



SERMON D'VARIM:ⁱ GUNS N' MOSES

**Rabbi Gabriel Kanter-Webber, Saturday 22 July 2023
Brighton and Hove Progressive Synagogue**

1 Last month, two Orthodox Jews in New York – Steven Goldstein and Meir Ornstein – tried and failed to convince a US federal judge that a gun control law was discriminatory against Jews.ⁱⁱ The law in question forbids people from carrying firearms in “*sensitive locations*” including hospitals, libraries, schools, railway stations, theatres... and, places of worship.ⁱⁱⁱ The inclusion of places of worship on this list, Goldstein and Ornstein argued with the support of their rabbi, interferes with their ability to practice Judaism. Both men “*decreased their attendance at shul due to their inability to carry a firearm*”.^{iv}

2 The latest series of *The Marvellous Mrs Maisel* contained the wonderful line, spoken by a Jewish character to his family who were making a scene in public: “*You’re making Jews look loud and obnoxious!*”^v But that line could have been deployed, almost perfectly, to Messrs Goldstein and Ornstein, who loudly and publicly insisted that there’s something specifically Jewish about the right to carry guns in public.

3 Of course, Jews have always been loud and obnoxious. (In fact, I often say that my job would be much easier if there weren’t so many Jews involved in it.) This morning’s Torah portion provides a perfect example: Moses cries out to God in exasperation at the Israelites’ incessant bickering.^{vi} The Italian commentator Sforno highlights^{vii} that, at a time when the people’s minds should have been 100% focussed on their forthcoming arrival in the Promised Land, they

ⁱ Deuteronomy 1:9-18

ⁱⁱ *Goldstein v Hochul* No 22-CV-8300 (SDNY, 28 June 2023)

ⁱⁱⁱ NY Penal Law § 265.01-e

^{iv} *Goldstein* at p 5.

^v *The Marvellous Mrs Maisel*, 28 April 2023, season 5 episode 4, “The Pirate Queen”: written by Amy Sherman-Palladino.

^{vi} Deuteronomy 1:12

^{vii} Sforno ad loc.

were instead picking quarrels with each other, so much so that every family of 10 literally needed their own personal judge appointed to arbitrate their disputes.

4 Even today, the justice system is straining under the weight of its caseload, and the situation is not helped by spurious, vexatious and overly-burdensome claims. Much like the Israelites of old, there are some people who seem to use the courts as a substitute for behaving like sensible, civilised adults. In a Canadian case in 2014, Justice Ed Morgan memorably observed: *“In my view, the parties do not need a judge; what they need is a rather stern kindergarten teacher. Despite their many advantages in life, the parties are acting like children.”*^{viii}

5 None of this is to argue that being litigious is a bad thing *per se*. Courts are vital institutions, protecting democracy and upholding human and communal rights. It was the courts who stepped in last month to save asylum seekers from being deported to Rwanda, where their safety could not be guaranteed.^{ix} It was the courts who decided that sexual harassment in the workplace was a form of discrimination.^x And it was the courts who insisted that gay and lesbian couples must be allowed to leave property to each other on the same basis as straight couples.^{xi}

6 Jews, in particular, benefit from this. A society with a strong justice system, enabling vulnerable groups to vindicate their rights, is a society in which it is safe for us to live.

7 At the same time, a society in which it’s fine for anyone – anyone – to carry a loaded handgun around a synagogue, hospital or school – a school – is **not** a society in which it is safe for us to live. When 11 worshippers in the Tree of Life Synagogue in Pittsburgh were murdered in 2018, they were killed using lawfully-acquired weapons.^{xii} Goldstein and Ornstein’s claim that the ban on people carrying guns

^{viii} *Morland-Jones v Taerk* 2014 ONSC 3061 at [23]

^{ix} *R (AAA) v Home Secretary* [2023] EWCA Civ 745

^x *Strathclyde Regional Council v Porcelli* [1986] IRLR 134

^{xi} *Ghaidan v Godin-Mendoza* [2004] UKHL 30, [2004] AC 557

^{xii} Richard A Oppel Jr, “Synagogue suspect’s guns were all purchased legally, inquiry finds”, *New York Times* (30 October 2018): <<https://www.nytimes.com/2018/10/30/us/ar15-gun-pittsburgh-shooting.html>>



into shul makes synagogues “*more dangerous*”^{xiii} is so obviously wrong that it is far beyond stupid; it is obscene.

8 Deborah Wilfond, a British Jewish expat living in the United States, has spoken of her shock at the gun culture she found on her arrival.^{xiv}

As Jews, we are particularly sensitive to oppression. The gun lobby has capitalised on fearful Americans who lack trust in public institutions to keep them safe, and has, as such, created a situation of widespread loss of life, injury and moral harm. This flies in the face of Jewish ethics. The gun lobby presents individual rights and collective responsibilities as if they are mutually exclusive, that a right to have a gun overrules our collective responsibility to ensure gun safety for all.

Now, I might have been tempted to feel sorry for Goldstein and Ornstein, as “*fearful Americans*” who have had their fears manipulated by the gun lobby, if they hadn’t chosen to take such a public and offensive stand, and in doing so, chosen to make Jews look loud and obnoxious. Because that is, undoubtedly what they’ve done.

9 They didn’t just act like self-centred children (‘I’m not going to shul unless I can take my gun’). They didn’t just promote the widespread availability of lethal weapons, a warped worldview where more guns on the street is A Good Thing. They didn’t just pursue an ideology of absolutist individualism in which their right to self-defence trumps everybody else’s right to be free from speeding bullets. They didn’t even ‘just’ cry about anti-Jewish discrimination where there was, patently, no anti-Jewish discrimination.

10 No. They topped off that nauseating catalogue by framing their lawsuit in religious language.^{xv} On the very front page, before even the first paragraph of their legal argument, there is, in bold print, a two-verse quotation from the Hebrew Bible, describing how the Temple in Jerusalem was protected by guards wielding spears.^{xvi}

^{xiii} *Goldstein* at p 5.

^{xiv} Deborah Wilfond, “The American problem with guns through a Jewish ethical lens” (Rabbis Against Gun Violence, undated): <<https://www.sefaria.org/sheets/444412?lang=bi>>

^{xv} Complaint, *Goldstein* at p 1.

^{xvi} 2 Kings 11:10-11



11 Goldstein and Ornstein are not soldiers in the service of the King of Judah, carrying weapons issued to them by the state. They are self-appointed busybodies who want to play-act as soldiers. That they have tried to leverage support for their ‘right’ to do so using – abusing – our holy scriptures makes their conduct an unambiguous חילול השם, a desecration of the Divine Name.

12 To put it bluntly, the odds of somebody walking into my workplace brandishing a gun, a completely legal gun – whether that somebody is an overexcited congregant or a hostile terrorist – are dramatically lower than they are for my American colleagues.

13 Moses solved the problem of his people’s vexatious lawsuits by appointing deputies. But what is really notable is the people’s reaction: they declare, טוב-הַדְּבָר אֲשֶׁר-דִּבַּרְתָּ, “*What you have decided is good.*”^{xvii} That was a rare thing among the Israelites: a consensus! Whatever their quarrels amongst themselves, and whatever their quarrels with Moses,^{xviii} they could at least agree that, on this one issue – and it was an important issue – he’d got it right.

14 This parashah, then, is a moment for us, loud and obnoxious as we are, to do the same. On this front, we should be enormously grateful to live in Britian. For all our society’s faults, and for all our political leaders’ faults, this is a pretty safe place to live. And we pray that the wisdom, self-restraint and belief in the collective power of our communities which created that safety, will long continue. כן יהי רצון, may this be God’s will.

^{xvii} Deuteronomy 1:14

^{xviii} See eg Sifrei D’varim 12

