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FROM THE 2018 WOMEN'S WINTER BREAK BEIT MIDRASH: ISSUES OF KAVOD

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Thank you to the amazing group of young women I had the privilege to learn with in WWBM this week!

Here's a taste of the Torah we learned, as part of our morning seder on issues of kavod. (Afternoon seder covered responsa on the "Heter Meab Rabbonim", and night seder covered various aggadot.)

Mosheh Rabbeinu "hides his face" the first time G-d appears to him, because his *yir'ab* prevented him from gazing at the Divine. Is this *yir'ab* praiseworthy, or blameworthy?

The Talmud and midrashim record opinions both ways. This dispute can be framed in terms of the definition of the word *yir'ab*. *Yir'ab* can mean either "fear" or "reverence". Perhaps we see Mosheh's action as blameworthy if it was motivated by fear, but praiseworthy if it was motivated by reverence.

One might contend that in this framing there is no theological dispute; the issue is only factual, what was Mosheh Rabbeinu's motive. But it is also possible that the underlying question is whether reverence would explain Mosheh's action. One side assumes that reverence is properly expressed by hiding one's face; the other assumes that this would be highly irreverent, so Mosheh's action can only be explained on the basis of fear.

In many hierarchical societies, it is considered impertinent for people of lower social status to volitionally look their "betters" in the eyes. "Hiding one's face" is a gesture of subordination. But in the same societies, *ordering* the "inferior" to "look you in the face" can be a gesture of total domination, and refusing such an order is a gesture of independence that defies rank.

This suggests that the right to privacy is a fundamental component of social standing. "Betters" have the right to presume that "inferiors" will not violate their facial privacy; and they have the right to violate the facial privacy of "inferiors" at will.

In this light, we can understand Mosheh Rabbeinu's "hiding his face" in two very different ways. Was he trying not to look at G-d, or trying to keep G-d from seeing him? The first would be praiseworthy, the second blameworthy.

We can also suggest in a Kitzker vein that the only way to see G-d is in your own *tzelem Elokim*, so that resistance to Divine Revelation is always at core resistance to truly seeing yourself, or to seeing yourself truly.

It is also the case that absolute privacy is a negative. Living with absolute privacy means living without genuine relationship. If no one *wants* to look you in the face, ordering them to do so cannot solve this problem.

Mishlei 25:2 seems to exacerbate this tension by describing both privacy and exposure as aspects of *kavod*, or dignity/honor:

כבוד א-להים הסתר דבר
וכבוד מלכים חקר דבר

*The kavod of Elokim is the concealment of things
but the kavod of kings is the investigation of things.*

The question is why *kavod* functions differently for G-d and Man. Alternatively, we might contend that the difference is one of emphasis or degree, and that both privacy and sharing are essential elements of all *kavod*.

A dialectical framing of this position may emerge from Tehillim 45:14:

כל כבודה בת מלך פנימה
ממשבצות זהב לבושה

All the glory of a princess is within

Her raiment is greater than/ from among those of embroidered gold

Embroidered gold garments inevitable bring to mind the High Priest's resplendent uniform, and the Hebrew word *penimah* similarly alludes to the High Priest's entry "*lifnei velifnim*", into the Holy of Holies, on the Day of Atonement.

The problem is that the High Priest does **not** wear his golden clothes at that point; rather, he changes into plain white. Thus the princess represents the High Priest at a higher level than when he is wearing gold.

It is vital to recognize that in this reading the princess is not praised for *remaining* within, or for isolating herself from other people. Rather, she is praised for *achieving* the inner sanctum. In other words – the *kavod* of the princess stems from her capacity to share intimacy with G-d, not from her ability to avoid relationships with human beings.

Rav Soloveitchik argues that *kavod* is a function of self-determination. This generates his radically original position that technological progress is a religious good not because it reflects better understanding of G-d's deeds, but rather because it increases the overall dignity of the human race. Integrating his idea into the schema above we can say that on the deepest level *kavod* is about the capacity to be self-determining in relationships, in terms of both avoidance and entrance. Avoidance, however, can often be achieved by raw power. Entry requires the genuine consent of the other party.

Thus far a philosophic and Biblical analysis. Can this idea be integrated into halakhic treatments of *kavod*?

Halakhah ascribes *kavod* to a wide variety of things, ranging from individual people to informal groups to formally constituted congregations to mitzvot to Torah itself. The *kavod* of one can conflict with the *kavod* of another. Conflicts between human and Divine *kavod* seem likely to be philosophically productive.

A sugya on Yerushalmi Berakhot Chapter 3 can be understood as an extended meditation on this issue. For what purposes can a *kohen* violate the prohibition against contracting corpse-*tum'ah*? Let us take as given that they can do so for the sake of burying relatives, and for burying a corpse that would otherwise lie unburied (*meit mitzvah*). What other grounds might suffice?

Two aspects of the sugya become rapidly clear. The first is that none of the extensions are justified on the basis of Biblical prooftexts. The second is that many of the possible extension are explicitly framed as “for the sake of *kavod*”, and it is possible that all of them can be understood in terms of *kavod*. In other words, there seems to be an underlying intuition that *kavod* is a ground for overriding this specific halakhah. What is less clear is whether *kavod* serves here simply as an example of a halakhic prohibition, or rather that this particular halakhah is especially susceptible to being overridden for the sake of *kavod*.

We might be able to *lomdishly* frame the issue as follows. Rabbi Soloveitchik noted that a *kohen* **must** become *tamei* at the burial of a close relative, whether this is physically necessary for the burial or not. By contrast, he **may** only become *tamei* for a *meit mitzvah* if necessary for the burial. He argues in consequence that the actions have different significance. For a *meit mitzvah*, becoming *tamei* is an accidental feature of the obligation to bury. For a relative, becoming *tamei*, in other words surrendering one's capacity to perform priestly functions in the Temple, is a necessary component of mourning.

This formulation may shed light on two issues raised in the Yerushalmi.

The first is that, on the assumption that kohanim may become *tamei* at the funerals of their teachers, can they eat meat and drink wine before the burial? In other words, can they become *tamei* only if all the obligations of close relatives, in other words only if they regard themselves genuinely as their teacher's sons?

The second is whether, on the assumption that kohanim may become *tamei* at the funeral of a *nasi*, whether they can also become *tamei* at the funeral of a *nasi*'s sister. One might think that the idea makes sense only if we extend the “member of the family” conceit even further. However, the Yerushalmi explains it on the basis that “the rabbis made her the equivalent of a *meit mitzvah*”.

The underlying conceptual framework here may be that there are two types of *kavod*, one which stems from specific relationships, and the other which stems from the need to give *kavod* to humanity per se. Moreover, it may be that the *kavod* of humanity per se is ultimately about the need to maintain one's own dignity – no man is an island, and the loss of *kavod* for one – especially when that loss occurs in a generic fashion, such as death – is a loss of *kavod* for all. Similarly, the *kavod* of a public figure is actually the *kavod* of their constituents. The *kavod* of a teacher, by contrast, can be understood either as honoring one's own Torah heritage, or else as a genuine recognition of the value of another.

Today – the last day of the program – we'll see whether these frameworks are helpful in the context of the mitzvah of *kibbud av vaeim*. Stay tuned, and Shabbat shalom!