



**SERMON NITZAVIM:
LADY HALE'S SPIDER**

Student Rabbi Gabriel Webber, Saturday 28 September 2019¹
Wimbledon Synagogue

- 1 Anyone who was hanging around the Sternberg Centre on Tuesday morning would have seen something rather strange. A group of rabbinic students, all of them English, clutching Talmuds in preparation for a Rabbinic Literature class to start shortly, were all gathered around a small iPhone eagerly listening to an event being live-streamed over the internet. Then, suddenly, a cheer. Our colleagues from France glanced at the screen to try to discover what was so enthralling, and saw only a small, elderly woman reading a prepared speech. Then they looked at us as if we were crazy.
- 2 It was no ordinary event we were watching, though. Rather, it our the once-in-a-lifetime opportunity (or perhaps I should say: hopefully once-in-a-lifetime opportunity) to see the government of the day being given an unprecedented slapping by the Supreme Court.² A unanimous verdict of 11 judges is a literally unique occurrence, and it was exciting to watch history developing and the elusive British constitution, with its liberties, its safeguards and the mother of all parliaments, kicking into gear.
- 3 It is, as Lord Justice Jacobs once remarked, “one of the glories of this country that every now and then one of its own citizens is prepared to take a stand against the big battalion of government”.³ This was such a case, in which a private person, Gina Miller, undertook the great financial risk – and personal risk, given the many death threats she has received – of challenging the Prime Minister over his use of royal prerogative powers. We must never



forget how privileged we are to live in a free society, where any individual can go before the most senior court in the land to have their case heard, and where the most senior judge in the country has not only the power but also the guts and the self-confidence to tell the Prime Minister and the Queen: “No.”

- 4 But this isn’t going to be a sermon about access to justice. It’s going to be a sermon about spiders.
- 5 For the President of the Supreme Court, Baroness Hale, not only has guts and self-confidence, she also has a quite astonishing collection of brooches. They have become something of an internet sensation. Legal commentators have spilt many pages of online ink trying to work out what message her various brooches might be intended to convey.⁴ The centipede one she has in her official portrait; the gleaming green frog she wore to hear a case about negligence in the property industry; the fox; the butterfly; the gingerbread man...
- 6 For the momentous legal moment this week, Lady Hale chose to wear a large glittering spider. Nobody on the internet has quite figured out what its secret message is. But I think I’ve got it. In the Book of Proverbs, chapter 30, verse 28, we read: “The spider can be caught with hands, yet is in the palace of kings.” Describing the spider as “a tiny creature of the earth yet the wisest of the wise”,⁵ the proverb’s meaning seems clear:⁶ diminutive and vulnerable though spiders are, they can nevertheless do what no human could ever dream of and infiltrate the palace of a king. The king can guard his domain as heavily as he likes against humans; spiders are still going to find their way in.
- 7 Lady Hale is the spider who infiltrated the palace. The Prime Minister thought his plan to have the Queen shut down Parliament was invulnerable, high



politics, beyond any challenge from any quarter.⁷ Yet in crept Lady Hale's judgment, below the radar, relying on legal principles so simple that he overlooked them, and her judgment entered the palace (Balmoral, to be precise), and it laid down the law.

- 8 Of course, the verse from Proverbs has real significance for us right now not so much because of the prorogation judgment but because we are approaching the High Holy Days, the crescendo of the liturgical year, when we wear white, pray more than usual, fast, and inch our way towards God's house and forgiveness. In that scenario, we are the spiders. We are the tiny creatures of the earth, gently and quietly easing our way into God's palace.
- 9 There are echoes of our presence in the Heavenly palace in today's parasha. Rabbi Shmuel bar-Nachman read the description of how the Israelites were given the great gift of Torah and imagined God telling them: "See how beloved you are to Me, for no being in My palace is acquainted with the Torah, yet to you have I entrusted it."⁸
- 10 Our size is insignificant, in both senses. We are small and diminutive and but minuscule parts of the huge superstructure that is Creation. Yet our size is insignificant as a factor; it is neither barrier nor excuse; we are beloved of the Creator and, like spiders, have the capacity to enter into the Divine Palace.
- 11 Over Rosh Hashanah and Yom Kippur we will recite, several times, the piyyut *Ki Anu Amecha*. "We are Your vineyard, and You our Keeper; we are Your flock, and You our Shepherd," and so on. My colleague Rabbi Rachel Benjamin once challenged her congregation to come up with their own additional lines to the poem. "We are Your candles, and You are our Match," they suggested. Then: "We are Your branches, and You are our Tree. We are Your millions, and You are our One."⁹



- 12 We are millions, diverse and conflicted; God is one. We are branches, thin and remote; God is the entire tree. We are spiders; God owns a palace. Yet we have a relationship with God, through the Torah, and our relationship gives us the opportunity to enter God's palace. God chose us and reached out to make a connection with us.
- 13 Gina Miller could have shrugged her shoulders and said, "I'm just one citizen; what can I do about a formal order signed by the Queen?" – but she didn't. Lady Hale could have shrugged her shoulders and said, "I'm appointed by the Queen, so it's hardly my place to intrude into what goes on inside Balmoral," – but she didn't. Instead, she affixed the spider to her lapel, recognised that having the Queen for an overlord was both sobering (her boss is literally the boss of the country!) and empowering (she was singled out for a direct personal relationship with the Queen!), and she did what she could, humble and confident at the same time.
- 14 May we, too, strive to enter the High Holy Day season spider-like, humble and confident at the same time, using our small stature as neither barrier nor excuse, as we enter the palace of all palaces. Kein y'hi ratzon; may this be God's will.

Check against delivery.

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¹ Deuteronomy 29:9-28

² *R (Miller) v Prime Minister* [2019] UKSC 41

³ *Ferguson v British Gas Trading Ltd* [2009] EWCA Civ 46, [2010] 1 WLR 785 at [1]

⁴ Katie King, "Lady Hale's best brooches" in *Legal Cheek* (16 November 2017): <<https://www.legalcheek.com/2017/11/lady-hales-best-brooches/>>; Lauren Cochrane and Martin Belam, "Say it with a brooch: what message was Lady Hale's spider sending?" in *The Guardian* (24 September 2019): <<https://www.theguardian.com/fashion/2019/sep/24/say-it-with-a-brooch-how-a-fashion-item-became-a-political-statement>>



⁵ Proverbs 30:24

⁶ Especially with the help of Rashi on Proverbs 30:28...

⁷ A copy of his written submissions to the Supreme Court say as much:
<<https://www.supremecourt.uk/docs/written-case-for-the-prime-minister-and-advocate-general-for-scotland.pdf>>

⁸ Deuteronomy Rabbah 8:7

⁹ South Bucks Jewish Community, 7 September 2007