**THOUGHTS ON THE PARASHAH**

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**Live by the Commandments**

Leviticus 18:1-5 is a preamble to the list of forbidden marriages.  God warned the Israelites that upon their entry into the Promised Land they must not imitate the licentious ways of the Egyptians, among whom they had dwelt for centuries.  One can read the final verse of the preamble either as being exhortative or as vouchsafing reward for compliance: “You shall keep My laws and My rules, by the pursuit of which man shall live; I am the Lord (18:5).”

The most famous exegetical interpretation of וחי בהם, “you shall live by them,” is Rabbi Ishmael’s.  He limits the obligatory (or even legitimate) circumstances for martyrdom.  If a Jew is under duress, to the extent of a threat to his life, to violate one of the commandments, in most instances he should capitulate to the demands of his heathen oppressor and perform the forbidden act.  Leviticus 18:5 was understood to mean that we are to *live*by the commandments, not die because of unwavering adherence to them.  The only exceptions to this rule are the three cardinal sins of idolatry, incestuous or adulterous fornication, and murder (Sanhedrin 74a).

The notion that high-level prohibitions are inviolable even in the face of a death threat would seem to be an important halakhic detail dating back to the earliest phases in the development of Israelite jurisprudence, if not to Moses himself.  In fact, however, the ruling that one must submit to martyrdom only for idolatry, fornication, and murder was reached late in halakhic history, at a meeting in the upper chamber of Nitzeh at Lydda during the Hadrianic persecutions of the 130s CE.

From an historical perspective, this chronology is quite sensible.  The travails of the Israelites during the Biblical period involved the diminution of their political status and did not typically include gentile suppression of Israelite religious observance.  Antiochus IV Epiphanes (167 BCE) was the first heathen overlord to attempt to extirpate the practice of Judaism.  The Apocrypha tells stories of heroic Jewish martyrdom in response to Hellenistic pressure to violate ancestral traditions.  The elderly scribe Elazar lost his life in gruesome fashion on a torture rack for his refusal to eat swine’s flesh (II Maccabees 6:18-19).  A mother and her seven sons willingly sacrificed their lives rather than transgress the dietary laws (7:1-2).  After the concordat between the Jews and the Seleucid regime in 163 BCE, there were no further attempts to destroy Judaism.  Under Roman rule, Judaism was a *religio licita*, remaining lawful even during the Great Revolt of 66-70 CE.  Not until the aftermath of the Bar Kokhba revolt (135 CE) did the practice of Judaism by individual Jews become, under Roman law, a capital offense.

Academic scholars debate why the second century sages felt the need to codify the rules of martyrdom.  One theory is that too many Jews, in admirable devotion to faith, were dying.  The concern was that Jewish *uber*-piety would tragically destroy the Jewish people or dramatically damage its demographic strength.  Accordingly, the decision was taken that a Jew should not sacrifice his life except to avoid the most egregious of sins.  An opposite theory, in effect, is that Jews were all too willing to cast aside their religious scruples to save their lives.  In consequence, the sages felt it necessary and appropriate to demand that, in at least a limited number of instances, Jews were required to sanctify the Name of God and show allegiance to their heritage by giving up their lives rather than committing an extreme moral or theological sin.

The first theory is supported by a Midrashic passage that reports Jews being crucified by the Romans for circumcising their children, eating matzah, waving a lulav, reading Torah, observing the Sabbath, dwelling in a sukkah, wearing phylacteries, donning fringes, etc. (Mekhilta d’Rabbi Ishmael Yitro Bachodesh 6; see also Leviticus Rabbah 32).  The second theory is supported by a story involving disciples of Rabbi Joshua.  They changed their attire so that they would not be recognized as Torah scholars by the authorities.  A Roman officer did recognize them and castigated them for their half-measure.  In his view, either they should apostasize or they should stick to their cultural practices and accept death.  They responded that they were prepared to die for the sake of Judaism if absolutely necessary, but that it is against human nature to be suicidal or needlessly to expose oneself to mortal danger (Genesis Rabbah 82:8).

Regardless of the sages’ motivation in codifying the rules of martyrdom, Rabbi Ishmael’a exegesis cannot be regarded as the plain meaning of Leviticus 18:5.  The same can be said about the Amora Samuel’s use of Leviticus 18:5 to permit the performance of labor on the Sabbath to save human lives (Yoma 85b).  The sages never doubted that the Sabbath laws are waived when tending to the medical and physical needs of dangerously ill patients.  But they struggled to find a compelling Scriptural basis for that leniency.  Samuel bombastically touted the superiority of his prooftext over those proffered by Tannaim.  But, in truth, the exegesis he borrowed from Rabbi Ishmael is more homiletic than legalistic.  As the Jewish Study Bible notes, “rabbinic law introduced a legislative import into an originally non-legislative phrase.”

Onkelos rendered the verse to mean, “If you keep my statutes, you will thereby earn eternal life.”  Pseudo-Jonathan adopted the same translation, while adding, “Your portion will be among the righteous.”  It is not surprising that Targumim influenced by rabbinic theology insert into their translations of the Pentateuch references to the afterlife.  But this, too, cannot be the plain textual meaning, since the Pentateuch speaks only of life in this world.  וחי בהם might very well connote divinely conferred reward for those loyal to God’s precepts, but that reward must have some earthly manifestation.

Rashbam’s interpretation appears to be correct.  18:5 is to be contrasted with 18:29.  The former verse sets forth the reward for compliance; the latter verse warns of dire consequences for those who breach the holiness regulations.  וחי בהם, then, is the antithesis of כרת.  *Karet*, sometimes translated as “spiritual excision,” is understood in rabbinic literature to mean early death at the age of fifty (MoedKatan 28a).  In this view, Leviticus 18:5 takes on the same meaning as a verse recited twice daily in the Shema: “To the end that you and your children may endure, in the land that the Lord swore to your fathers to assign to them, as long as there is a heaven over the earth (Deuteronomy 11:21).”  Piety, according to Scripture’s promise, leads to earthly longevity.

Rabbi David Zvi Hoffmann offered a moralistic interpretation of Leviticus 18:5.  Only through fealty to God’s law can one gain true life.  The life of the evildoer is not really life.  In the Midrash, Rabbi Simon asserted that the wicked are considered dead even while they are still alive.  “The wicked man writhed in torment all his days (Job 15:20).”

Rabbi Meir noted that Leviticus 18:5 addresses the promise of life to אדם, “man” in the most general sense of the word.  He claimed that even a gentile, who delves into the study of Torah, can achieve a lofty spiritual status on par with the High Priest of Israel (Baba Kama 38a).  All of humankind, not just the Israelites, are bidden to behave appropriately and to refrain from entering forbidden unions and engaging in deviant sex practices.  Those heathen societies who excel in the moral realm are blessed with life.

Chief Rabbi Hertz emphasized the words of British theologian William Inge: “No country was ever strong in which the sanctity of family life and the value of personal purity were not upheld and practiced.”  We Jews live in a gentile society and a gentile world, in which other religions continue to gain adherents world-wide.  At the same time, in lands where most of world Jewry lives (that is, the United States, Israel, and Western Europe), there has developed a decided trend in the last thirty years, now seemingly accelerating, to eliminate cultural taboos of long duration.  Immodest, coarse, vulgar, and indecent behavior and verbiage has become the norm, not just on television and in the movies but even in public discourse and in the actions and statements of public figures.

Jews must vigilantly adhere to our own code of moral conduct.  Daniel Patrick Moynihan referred to the coarsening of behavioral norms as “defining deviancy down.”  Jews must never be party to that process.