

You Shall Be Holy – Kedoshim 5782

There is a famous joke about two men, Goldberg and Schwartz, who are walking to synagogue. They are stopped along the way by someone who asks them where they are going. They casually tell the man that they are both on their way to synagogue.

The man responds, “Goldberg, I know why you go to synagogue. You believe in God.” Then he adds, “But Schwartz, you don’t believe in God, why are you going?”

Schwartz responds, “Goldberg goes to synagogue to talk to God, and I go to synagogue to talk to Goldberg.”

This week’s parashah begins with the instruction to Moses to give to the whole Israelite community: You shall be holy, for I, the LORD your God, am holy. קְדוֹשִׁים תִּהְיוּ כִּי קְדוֹשׁ אֲנִי יְהוָה אֱלֹהֵיכֶם:

When we hear this, do you feel like Goldberg, or like Schwartz who goes to synagogue to talk to Goldberg?

It’s a challenge to think on what it is to be holy. We might conjure up mental images of what seems unattainable. What is holiness anyway? In the Hebrew, the word is *kadosh*, which has the meaning holy, but also, separate, set apart.

When a couple is married, *kiddushin*, in Hebrew, they are set apart from all others, and sanctified to one another.

I think that for us in practical terms, it is to see our lives in this world as being in partnership with the Divine, and therefore, to bring healing and justice to the world we live in, and growth in our own ethical behavior.

That itself is a large ask. Our Torah though, on inspection of the phrase, *kedoshim tehiyu*, You shall be holy, implies not that we shall just be that way, or are that way – but rather, that we have the potential to become holy. We have the potential to be partners with God, we have potential to bring healing and justice to the world, and we have potential for growth in our own ethical behavior.

This is not easy, nor is this automatic. Being Jewish is not simple, and the questions we ask are often profound, and often require a nuanced answer. I am often suspicious of answers to profound questions that are answered simply and easily. You have likely heard the joke that rabbis can never give a single answer to a question – rather, there are three answers – or five!

It was still fairly early in the morning this past Tuesday when texts – first from my family, began to ask, what is the Jewish view on abortion?

I have given classes on Jewish Ethics and Jewish Medical Ethics, each class taking two hours, including the class on Jewish views on abortion, with two hours being not enough time, and much to discuss and consider.

But given the weight of this issue, I want to convey with some clarity and appropriate nuance, to a few things that we should know.

First, two important concepts are taught in the first chapters of Genesis, one is that we are made in the “image” of God and two, that each of us contains the “breath of life” breathed into us from God. Therefore, life and the protection of life is sacred in Judaism. Each one of us is unique and irreplaceable, each of us are that unique combination – a physical being – we are of the earth, and a spiritual being, of the Divine.

An additional concept is important to note in Jewish life. When we left Egypt and made it to Mount Sinai, we did not receive “rights” - instead, we received instructions, responsibilities, duties and obligations.

Today we see playing out in our country, a battle between two “rights” - the right to life, and the right to choose. When we see this as a competition between these two, there is no solution.

Viewed through a Jewish lens, we have instead, what Rabbi Jonathan Sacks z”tl, called a conflict of duties.

He continues: A conflict of duties ...is something with which we are familiar on a daily basis: a doctor’s duty to her patients, for example, and her duty to her family. How much time do we spend on the one as against the other? We juggle with such competing claims all the time. They are not easy, but they

are not insoluble. That is why abortion is better seen, as it is in Jewish law, as a conflict of duties to the mother and to the unborn child, in Jewish law, as a conflict of duties to the mother and to the unborn child.¹

The current debate is marked by many who consider abortion equal to murder, but that is not the Jewish view. Let us examine where all this comes from – two verses in Exodus. First let us examine the Jewish perspective, and then proceed to what that means for us, and then, how it developed in Christianity. The verses in Exodus read as follows:

If men who are fighting hit a pregnant woman and she miscarries but there is no serious injury (ason), the offender is to be fined whatever the woman's husband demands and the court allows. If, however, there is serious injury (ason), you are to take life for life. (Exodus 21:22–23)

This passage shows that causing the death of the fetus is not the same as causing the death of a person. The first verse states that if the fetus dies, there is a monetary fine. The second verse states that if the woman dies, the offender is guilty of a capital crime. The death of the fetus, though wrong and forbidden, is not homicide, because the fetus is not a person.

In his lecture, Rabbi Sacks made it clear that we have duties to the fetus, and with few exceptions, Jewish authorities will not permit abortion. However, because the fetus is not a person, our duties to the fetus may be overridden by our duties to an actual person, namely the mother. Abortion is therefore permitted in some cases to protect her health. The Reform movement's responsa on this issue include the duty to care for the mother's physical health and her mental health. In all cases, it is a case-by-case judgement, and not to be taken lightly.

Of great historical interest, however, is that the Septuagint – the translation of the Hebrew Bible into Greek in the third century BCE – renders the word *ason* not as 'casualty' or 'serious injury' but as 'form.' This gives a completely different meaning to the passage. The first verse, in which there is compensation, refers to the miscarriage of an 'unformed' fetus. The second,

¹ From the Samuel Gee Lecture, published June 1, 2019, by Rabbi Jonathan Sacks

which speaks of a capital crime, refers to a ‘formed’ fetus, in other words one sufficiently developed to have a recognizably human shape. This, then, is the source of the teaching of the Church, ... that at a certain stage the fetus is a person and that then abortion is a form of homicide.²

I believe that rather than discussing this as a battle of “rights” - that instead, we view this as a deep consideration of our duties to the unborn and our duties to the mother. In our view, the Jewish view, Jewish law states that when the mother, who is an actual person, is endangered, our duty is to her.

We can now clearly see that there are two religious viewpoints at odds here. One view is that life begins before birth, and some say at conception, and the Jewish viewpoint, which is that the fetus attains the full status of a person at birth, when the head emerges.

It is my prayer that those who do not yet understand the nuance of the Jewish perspective, do so, as severe restrictions on abortion can impede our religious duty to a woman carrying a fetus in her womb that threatens her health, physical and mental health. As we move forward with this understanding, I pray that we do so with clarity, compassion, and clear-headedness. We must treat this issue with a mind towards the sanctity of life, mindful of competing duties, and striving for understanding and justice.

Our Torah teaches us “love your neighbor as yourself.” While just this phrase merits much commentary, I like to remember the words of my teachers: the Torah was given to us to make of each of us a mensch – that is, the Torah was given to us to teach us how to get along. Perhaps this is a clue as to what it means to strive to be holy. As Hillel says, “That which is hateful to you, do not do to another. That is the whole Torah. Now go and study.”

Shabbat shalom,

Rabbi Lisa Bock

² ibid