

## MIDRASH . . . And Death-Penalty Legislation

In Mobile this past Monday, the congregation of Springhill Avenue Temple hosted their 20th annual Ministerial Institute for clergy of the Mobile area. Again it was a welcome opportunity for clergy of our Christian denominations to sharpen our faith insights by listening to and questioning a Jewish scholar. (And there was a delicious free lunch!)

This year's "scholar in residence" was Rabbi Norman J. Cohen, associate professor at New York City's Hebrew Union College and Jewish Institute of Religion. Nationally recognized as expert in the area of midrash, Doctor Cohen spoke to us about "Midrash: Language of Jewish Survival" and "The Binding of Isaac: A Rabbinic Response to Christianity."

I don't intend to recapitulate Doctor Cohen's lectures, but his remarks got me thinking about the topic I had been wrestling with for this editorial.

A midrash, by the way, is a rabbinical reflection on a Scriptural expression or story. It reveals the social, economic, political and religious assumptions of the rabbis and the conditions in which they lived. A classical period of midrash occurred in the few centuries just before and just after the birth of Christ.

Doctor Cohen advocates "modern" midrash as an essential characteristic of effective preaching: the

homilist should realize that redemption comes from confrontation with God and His Message, and the preacher should tell his audience, "Don't just listen to ME . . . What does God's Word say to YOU?"

The text thus becomes an Open Door, and midrash occurs when we fill in the inviting gaps which God has left in His Message. Long-ago rabbis, for example, marveled at the Old Testament references to Miriam, the sister of Moses. She drew him from the Nile waters, and led the Israelites into the opened waters of the Exodus. So the rabbis also identified her with the Hebrew midwives and with the life-giving waters that lessened when she died. A "modern" midrash might seize upon the feminist aspects of Miriam as a messianic figure.

God also invites us to fill out the story of Cain and Abel, perhaps from personal experiences of rage or anger at members of our own family. The recent television production of "East of Eden" gave us John Steinbeck's interpretation of the Cain and Abel motif.

Watching "East of Eden," and listening to Doctor Cohen, reminded me of the striking fact that God did not kill Cain for the murder of Abel. Nor did Cain expect that of God. Rather, Cain feared the revenge of his fellow humans, and God protected him by "the mark of Cain."

All of this by way of prologue to commenting on

Alabama's current involvement with death-penalty legislation. If we think that capital punishment harmonizes with God's Word, we must reconcile that opinion with God's treatment of Cain.

I asked Doctor Cohen what rabbinical tradition says about the death penalty. As with many matters, he explained, the tradition is ambivalent. On the one hand, the right to take life is defended. But a religious court (sanhedrin) which passed even a single death sentence during a 70-year period would be regarded forever as having been a bloodthirsty court.

History warns us that fear, anger and the desire for revenge are poor counselors. In the Scriptures we sometimes have dim and controvertible insights, but there are also (thank God!) many exceptionally clear ones, such as the Cain and Able story provides.

Not many people (besides immediate family) keep alive the Christian tradition of visiting those in prison. Are we really aware that about 800 prisoners are in Death Row cells, 500 of them in the South? I believe that we can understand Christ's acceptance of crucifixion as at least partly reflecting His desire to be present with those two men who were crucified with Him. That interpretation makes a powerful midrash.