



Emor 2022

Pure Priorities

4 minute read | Straightforward

In the Torah's conception of a Jewish nation-state, ritual purity was a prominent element of daily life, and all people were to be mindful of their purity status at all times. The state of impurity makes people unsuited to specific activities and puts them at risk of contaminating sanctified foods and objects. A person in a state of impurity must undergo a predefined purification process that usually includes the passage of a specified amount of time.

Although we no longer practice most purity laws today, we still retain certain ritual immersion practices for our bodies or kitchenware as a legacy of these laws.

Traditionally, the stewards and supervisors of this body of law were the priests, the kohanim, who were expected to be knowledgeable and fluent in these laws. This knowledge was essential given their role in Temple service and year-round consumption of Terumah, the donated foods that only a kohen could consume while in a state of ritual purity.

The prime source of impurity within these laws is death; being near a dead person changes a person's status to ritually impure. The Torah's impurity doesn't neatly align with anything we can relate to today; it has nothing to do with hygiene or sin.

The Torah holds different people to different purity standards; most people can attend to the dead with no issue. Given that a kohen's life and work revolve around purity, it follows that a kohen's attending to the dead is more restricted; even today, a kohen may not intentionally come into contact with a dead body nor approach too closely graves within a Jewish cemetery, except for seven legally defined close relatives.

The Kohen Gadol was held to even stricter standards; he wasn't even allowed to contaminate himself to attend to a deceased parent.

Apart from the hierarchy of purity standards that exists for people, there is also a hierarchy of purity in time. Before Yom Kippur, the Kohen Gadol would isolate for seven days to attain the highest purity status and perform his duties on the year's holiest day. With these seven days of preparation, he could enter the Holy of Holies and perform the most sacred ritual of the year.

Purity plays a central and pervasive role in the Torah's conception of Jewish life, and yet in a landscape where purity is everything, there is a revealing exception. There is a law that obligates all



Jewish people to take responsibility for the burial of an unattended Jewish body; this obligation is almost absolute and takes precedence over the entire body of purity laws – מת מצוה.

Traditional burial is recommended in general to all humans as all are created in God's image – קַיִב – אָדָם שֶׁנִּבְרָא בְּצֶלֶם. Traditional burial is mandatory for Jews; other funeral rites including cremation are prohibited. The mitzvah of burial includes a component of urgency that for certain close relatives, nearly all positive obligations are suspended until after the burial has concluded to facilitate prompt burial. It is degrading to allow a body, which remains sacred even in death, to gratuitously lie idle and unburied – קָבוֹר תִּקְבְּרֶנּוּ בַיּוֹם הַהוּא כִּי־קָלֵלֶת אֲלֵקִים תְּלוֹי –

Every Jewish person must intentionally contaminate themselves to bury someone who has no one else; every kohen must as well, even though they are unrelated and would not otherwise be permitted to contaminate themselves if there were anyone else able to attend to the burial. The obligation to immediately bury the unattended dead is so compelling that it even obligates a Kohen Gadol on Yom Kippur.

The Lubavitcher Rebbe highlights this hierarchy of laws to reveal the Torah's sense of where human priorities ought to lie.

Even the holiest person, on the most sacred day of the year, about to perform his holiest and most core function, must roll up his sleeves and wade into someone else's mess and get their hands dirty; which is to say that no one is above serving others. It is a grave mistake to be too good for that; the Torah endorses that the correct decision under the circumstances is to forgo performing his duties on Yom Kippur and that the Yom Kippur service is subordinate to his duty to bury the dead.

The Lubavitcher Rebbe wonders if the Torah obligates all people to take responsibility for the unattended dead, what might it then ask of us concerning the living dead, people born Jewish and yet totally unaffiliated, cut off, and isolated from any trace of Judaism. While the analogy isn't precise, perhaps it's directionally accurate.

The Jewish People are a sanctified nation where all are called to serve – מִמְלַכֶת כְּהֲנִיִּים וְגוֹי קְדוֹשׁ –

But however holy or self-righteous you are or think you may be, the Torah demands that you get off your high horse, roll up your sleeves and get out there and attend to physical and spiritual orphans, people who don't have anyone else. If the Kohen Gadol encounters an unattended dead body on Yom Kippur, his role and duties are suspended entirely; his only responsibility is to help the person in front of him.

The Lubavitcher Rebbe's followers took this teaching to heart; pioneering heroes and their brave families moved across the globe to set up a Jewish presence worldwide. They stepped far beyond their comfort zones with enormous self-sacrifice out of concern for others.



It might be a bit much to ask that of yourself, but you don't have to move to the middle of nowhere to recognize that attending to the needs of others is one of the Torah's highest priorities. The Kotzker mocked the Tzaddik in pelts, a holy man in his fur coat. When people are cold, does the righteous man light a fire that warms others, or does he simply sit back in his comfortable coat sending thoughts and prayers for their wellbeing?

When God talks to Avraham about what it would take to save the people of Sodom, God's conception of righteous people worth saving is people who are out on the streets, engaging with and influencing their surroundings – צדיקים בְּתוֹךְ הָעִיר.

We don't live our lives with purity at the forefront of our minds. But the Torah consistently reminds us where the purity of our priorities must lie.

Caring for others is a core part of the spiritual life. A spiritual life that doesn't engage the world with acts of care and compassion towards others isn't spiritual at all.

Countdown

3 minute read | Straightforward

While the Torah tends to designate specific calendar dates for the Chagim, Shavuos is a notable exception. Shavuos was the harvest festival, but it also marks the anniversary of Sinai when the Torah was given to humanity. Yet the way the Torah conceives of it, it's not about a specific calendar date; it's all about the countdown:

וּסְפַרְתֶּם לָכֶם מִמִּחֲרַת הַשַּׁבָּת מִיּוֹם הַבִּיאָכֶם אֶת-עֹמֶר הַתְּנוּפָה שֶׁבַע שָׁבָתוֹת תְּמִימֹת תִּהְיֶינָה. עַד מִמִּחֲרַת הַשַּׁבָּת הַשְּׂבִיעִית תִּסְפְּרוּ הַמַּשִּׁים יוֹם וְהַקֶּרְבָּנִים מִנְחָה חֲדָשָׁה לַיהוָה – And from the day on which you bring the sheaf of elevation offering—the day after Shabbos—you shall count seven weeks. They must be complete: you must count until the day after the seventh week—fifty days; then you shall bring an offering of new grain to Hashem. (23:15, 16)

This count from Pesach to Shavuos is the mitzvah we know as Sefiras HaOmer. As the Sefer HaChinuch notes, standing at Sinai, there was an excellent reason to count the days to Shavuos; Moshe was gone, and they were supposed to wait for him to come back, and when they finished counting, they experienced Divine revelation. But when we finish the countdown, nothing ever happens. Shavuos is just an anniversary!

Our ancestors counted a Sefira to Shavuos so they could receive the Torah. Why do we count our Sefira to Shavuos, where nothing happens?



R' Yitzchok Berkovits observes that it is precisely correct to observe that nothing happens on the anniversary of receiving the Torah; because Torah isn't something that happens to humans – that was the one-time event. Since then, it's something humans have to work for, and that's why we count Sefira.

A birthday is just an anniversary, and an anniversary is just an anniversary. If you just wake up on the morning of your kid's birthday, nothing at all will happen. But what can make a birthday or anniversary incredibly special is if you put heart and thought into the days leading up to it. Did you order a cake, balloons, presents, and write cards? Plan a party, invite their friends, remind loved ones, book a table at their favorite restaurant, order their favorite treats? If you did some of those things, then instead of nothing happening, something extraordinary will happen; just another Tuesday will magically transform into a timeless feeling of deep love and happiness that will linger for a lifetime.

It might not be right to say that revelation at Sinai was the main event, and then the anniversary is just an anniversary. As the Kli Yakar notes, the Torah only ever refers to Shavuot by its agricultural component, and never for the commemorative anniversary aspect of Sinai; because the date that humans receive the Torah is specifically not located in the past – it's forever in the here and now. Quite arguably, it's more correct to say that Sinai was a thing that happened, but it's what we do with it now that is the main event.

So sure, Shavuot is just an anniversary; but Sefira is the effort we invest in the lead-up. If we think that Torah is something that just happens to us with no investment of effort or desire, we have fundamentally missed the nature of what the Torah asks of us. We have to search for it, desire it, and labor for it to become a part of us. It does not happen by kicking back to listen to a nice class or reading a good book.

If we believe that the Torah is ultimate wisdom, the handbook for making humans more human, the guide to living a good life, how badly do we want it? How lost are we without it? We know all too well how blind and stupid we can be, hurting ourselves and each other needlessly over the silliest nonsense. The Torah asks everything of us, yet returns everything richer and fuller. If we take it seriously, we can curb our worst excesses, draw out our finest qualities, honing and refining our character and personalities into the brightest fires that warm and light the lives of everyone we touch. But it's not the calendar date that anchors and orients us; because nothing happens; it's just Tuesday! It's our countdown that makes all the difference.

The sad reality is that even the best of us believe that just learning Torah improves our character by osmosis, but most of us know from lived experience that it doesn't; you actually have to put in the effort.



An Eye for An Eye Redux

4 minute read | Straightforward

One of the most bizarre and incomprehensible laws of the entire Torah was also one of the ancient world's most important laws – the law of retaliation; also called lex talionis:

עֵינַי תַּחַת עֵינַי שֵׁן תַּחַת שֵׁן יָד תַּחַת יָד רֶגֶל תַּחַת רֶגֶל: – An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot. (21:24)

The law of retaliation isn't the Torah's innovation; it appears in other Ancient Near Eastern law codes that predate the text of the Torah, such as the Code of Hammurabi. All the same, it appears three times in the Torah, and its words are barbaric and cruel to modern eyes, easily dismissed as unworthy of humane civilization.

People who wish to express their opposition to forgiveness, concession, and compensation, insisting on retaliation of the most brutal and painful kind, will quote “An eye for an eye” as justification, conjuring a vision of hacked limbs and gouged eyes.

This law is alien and incomprehensible to us because we lack the necessary context; we fail to recognize its contemporary importance to early human civilization.

The human desire for revenge isn't petty and shallow. It stems from a basic instinct for fairness and self-defense that all creatures possess; and also from a deeply human place of respect and self-image. When a person is slighted, they self-righteously need to retaliate to restore balance. It makes sense.

The trouble is, balance is delicate and near impossible to restore, so far more often, people would escalate violence, and so early human societies endured endless cycles of vengeance and violence. In this ancient lawless world, revenge was a severe destabilizing force.

This is the context we are missing. In such a world, societies developed and imposed the law of retaliation as a cap and curb violence by prohibiting vigilante justice and disproportionate vengeance. An eye for an eye – that, and crucially, no more. It stops the cycle of escalation, and tempers, if not neuters, the human desire for retribution. Crucially, it stops feuds from being personal matters, subordinating revenge to law and justice by inserting the law between men, a key political theory called the state monopoly on the legitimate use of physical force.

R' Jonathan Sacks observes that the same rationale underlies the Torah's requirement to establish sanctuary cities. The Torah inserts laws between the avenger and the killer, and a court must give the order. Revenge is not personal, and it is sanctioned by society.

This was familiar to the Torah's original audience. We ought to reacquaint ourselves with this understanding – the law is not barbaric and primitive at all; it's essential to building a society.



Even more importantly, our Sages taught that these words are not literal, and instead, the remedy for all bodily injury is monetary compensation. The Torah forecloses compensation for murder – לא תקחו – כופר לנפש רוצח. The fact the Torah chooses not to for bodily injuries necessarily means compensation is allowed. And since people are of different ages, different genders, and in different trades, with discrete strengths and weaknesses; mirroring the injury isn't a substitute at all, so paying compensation is the exclusive remedy, in a sharp application of the rule of law – there shall be only one law, equitable to all – משפט אחד יהיה לכם.

Before dismissing this as extremely warped apologetics, the overwhelming academic consensus is that no society practiced the law as it is written. Today, we readily understand that if we suffer bodily injury, we sue the perpetrators' insurance company, and the ancient world understood that tradeoff too.

How much money would the victim accept to forgo the satisfaction of seeing the assailant suffer the same injury? How much money would the assailant be willing to pay to keep his own eye? There is most certainly a price each would accept, and all that's left is to negotiate the settlement figure, which is where the court can step in. Even where the law is not literally carried out, the theoretical threat provides a valuable and perhaps even necessary perspective for justice in society.

It's vital to understand this as a microcosm for understanding the whole work of the Torah. There is a much broader point here about how we need to understand the context of the Torah to get it right, and we need the Oral Tradition to get it right as well. The text is contingent, to an extent, on the body of law that interprets and implements it.

Without one or the other, we are getting a two-dimensional look at the very best, or just plain wrong at worst. If we were pure Torah literalists, we would blind and maim each other and truly believe we are doing perfect like-for-like justice! After all, what more closely approximates the cost of losing an eye than taking an eye?! Doesn't it perfectly capture balance, precision, and proportionality elegantly? It holds before us the tantalizing possibility of getting divinely sanctioned justice exactly right!

But we'd be dead wrong. Taking an eye for an eye doesn't fix anything; it just breaks more things.

The original purpose of the law of retaliation was to limit or even eliminate revenge by revising the underlying concept of justice. Justice was no longer obtained by personal revenge but by proportionate punishment of the offender in the form of compensation enforced by the state. While not comprehensive, perhaps this overview can help us look at something that seemed so alien, just a bit more knowingly.

There's a valuable lesson here.

The literal reading of lex talionis is a vindictive punishment that seeks pure cold justice to mirror the victim's pain and perhaps serve as a deterrent.



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With our new understanding, compensation is not punitive at all – it’s restitutive and helps correct bad behavior. You broke something or caused someone else pain, and now you need to fix it – and you don’t have to maim yourself to make it right!

There is nothing outdated about the law of retaliation. It’s as timely as ever because we all break things. We hurt others, and sometimes we hurt ourselves too. Our Sages urge us to remember that one broken thing is bad, and two broken things are worse. We can’t fix what is broken by adding more pain and hope to heal.

Taking it further, there is a wider lesson here as well.

In seeking justice for ourselves, we needn’t go overboard by crushing our enemies and hearing the lamentations of their women. We can and should protect ourselves and our assets, but we needn’t punish our adversaries mercilessly such that they never cross us again. In a negotiation, don’t squash the other side just because you can. It’s about making it right, not winning. Channeling the law of retaliation, don’t escalate. Think in terms of restitution, not retribution.

Do all you must, sure, but don’t do all you could.

The Clothes Make the Man

5 minute read | Straightforward

From all over the world, Jews would come to the Mishkan and Beis HaMikdash for spiritual healing and engagement with the divine transcendence. Offering services far beyond the regular public programming and sacrifices, the Kohanim, the priests on duty, would attend to people’s private spiritual needs, helping them bring sacrificial offerings to find atonement or thanksgiving, whatever their personal circumstances.

The Torah describes a plain and simple uniform that all on-duty Kohanim would wear: linen shorts with a matching long-robed shirt, with a belt and turban.

The uniform was deliberately modest and minimal, but like all dress codes, uniforms pose a challenge. The way we choose to dress is a form of self-expression; doesn’t imposing a uniform dress code stifle individuality and human freedom?

To be sure, clothing is an essential form of self-expression, and self-expression is vital to emotional growth and wellbeing. We use freedom of expression, including clothing choice, to cultivate the ability to make all manner of choices about how we express ourselves, an integral part of learning a wider responsibility for our choices and healthy personal development in general. If you’ve ever seen a child put up a big fight about getting dressed, you’ve seen just how important it is, emotionally speaking, to



be able to control your own outward appearance as part of being in control of your identity. There should be no question that you can definitely tell something about a person as reflected in how they dress. While imprecise, it's directionally accurate.

Yet, be that as it may, the nature of a public-facing service job is that you have to check yourself at the door somewhat. There's plenty of time for self-expression, but it might not be the right moment to express yourself in all your fullness when a client or patient requires your advice and compassion.

Humans have certain behaviors hardcoded into our biological makeup – we make snap judgments from very thin slices of information, including the conclusions we draw from the way someone dresses. These are powerful drives, and we'd be lying to ourselves if we thought we could suppress subconscious instincts; they are sub-conscious. So while there are plenty of highly successful or learned people who avoid formal wear on principle and achieve incredible heights wearing gym clothes and flip flops; the fact remains that when you're trying to impress, regardless of your merits, everyone knows you're better off in a suit than pajamas.

How someone dresses is, of course, not a reliable or proper way to judge a person at all, but the fact remains that appearances matter. If you're sitting in the emergency room with a troubling health concern, it might throw you off a little if the doctor walks in with ripped jeans and spiky chains over a tank top. He's still the same doctor whether in scrubs or a clown costume, but what that means then, is that scrubs aren't just for the doctor; the scrubs are also for you.

When you're at the hospital, and you see someone in scrubs in the hallway, you instantly know an incredible amount of relevant and useful information about that person – they work at the hospital, they know their way around the building, they know a lot about health and the human body, they can direct you where you're trying to go. But most importantly, you know they're there to help you; the hospital dress code utilizes nonverbal communication to foster a sense of comfort and gravity that helps patients and their families feel comfortable and at ease, all before a single word needs to be said.

And it's no different for spiritual health and wellbeing.

The Torah mandates a simple dress code for on-duty Kohanim, consisting of a plain and simple uniform, spirit scrubs if you like, out of concern for the weary and troubled souls who came from far and near.

Dress codes are effective. Dress codes work. While it's not an absolute and immutable law, it is a pretty good rule of thumb, a heuristic that primes us to act a certain way. And to be sure, what we're discussing is absolutely superficial – the textbook definition, in fact – but that's human nature and psychology; we have a strong bias and inclination towards the superficial. The way you present yourself matters.

Dress codes level the playing field by peeling away the distractions, removing barriers to people getting what they need. Uniforms aren't intimidating in the way fancy clothes are; uniforms aren't



off-putting the way old, raggedy clothes are. Everyone on duty appears equal, at least in an outward sense. Uniforms also create a psychological bond, building a group identity that motivates individuals to do more; you see this in the military, police, school, and work. It can help engender feelings of support: you see others working with you, and you recognize that they aren't just doing it as individuals for personal reasons. When you are servicing the public, it is not about you because you are specifically not representing yourself. Tellingly, the uniforms were procured with public funds and owned by the Beis HaMikdash endowment.

There is nothing inherent about dress codes or uniforms that makes you better at what you do for wearing those clothes, but the fact you're wearing them signals, at least to some people, that you're willing to put them first. And even if you don't personally think that's true, it is still a reason somebody else might think is true, and that's reason enough.

Like other uniforms, the Kohanim's uniform conveys information and fosters comfort and security, setting the tone for a meaningful and high signal interaction with spiritual seekers. But like a doctor in scrubs, the dress code is only skin deep.

It's important to stress that appearance isn't everything – far from it. No two doctors or people are the same, even though they may wear the same uniform. They each have different personalities and sensitivities, and assuming a basic threshold of competency; they distinguish themselves with their bedside manner – what they're like to interact with. Our Amida also has a uniform structure, morning, noon, and night, Sunday through Friday, yet no two prayers are alike – the feeling we invest in each word is different each time. R' Shlomo Farhi highlights that even as similar as the Kohanim's uniform was, each set of clothing still had to be tapered to the contours of the wearer's body, with no loose fabric. No two people are alike, and even two conversations with the same person aren't alike; uniformity doesn't mean homogeneity, common form is not common substance.

Shakespeare wrote that the clothes make the man, but if that's a little wide of the mark, it's probably correct to say that the clothes set the tone. In your own house, in your yard, or the office, do whatever and be whoever you like. Who's to say otherwise? But in other-facing, client-facing, or public-facing positions, you should be mindful of how you look to people who don't know to give you the benefit of the doubt. Plenty of major companies have relaxed dress codes for non-client-facing positions, but you can be certain that the client-facing positions are suited and booted!

The value articulated by a dress code or uniform policy is that while they may not help everyone, they seem to provide substantial benefits to portions of the population disadvantaged in certain contexts.

So perhaps dress codes don't compromise individuality or self-expression at all; maybe they curb the outermost and superficial part of ourselves, and that's the part we can afford to sacrifice for other people's comfort in public service.



Thought of the Week

The difficulty is not an interruption to spiritual growth, it is the very site of spiritual growth

– R' Joey Rosenfeld, @jorosenfeld

Quote of the Week

“For it is the duty of the human understanding to understand that there are things which it cannot understand, and what those things are.”

– Søren Kierkegaard

I present TorahRedux l'ilui nishmas my late grandfather, HaGaon HaRav Yehuda Leib Gertner ben HaRav HaChassid Menachem Mendel.

I hope you enjoyed this week's thoughts. If you have questions or comments, or just want to say hello, it's a point of pride for me to hear from you, and I'll always respond. And if you saw, heard, read, or watched anything that spoke to you, please send it my way - Neli@TorahRedux.com.

Neli

PS If you liked this week's edition of TorahRedux, why not share it with friends and family who would appreciate it?

Redux: *adjective* – resurgence; refers to being brought back, restored, or revived; something familiar presented in a new way. Not to see what no one else has seen, but to say what nobody has yet said about something which everybody sees.