

Equal justice under the law is one of the major revelations that came out of the mystical encounter with the divine on Mt. Sinai, an event we celebrate on Pentecost. Robert Alter said, **The Sinai encounter is imagined as the decisive moment in history when the celestial and terrestrial realms are brought into engagement.**

Sinai encounter is found in Exodus which follows Genesis and Genesis is all about the problem of human violence: ***“the earth was corrupt in God’s sight, filled with violence, and God’s heart was filled with pain.”*** The revelation of God on Sinai is about restraining human violence: the 10 words, forbid murder, stealing, even coveting, call for a day of rest every seventh day, a rest that even the farm animals had a right to.

In expanded version that follows the 10 Commands (so compact they are called 10 Words) you have an historic breakthrough in human understanding of justice: **the concept of equal justice under the law**—hitherto completely unknown. Hear this:

***“You shall not bear a false rumor [rumor, spreading lies about people is the breeding ground of injustice, the justification of violence]. You shall not put your hand with the guilty to be a harmful witness. [The “guilty” here are the accusers, whose accusations justify the violence, the brutality, the injustice]. You shall not follow the many for harm, and you shall not bear witness in a dispute to go askew, to skew it in support of the many”*** (Exodus 23: 1–3)

This text emerged among Jewish exiles in Babylon after their temple in Jerusalem had been destroyed, they had been raped and pillaged, deported en masse to Babylon, thrown onto ghettos-reservations where they had not rights, subject to the whims of the empire where the rule of law was mainly: we do what we can get away with.

In Babylon they have this vision of a founding figure, Moses who has a mystical encounter on Sinai and out of this celestial-terrestrial engagement, comes a new idea under the sun: equal treatment under a just law. Everyone gets equal treatment under the law.

We are so far from that here: equal justice under the law. The American experiment is what 250+ years old? For our founders “equal justice under the law” applied to citizens. Who were designated citizens? About 15% of the population—white men who owned land were citizens. Indigenous people? Not citizens. 2 Million African people brutalized as slaves—not citizens. Quarter of European immigrants who came as indentured servants—not citizens. OH! Women—not citizens. Every attempt to expand the designation of “citizen” receiving equal justice under the law has been resisted tooth and nail. Policing is part of the just system. Policing in our country began as “slave patrols”—first, to keep Africans forced against their will to work in fields working, then to round them up when they escaped torturers ... I lived through an uprising of African Americans in Detroit fed up with the brutality of a virtually all-white and very racist police force.

When George Floyd’s murderer first charged with murder in 3<sup>rd</sup> degree, I asked my step-daughter about it...And she said, it’s got to be at least 2<sup>nd</sup> degree murder because video shows in the commission of the act he knew what he was doing and didn’t stop, even after his fellow officer reported no pulse. A few days later the charges were revised to 2<sup>nd</sup> degree murder. But Keith Ellison the Attorney General of Minnesota, said even when evidence is clear cut, gaining a conviction against a police officer is extremely difficult. Only one prosecutor in Minnesota has secured a guilty verdict for a killing by a police officer. “Winning a conviction will be hard” he warned. That’s a sign how far we are from realizing this vision of equal justice under the law.

Equal justice under the law is a *radical* vision and it is at the heart of our faith, in the mystical meeting at Mt. Sinai in which our Feast of Pentecost is grounded. A spirituality that regards equal justice under law as somehow peripheral, or as secular, well that’s a spirituality under the demonic influence of White Supremacy. Only people who assume equal justice under the law as a given, a victory own, not a radical vision contested, are white people—mostly white men with access to wealth.

When I was in my old denomination, well down the slippery slope on religious equality for LGBTQ people, I remember a conversation with a fellow pastor who regarded himself as progressive. He was justifying his hedging on not crossing the line to full inclusion because he was uneasy with the “equality rhetoric” which he regarded as secular not Christian. It was a passing comment, but now I’d see it as just another

insidious manifestation of that demonic infection called White Supremacy--of unacknowledged advantage that comes from being a white man in our society, where you can afford to think of equality as secular ideal peripheral to faith. If it's peripheral to faith, your faith is off center.

I want to pull out one line for examination, because it's essential in the spiritual contest for realizing this mystical vision of equal treatment under the law: ***"You shall not follow the many for harm"***