

**Address given by the Reverend Cortland Fransella
at Evensong on Monday 13 May 2019 in the Chapel of St Peter ad Vincula**

Attended by members of the City of London Solicitors' Company

Readings: Exodus 32:1-14 and Luke 2:41-52

There are many questions that we might ask ourselves about the readings set for Evening Prayer this day. For all I know, you might have been asking yourselves some questions as you listened. Possible questions that might have occurred to you include the following:

- How many earrings does it take to make a golden calf?
- How did Aaron build a furnace hot enough to melt gold in the middle of nowhere?
- Were Mary and Joseph negligent in not noticing that Jesus was not with them until they had gone a day's journey from Jerusalem?
- How did Luke get the story about our Lord's disputations in the Temple?
- Does being a lawyer help you to appreciate the scriptures?

These are different sorts of question which have occurred to me at various times when reading these passages and they ought to provide you with sufficient evidence, as if you needed it, that I should get out more. Another question that might have been provoked by our reading from Exodus is, 'Did Moses have clean fingernails?' It says here: "Pause for effect and say it again." 'Did Moses have clean fingernails?'

I rather suspect that some of you will be some way ahead of me but, in order to ensure that nobody gets left behind here, I would refer you to Act I of John Mortimer's wonderful play, *A Voyage Around My Father*. John Mortimer's father (Herbert) Clifford Mortimer (1884–1961) was a divorce and probate barrister – but we won't hold that against him. In the play, when the young John Mortimer is wondering about a career in the law, his father says to him: 'No brilliance is needed in the law. Nothing but common sense, and relatively clean finger nails.' It's great but not entirely helpful. As advice to an aspiring young lawyer, we might fairly describe it as necessary but not sufficient.

But what, I hear you mutter, albeit discreetly, is the relevance to Moses? Well, I suggest to you that the passage from Exodus which we heard earlier contains a fine example of advocacy, which would please anyone engaged in litigation – or, if you prefer the United States usage – any trial lawyer. Picture the scene. Moses has been up the mountain receiving instructions from the Lord and Judge of all. He is blissfully ignorant of what is going on down at the foot of the mountain, where he left his brother Aaron in charge. As far as Moses is aware, the Israelites are all behaving themselves properly and just awaiting his return to receive divine guidance at his hands. God, of course, knows exactly what is going on down there and he tells Moses what they have been up to:

⁷ *And the LORD said unto Moses, Go, get thee down; for thy people, which thou broughtest out of the land of Egypt, have corrupted themselves:*

⁸ *They have turned aside quickly out of the way which I commanded them: they have made them a molten calf, and have worshipped it, and have sacrificed thereunto, and said, These be thy gods, O Israel, which have brought thee up out of the land of Egypt.*

⁹ *And the LORD said unto Moses, I have seen this people, and, behold, it is a stiffnecked people:*

¹⁰ *Now therefore let me alone, that my wrath may wax hot against them, and that I may consume them: and I will make of thee a great nation.*

Now, most people told by God to go down the mountain while he obliterated their clients might bow to the inevitable and set off down the hill, resigned to finding a smoking pile at the bottom and starting again with someone else to defend. But Moses did not do that. He stood his ground and argued the toss. He went straight into advocacy mode and put his case to God. Clearly, Moses was not just the one who brought down the Tablets of the Law: Moses was a lawyer. What is my evidence?

I think that I need hardly tell this august congregation that, when trying to get an unwelcome decision overturned, it is often best to avoid a direct confrontation with the judge and, instead, to find some unexpected, even tangential argument which puts the original judgment in a new light and allows that judgment to be, shall we say, amended without requiring the judge to admit any error. So, what does Moses do? Does he say, 'Please don't punish them, I am sure that they didn't mean it'? Does he say, 'You can't just go around zapping people and expect us to believe that you are a just God'? Does he say simply, 'I appeal to your mercy'? No, Moses adduces two different and unexpected arguments. First, he points out that, if God destroys the sinful Israelites, the Egyptians will say that God was never serious with all of that 'Let my people go' stuff. Moses implies that the Egyptians will laugh at God. Then, in case that argument doesn't clinch it, he takes a second, quite different tack. He points out that God had made a solemn covenant, had promised, had sworn, to Abraham, Isaac and Israel his servants that he would make of them a great people. Moses does not say, but leaves it implicit – like every good lawyer, he knows when to shut up – Moses leaves it implicit that, if God destroys the wicked Israelites, he will be breaking his own oath. // Now, strictly speaking, if God had carried out his threat and then made of Moses a great nation, it could be argued that he would still, in fact, have kept his oath. My own feeling is that God was well aware of this flaw in Moses's argument but that, above all, when he heard Moses's grounds of appeal, he admired his chutzpah. Most clients would agree that Moses had earned his fee. What was the result of his pleading? ¹⁴ *And the LORD repented of the evil which he thought to do unto his people.* Result! Appeal successful. Now we go to the Temple in Jerusalem where the 12 year-old Jesus is disputing with what Luke calls the 'doctors'. This, of course, means teachers of the Law. In the Bible, you are never far from lawyers. Now it is clear that the young Jesus has had no formal training in the Law, and yet his answers and his understanding amaze the learned men – and we can be sure that they were all men. This is an important passage in Luke's Gospel because it makes more than one significant point. Firstly, it shows that, at a relatively early age, Jesus evinced unexpected maturity. Secondly, it shows that, when later in the Gospel, our Lord challenges those who make too strict and unimaginative application of the Law, he knows of what he speaks. Thirdly, his words in reply to the anxious Joseph and Mary, when they find him, show that he was already aware of his unique relationship with God his Father. Fourthly, it shows that his nearest and dearest did not understand this at the time: '*And they understood not the saying which he spake unto them.*'

I suggest to you that, if you were to receive Luke's Gospel in the form of an affidavit, witness statement or some other legal document, you would examine it carefully in order to establish its veracity and reliability – not to mention its admissibility as evidence. You might reasonably ask how Luke knew all this stuff and what his sources were. As is often the

case, I suspect, the answer is there before us: *'but his mother kept all these sayings in her heart'*; *'but his mother kept all these sayings in her heart'*. On the principle of Occam's Razor, what is the simplest explanation as to how this story reached Luke – even if it had to go through two or three others before it reached him? Is it not most likely that the source was Mary herself, after the Crucifixion and Resurrection? Have you ever listened to a parent talking about their adult child's younger days? Have you ever listened to other people's tales of their offspring's scrapes and panics and the like? Doesn't this remind you of them? Of course, Mary and Joseph didn't notice that Jesus was missing until 24 hours after they left Jerusalem – in the extended family system of the day, they would reasonably have assumed that some cousin or other had him in charge, just as they might have had someone else's children with them themselves.

So they were not in any sense negligent – but that would not lessen their fright when they could not find him amongst their pilgrim band. I can just hear the elderly Mary telling and retelling this and other stories about Jesus to enthralled listeners, who never tired of the tales.

I come back to one of the questions that I started with: *Does being a lawyer help you to appreciate the scriptures?* I hope that I may have gone some way towards making the case that it does. So I leave you with the suggestion that a forensic, lawyerly turn of mind is very appropriate to the appreciation of Holy Scripture - and I wish you every joy in bringing your professional talents to bear on your reading of the Bible. Where I have to disappoint you, however, is in admitting that we shall never know, because of lack of even circumstantial evidence, whether or not Moses had clean – or reasonably clean - fingernails. Amen.