, to feel her presence, to take in whatever communication he could from her. Hodes recalls Buber saying:

For I had a responsibility, he said. Love was responsibility for the loved person by the one who loved. Only by accepting this responsibility could I affirm my real self, my authentic personality. The situation called upon me to make a concrete commitment, to realize my responsibility to action – to see her as a single unique distressed individual, not just as one of a depersonalized throng of mental patients.

We learn that Aubrey's relative did indeed get better and leave the institution.

I did not know at the time, when I read the story of the asylum, that this would be such a powerful forecast of the greatest challenges of my own work over the next thirty years as I sought to protect and advocate for the rights of children and adults locked in institutions: to take in, to capture, to share their humanity. No one really cares about rights if they don't see people as fully human.

I did not fully understand Buber's concept of the "I and Thou" then or now. But I have grappled with it and tried to incorporate into my life and work. If I may share a little more of Aubrey Hodes' summary of Buber:

Every particular Though is a glimpse of the Eternal Thou. In other words, every I-Though – every loving relationship with man and the world – opens the window to the ultimate Though. God has to be approached through an I-Though relationship with people, animals, trees... Without these life-enhancing encounters, real relationship with God could not be achieved on earth.

Well, as a secular Jew then and now I have only had a vague grasp of what this is all about. At the time, what influenced me most was the more political aspect of Hodes' writing about Buber.

Buber grew up in Eastern Europe and escaped to Israel just before the Holocaust. Buber was a Zionist early in his life and for a time was the editor of the official Zionist newspaper. But he broke with that movement. Unlike other Zionists, Buber believed that a Zionist State would have to be a nation of all its people. If it were a Jewish state, it would also have to be an Arab state or a Palestinian state. Both cultures and national identities – and full human beings -- needed to be recognized equally.

When Israel was founded, its Declaration of Independence established the nation as a Jewish state with equal rights for all its citizens. Its language is very close to what is in this Torah portion. But Buber believed that full equality would be impossible unless Jews and Arabs were both recognized. As full human beings with their own identity and culture. When the war of 1948 came, however, Buber was not a pacifist and he supported Israel's effort to protect and establish itself. He continued to live in and support the State.

Yet he never gave up on the idea of full equality for Jews and Arabs. In 1949, he gave a speech at what was then called the Palestinian Reconciliation Council. Buber at the time called for

Palestinian refugees to be allowed back into Israel. He thought that Israel needed more Arabs to create an Arab-Jewish State and have true reconciliation (not a popular idea in Israel then or now). Prime Minister David Ben Gurion was in the audience, and afterward he said to Buber, as recounted by Aubrey Hodes:

Mr. Buber don't think that I am opposed to what you said. But you forget that in history there is something called early – and something called late.

I have long thought about this, and Ben Gurion may have been on to something. Buber was perhaps both behind and ahead of his time. Yet I certainly wish Buber had had more influence, then and now.

When I went to Israel in 1985 looking to join the peace movement, I had a hard time finding it. I met some of its leaders, but I did not speak enough Hebrew to understand what was being said at their meetings. So, I went to the hilltop of Sfat, and I studied with a very beautiful and welcoming community of Hasidim and young students from around the world. My parents were terrified at the time. They thought I would never come back.

But I continued my search, and I eventually found a peace movement I could join at the village of Neve Shalom (Oasis of Peace). Neve Shalom, or Wahat al-Salam, is still today an Arab-Jewish village that runs a School for Peace. There I helped herd sheep, and I worked in the school where Palestinian and Israeli high school students met. Those were difficult meetings. For Jewish Israelis who grew up with stories of Palestinian terrorists, it was easy to believe that Palestinians were monsters. That they were different from us. That they were just driven by hate. Whether they could agree or not on matters of politics, it was impossible to believe all those things after meeting them.

And Jewish Israelis who felt misunderstood got a chance to explain themselves. People who felt existential danger every day, who could not let up for one minute or be massacred by an angry sea of Arabs. They may not have resolved any political issues, but both sides felt heard. At least they let their guard down long enough to have some good moments together. We certainly did.

What I learned from Buber and what I learned from Neve Shalom I believe has relevance to our modern world in many areas, and certainly in the United States. We too must grapple with racial injustice and hatred in many forms.

This week, in celebration of Martin Luther King Day, Fran Goldman sent out on the Fabrangens list a copy of King's "Letter from the Birmingham Jail" (August 1963). I had never read that letter before this week, but in it he captures in two sentences what I have been trying to communicate in my already-too-long *drash*:

All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. To use the words of Martin Buber, the

great Jewish philosopher, segregation substitutes the I-it relationship for the I-  
Thou relationship and ends up relegating persons to the status of things.

There is a section in this book on Gaza. In 1956, Israel occupied Gaza under orders from Prime Minister Ben Gurion over the objections of Martin Buber. I don't have time to read that very powerful and sad section of the book, though I'm happy to copy and share it on the list serve. But there is one statement that Martin Buber made at the time that I thought I would share with you. Buber believed that in life we are tested every day to meet the challenge of treating those around us as fully human. As Aubrey Hodes recounts the conversation:

"A nation can undergo this test as well. In this case every individual in the nation can scarcely escape a personal test which mirrors the trial of the community. I feel that Israel is about to face an existential test of the kind I have described." He looked out of the window, and we were silent for a while. Then he said, "And each of us will be tested then, each in his own way."

I don't know about you. But I feel personally very tested at this moment. Thinking through the language of our Torah Portion is more relevant than ever today: "there shall be one law for the citizen and for the stranger who dwells among you." Thank you.