

The Dignity of the Kohen

By: Rabbi Daniel Fridman

In a celebrated responsa categorically banning any dishonest practices on the part of Torah institutions in receipt of government subsidies, Rabbi Moshe Feinstein, z'l, described the American government as one of kindness, whose singular goal was the improvement of the quality of life of all American citizens[1]. Reflecting on R. Moshe's beautiful words, I have often thought that the area in which this characteristic most movingly expressed itself concerned the care provided to Americans with disabilities. Starting with legislation in the halls of Congress[2], culminating in every building ramp and sign language option offered, the sacred work of providing all people with equality of access and opportunity, and consequently, greater dignity, is one of the most laudable elements of this country's legal framework.

It is with this background in mind that I write concerning a delicate topic. Many of the most sensitive, and deeply committed amongst us, have voiced some measure of discomfort with the Torah's exclusion of kohanim possessed of some form of physical blemish from the *avodah* of offering *korbanot*. After all, in the words of both the prophet Samuel[3], as well as those of Chazal[4], if Hashem truly looks to the heart, how can an admittedly superficial 'imperfection' preclude access to the *avodah*? On the contrary, shouldn't the remarkable physical, psychological, and emotional perseverance demonstrated by such individuals render their participation that much more desirable? For those who are well-intentioned, who believe in every fiber of their being that 'her ways are pleasant, and all her pathways are peace[5]', the question is both legitimate, and quite painful.

Let us attempt to provide some context and nuance to this issue. First, it is critical to that a kohen who has been invalidated from the *avodah* has no invalidation whatsoever when it comes to personal status; unlike others invalidated from *avodah* on account of an ancestral transgression, his *kedushat kohen* is completely intact, as reflected by his license to partake of the consumption of *korbanot*, as well as his inclusion in the constellation of special prohibitions immanent in *kehunah*, relating to contraction of ritual impurity, as well as illicit relationships. Far from summarily rejecting this blameless individual, as some have framed the issue, halakha has formulated a highly targeted restriction on his involvement in a single area. The reason for this targeted prohibition appears to be inherent in the heightened aesthetic sensitivity immanent in the realm of *mikdash*[6], but, critically, reflects no disqualification whatsoever concerning this kohen's personal status.

Two further points concerning this issue may be in order. First, the Talmud[7], in discussing the license for the kohen in question to partake of *kodshim*, summons the precedent of Moshe Rabbenu having consumed *kodshim* during the seven preparatory days preceding the inauguration of Mishkan. The comparison, at many levels beyond the scope of this brief space,

seems odd, especially in light of the highly unique circumstances under which Moshe consumed those *kodshim*. Yet, perhaps the comparison is more understandable if we should presume that Chazal saw Moshe, whose own speech impediment would have (were he to have been a kohen, itself a subject of some controversy in the aforementioned Talmudic discussion), in Rambam's opinion[8], invalidated him from reciting Birkat Kohanim, as a model for these kohanim. If the access granted to these kohanim is, in some sense, based on the precedent of Moshe Rabbenu, it ought to reaffirm our strong conviction that the limited preclusion against performing *avodah* reflects no categorical rejection whatsoever from spiritual opportunity, in light of Moshe's singular spiritual standing.

Finally, when one returns to the passage in Emor[9] which serves as the basis of the exclusion from *avodah*, there is a clear and striking pattern: on five successive occasions, the Torah refers to a kohen with one of the listed conditions as *שיא*, a term which underscores both the humanity and dignity of this kohen. Even as the Torah, in an apparent effort to maintain a certain aesthetic in the realm of *mikdash*, precludes a certain group, it seeks to remind us that the person with whom we are dealing is, without a shadow of a doubt, an *שיא*, a person of stature, significance, and quite often, a source of profound inspiration for us all. Whatever the physical challenges may be, the immaculate dignity of this kohen remains fully intact.

[1] Igrot Moshe, Choshen Mishpat, 2:29.

[2] For example, Americans with Disabilities Act of 1990 (ADA, PL 101-336), and the subsequent Amendments Act of 2008 (ADAAA, PL 110-325).

[3] Samuel I: 16:7. Samuel is excoriated by God for being taken with Eliav's striking appearance, whilst David's heart was pure with the Lord.

[4] Sanhedrin, 106b.

[5] Mishlei 3:17.

[6] See Malachi, 1:8.

[7] Zevachim, 101b.

[8] Hilkhot Tefilah U'Nesiat Kapayim, 15:1. See Kesef Mishnah, ad loc.

[9] VaYikra 21:16-24.