

## Sefer VaYiqra

פְּרָשַׁת אַחֲרֵי מוֹת-קְדוּשִׁים

Parashat 'Achare Mot-Qedoshim

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### The Religious Imperative to Protect the Child

Shabbat Shalom! What a privilege to be here and to offer words of Torah on behalf of and as a member of our Child Protection Committee here at the Hebrew Institute. My theme for this morning is the religious imperative to protect children. I hope to introduce that theme by quoting the writings of Janusz Korczak, then try to demonstrate that this imperative provides the theological foundation to today's *parashat*, *parashat kedoshim*, and then conclude by returning to Korczak.

*A big city, high mountains, a tall tree--these are impressive. We say:*

*--A big deed, a great person*

*A child is small and doesn't weigh much. There's less of him, too. We have to bend down, lower ourselves to him.*

*Even worse--the child is weak. We can lift and hold him with ease, sit her down against her will, restrain her from running, frustrate his effort.*

*No matter how often he misbehaves, the adult has a reserve of strength to use against him.*

*I say:*

*--Don't go, don't move, move away, give it back.*

*The child knows that she has to obey. How often does he make an effort before he understands, gives in, and finally surrenders?*

*A feeling of powerlessness summons respect for strength; anyone, and not just an adult, but anyone older and stronger can brutally express dissatisfaction, back up demand with strength and exact obedience: anyone can injure with impunity.*

*We teach indifference toward the weak by our own example....*

*(Janusz Korczak, The Child's Right to Respect)*

These words were written by Dr. Janusz Korczak, the pen name of Henryk Goldszmit (22 July 1878 or 1879 – 7 August 1942), was a Polish-Jewish educator, children's author, and pedagogue known as Pan Doktor ("Mr. Doctor") or Stary Doktor ("Old Doctor"). After starting to work in the great orphanage of Warsaw in 1912, (he ran two orphanages: a Catholic orphanage and the

Jewish orphanage), he refused sanctuary repeatedly and stayed with his orphans when the entire population of the institution was sent first to the Warsaw ghetto in 1940, and then from the Ghetto to the Treblinka extermination camp, during the Grossaktion Warsaw of 1942. During his career, amongst his many accomplishments, was a nationally broadcast radio program throughout Poland offering advice to new mothers, and the first and only national children's newspaper, written and distributed exclusively by children throughout Poland. These activities were banned with the Nazi invasion of Poland in 1939.

In this quote, Korczak describes, with acuity, the ways in which the language we use privileges power, and how power then becomes, unconsciously, the seemingly benign, normative foundation upon which we build our relationship to children. Nothing could be more ominous for Janusz Korczak, because the disproportional power embedded in a relationship threatens one's fragile, vulnerable, intrinsic dignity as a human being.

Lest anyone misunderstand Korczak's pedagogic world view and conclude that he did not believe in limits, boundaries and consequences for misbehavior, let me set the record straight. He ran the orphanage in the Warsaw ghetto with an ombudsman committee and a child court. Anyone in the orphanage could accuse anyone else of wrongdoing according to the by-laws and mission of the orphanage, and the accused would stand trial and abide by the ruling of the child court. Korczak himself stood trial on three different occasions for accusations made against him by different members of the orphanage community.

But he was primarily concerned with the abuse of power and its corollary, the loss of dignity and self-respect. This was the central concern here at the HIR community that motivated the Board of Trustees to mandate the formation of a child protection committee, and to entrust that group with the task of articulating policy. That policy would raise consciousness and guide

us to implement procedures for ensuring that our environment--the building and interactions between people--would be safe for children.

The potential for abuse when there is disproportional power between parties runs consistently through *parashat Qedoshim*, forming a leitmotif thickly embedded in the language of what might otherwise appear to be a random, disjointed collection of cases.

The *parasha* opens with just this theme:

<p>2 Speak unto all the congregation of the children of Israel, and say unto them: Ye shall be holy; for I the LORD your God am holy.</p>	<p>ב דַּבֵּר אֶל-כָּל-עֵדַת בְּנֵי-יִשְׂרָאֵל, וְאָמַרְתָּ אֲלֵהֶם--קְדוֹשִׁים תִּהְיוּ: כִּי קְדוֹשׁ אֲנִי ה' אֱלֹהֵיכֶם.</p>
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Rashi interprets the thrust of *qedoshim*--sanctify yourselves, build a life dedicated to God's expectations for humanity--and he says:

<p><i>Be holy</i>--in other words, "separate yourselves from sinful sexual encounters, for indeed, whenever the Torah teaches us to sanctify ourselves, the context includes setting limits and boundaries, particularly in matters of sexual abuse.....</p>	<p>קְדוֹשִׁים תִּהְיוּ - הוּו פְרוֹשִׁים מִן הָעֲרִיּוֹת וּמִן הָעֵבִירָה שֶׁכֵּל מְקוֹם שֶׁאַתָּה מוֹצֵא גֵדֵר עֲרוּהָ אֵתָּה מוֹצֵא קְדוּשָׁה ...</p>
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The rest of the reading then includes many examples of vulnerability and the potential for the abuse of power, the Torah then requiring restraints, limits, and boundaries to protect the weak from the abuses of the strong. Listen to these examples:

The first mitzvah, after admonishing once again against the lure of idolatry (verses 4-8), the Torah instructs us to leave food for the poor (19:9-10):

<p>When you harvest your grain, do not cut the edges of the field, and when you gather your harvest, do not pick up the grain that was left. Same for your vineyards. Leave this produce for the poor to come and gather for themselves. Do not abandon the poor, for I am the Lord</p>	<p>ט וּבְקַצְרְכֶם אֶת-קִצְרֵי אַרְצְכֶם, לֹא תִכְלֶה פְּאַת שְׂדֵךְ לְקִצְרֵךְ; וְלִקְט קִצְרֵךְ, לֹא תִלְקֹט. י וְכִרְמֶךָ לֹא תַעֲוִלֵל, וּפְרִט כִּרְמֶךָ לֹא תִלְקֹט: לְעֹנֵי וְלִגְרֵי תַעֲזֹב אֹתָם, אֲנִי ה'</p>
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your God.	אלהיכם.
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19:11 Theft is always a case of one person being in the position to take something from someone else who at that moment is vulnerable:

Do not steal, and do not lie, and do not treat your fellow deceitfully.	יא לא, תגנבו; ולא-תקחושו ולא-תשקרו איש בעמיתו.
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19:13-14 Admonishes against the possibility of taking advantage of those with socio-economic or physical disability. Bosses should not take advantage of employees; he or she must pay wages on time. Those with physical disability are easily ignored or taken advantage of:

Do not extort your fellow human being, and pay your employees on time! Do not curse a deaf person, and do not place a rock in front of a blind person; fear Your God, I am the Lord!	יג לא-תעשק את-רעה, ולא תגזל; לא-תלין פעלת שכיר, אתה--עד-בקר. יד לא-תקלל חרש--ולפני עור, לא תתן מכשל; ונראת מאלהיך, אני ה'.
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Judges, in the position of great power, must not disadvantage a poor litigant (19:15)

Do not pervert justice in court; do not favor the wealthy by turning the poor aside. Respect the elder, and judge righteously.	טו לא-תעשו עול, במשפט--לא-תשא פני-דל, ולא תהדר פני גדול: בצדק, תשפט עמיתה.
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Language can serve as a weapon; be careful not to destroy a person's reputation, and the Torah admonishes us against being a bystander (19:16)

Do not slander your fellow, and do not be a by-stander to another's misfortune; I am God!	טז לא-תלהך רכיל בעמיה, לא תעמד על-דם רעה: אני ה'.
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The Torah even guards against the hybridization of plants and animals since that involves a stronger species with a weaker one: (19:19)

<p>Keep My laws: do not breed two different species of animals, and do not plant two different species of crops together, and do not wear <i>Sha'atnez</i> by weaving wool and linen together.</p>	<p>יט אַת-תקחתי, תשמרו--בְּהִמְתָּהּ לֹא-תַרְבִּיעַ כְּלָאִים, שְׂדֵה לֹא-תִזְרַע כְּלָאִים; וּבְגָד כְּלָאִים שְׁעֵטָנֹו, לֹא יַעֲלֶה עָלֶיךָ.</p>
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The list of prohibitions guarding against potential abuses of power continues. With *orlah* (19:23-25) the Torah admonishes us from harvesting the delicate fruits of a young fruit tree for the first three years, until the tree and crop grow strong. Youth, strong and filled with vitality, are to stand when an elder--frail but filled with the wisdom of memory and life experience enters shared space (19:32). We are to protect immigrants, the most vulnerable adults in our society. (19:33-35) How timely; foreigners who are most easily identified as other, who do not know the language, the culture, the customs, who are most easily abused economically and socially, are to be protected at all costs. Egypt, in this regard, was a positive example, for Yosef proved that a person can integrate into society and have two identities, ultimately deepening what it means to be a full human being:

<p>Do not extort immigrants when they live amongst you, but treat them as a full citizen, loving him as one of your own, for that was how the Egyptians initially took you into the land of Egypt! I am the Lord your God.</p>	<p>לֹג וְכִי-יִגּוֹר אִתְּךָ גֵר, בְּאַרְצְכֶם--לֹא תוֹנוּ, אֹתוֹ. לֹד בְּאַזְרַח מִכֶּם יִהְיֶה לְכֶם הַגֵּר הַגֵּר אִתְּכֶם, וְאַהֲבֵתָ לּוֹ כְּמוֹךָ-- כִּי-גֵרִים הָיִיתֶם, בְּאַרְץ מִצְרַיִם: אֲנִי, ה' אֱלֹהֵי-יְכֶם.</p>
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In chapter 19:36, the Torah requires fair weights and measures.

But the culminating example of the potential for abuse, now that the Torah has contextualized the requirement that we understand our relationship to the land, to society, and to each other in terms of the dynamics of power, is sexual abuse. All of chapter 20:10-21, is about incest. The Torah does not forbid incestuous relationships because they are taboo. They are taboo because they lend themselves to abuse. A man in this context, the most powerful member of the

family and clan, having relations another's wife, with his father's wife, with his daughter-in-law, with his own mother, an animal, with his sister from his father or his mother, with his aunt, with his sister-in-law, is crossing forbidden boundaries and becomes an abuser. The Torah has anticipated the sensibilities of #MeToo by thousands of years. I would even suggest that the *halakhot* of *yichud*, which the Modern Orthodox community has tended to ignore and regard as antiquated and not modern, address precisely the issue of the potential and all too real abuses of power that seclusion invites.

We live in a world today where boundaries that safeguard against abuse need to be re-asserted. And tragically, the population targeted for such abuse, in addition to women, is children. Therefore, the HIR takes seriously the religious imperative to recognize one's power over another, to reflect on the nature of that power, and to define parameters and policies and procedures to make certain that those boundaries are not violated and our children remain safe. Anyone, the Torah commands, who feels a deep reverence and awe for the power and expectations of haKadosh Barukh Hu, must respect these parameters, for we are guardians of God's creations in all of their vulnerability.

I would like to end by returning to the teachings of Janusz Korczak:

*You say:*

*--Dealings with children are tiresome.*

*You're right.*

*You say:*

*--Because we have to lower ourselves to their intellect,*

*Lower, stoop, bend, crouch down.*

*--You are mistaken.*

*It isn't that which is so tiring. But because we have to reach*

*Up to their feelings. Reach up, stretch, stand on our tip-toes.*

*As not to offend.*

Shabbat Shalom