

Pentecost 3, Year B  
Mark 2:23-3:6  
June 3, 2018  
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In today's gospel lesson Mark has created two stories to make a point, which for emphasis he places right in the center of the passage. I say "created" because I am suspicious about how historical they are. But whether historical or not - and I grant they could be - Mark has used these stories to make a point I believe is certainly true: Jesus is "Lord, even of the Sabbath." He is the boss; his interpretation of what the law means must guide us all.

That interpretation hinges upon making a distinction between what the letter of the law says, and what the spirit of the law demands. Note first that in both cases Jesus violates the letter of the Sabbath Law. It was not permitted to harvest grain a Sabbath, and as odd as it may seem to us, offering medical intervention to people was also banned on a Sabbath except in cases of extreme emergency. Besides, can't this wait until tomorrow? Healing the man on a Sabbath is a deliberate provocation. Thus, from the perspective of these Pharisees, Jesus subverted the Law, and undermined the whole basis of the Covenant with God. Politically - and in those days there was no profound distinction between the religious and the political - he appeared to be an anarchist, and perhaps a blasphemer. You don't have to be an attorney or a police officer to realize that no stable society can function without some sort of rule of law. Indeed, it is universal respect for the law that protects us all from both despotism and anarchy. What Jesus did represented a serious threat to order as it was understood by the rulers of the people, and it still does. People who believe in the rule of law, and I am among them, don't take kindly to people who appear to have no respect for it. Check that out for yourself the next time you see people

with no respect for your property rights. That is why Jesus' response to these Pharisees is critical to understanding how the gospel impacts our lives in this regard today.

In the first case he appeals to his own tradition, he cites biblical precedent for harvesting grain on the sabbath, looking to no less an authority than David himself as the justification for what he did. Just as David fed his hungry soldiers with bread reserved for the priests, so too did Jesus allow his hungry disciples to feed themselves when there was no other place to find sustenance. In the case of the man with the withered hand he posed a question about whether or not it is lawful to do good on the Sabbath, whether it is acceptable to save life or not. In the silence that followed Jesus restored the man's hand to complete health.

In both cases Jesus shows the utmost respect for the Law. Never does he suggest the law doesn't matter, never does he imply that his tradition is simply a tool of the oppressor class. As disappointing as this might be to some, he is not in these examples a revolutionary. On the contrary, he justifies his actions in both cases by an appeal to the deeper meaning the tradition they all share. In both stories Jesus moves outside the letter in a way that is consistent with his whole tradition, and together they illustrate a principle that guides people to this day. If the purpose of the law is to teach people to live with each other in fairness, justice, compassion, mercy, then where applying the strict letter of the law leads to injustice, and unnecessary hardship, it is the duty of those who apply that law to look beyond the letter for a way to fulfill its spirit in that moment. This should sound familiar, for that is the principle that inspired the people who formed this nation more than two hundred years ago, just as it has inspired people in every generation of this country since.

This is where Mark's insight into human nature rises to brilliance. After Jesus confounds his adversaries Mark concludes the two stories with these words: "The Pharisees went out and immediately conspired with the Herodians against him, how to destroy him." People who seek to fulfill the spirit of the law by moving beyond its letter will always be perceived as dangerous. Most often they will have to pay a price, and sometimes that price is very heavy.

Some of you have seen "The Post," starring Meryl Streep and Tom Hanks. So let me invoke The Pentagon Papers as one example. Daniel Ellsberg knew perfectly well he was breaking the law; when he was indicted and tried he faced more than 100 years in prison had he been convicted. Katherine Graham knew as well she was violating an injunction handed down in federal court against any further publication of the papers beyond what the *New York Times* had already done. She faced a contempt of court citation and jail time, to say nothing of the risk she took with the *Washington Post* itself, which was her whole legacy. Yet he leaked and she published not because they were anarchists who didn't care about the law or their country, but precisely because they were devoted to the deeper sense of the law and the highest and best spirit of our nation. To this day you may agree or disagree with what they did, and I happen to agree, but whether we agree or not we misunderstand both these people if we assume they were trying to undermine anything. They were upholding the truth, and they were upholding rights that had become truly sacred over the course of this nation's history.

We know as well that neither ended up in jail, but it wasn't for lack of trying on the part of those who now hated them for what they had done. Ellsberg's case was dismissed when the judge discovered that the "White House Plumbers" had burgled his psychiatrist's office in search of dirt on him. The Supreme Court upheld *The Post's* right to publish on first amendment

grounds. Countless others have suffered mightily for upholding the spirit of the 13th-15th amendments to the Constitution by breaking the unjust laws that were passed to subvert that spirit. Ask Myrlie Evers-Williams about that sometime. I believe she has lived in Bend off and on since her husband was assassinated in the driveway of their home in Jackson Mississippi.

More recently, and much less significantly, even a pro quarterback, Colin Kaepernick found himself blackballed by the NFL for “taking a knee” during the singing of the National Anthem prior to the start of 49er games as a protest against the violence inflicted upon black people in this country, particularly by the police. In this case he wasn’t even violating a law, he was violating a norm, an unstated policy, but that didn’t matter to the people who accused him of everything from being self-centered to unpatriotic. And now, a guy who led his team to the Superbowl just a few years ago can’t get a job anywhere in the NFL, which to this sports fan smacks of obvious collusion by the owners. Again, you don’t have to like Colin Kaepernick, which I do, and you don’t have to believe his protest was the right thing to do, which I don’t think it was, though the reaction to it by people who were trying to suppress him made that protest far more effective than it ever would have been otherwise. But like him, and his protest or not, we might notice that here again is a person who violated the letter in order to draw people’s attention to the spirit of the matter. And because of that he can’t get a job doing something he is manifestly good at.

There are countless examples of people in every generation who have noticed that the letter of the law at times creates hardship and injustice that violate the spirit of the law, and some of these people have drawn our attention to that truth by violating the letter in order to uphold the spirit. Most of the time they must pay a price, because most of the time these people are seen as

anarchists and subversives. And indeed, once in while they are subversives because what some who do this seek is not justice but power. But those who follow the example we see in Jesus today are not subversives, for they are pointing not to themselves, but to justice, compassion and mercy, just as Jesus did in today's story. And thus I hope we can see that at least once in while, the penalty people must pay for pointing to the spirit by moving beyond the letter is in fact the emblem of faith, and the sign of God's presence in this world.