

# *Birkat Kohanim: Mitzvah as an Antidote to Extremism*

The words of *Birkat Ha-Kohanim* may be more familiar to many Jews from their recital before Friday night *Kiddush* than from their mandated chanting by the *Kohanim* on the *dukhan*. This may be especially true of Ashkenazim outside of *Eretz Yisrael* who only hear them from the *Kohanim* on *chagim*. The blessing of children by all parents, priests and non-priests alike, is one of the most familiar and well-established Jewish family customs today.

Many will therefore be surprised to learn that it is not without controversy. In the halakhic dispute as to whether non-priests may also use the same words to bless others including their children, we find important clues to the essence of the priesthood in Jewish tradition and the interplay of individual identity and community within the Jewish tradition.

## **Obligation Can Establish Exclusivity**

The Talmud<sup>100</sup> refers to a positive commandment restricting a non-priest from performing *Birkat Kohanim*. Rashi<sup>101</sup> explains its derivation. The Torah's admonition<sup>102</sup> to the sons of Aharon Ha-Kohen to bless the people of Israel implies that this is their exclusive obligation: "thus shall you bless" – implying you alone and not non-priests." Rashi explains that this admonition is a negative prohibition that is implied by a positive one, becoming itself effectively a positive requirement.<sup>103</sup> This is not as difficult a concept as it first sounds. In fact, it appears quite frequently throughout the *Gemara*. When the Torah stipulates that *Kohanim* should bless the people of Israel, it bars non-priests from doing the same. When non-priests refrain from blessing the people as the *Kohanim* do, they effectively fulfill the *mitzvah* that designates the *Kohanim* as those who bear the responsibility to bless. Respecting the boundaries of the *mitzvah* is a fulfillment of the *mitzvah*.

These considerations, among others, led authorities like the Chafetz Chaim<sup>104</sup> in his *Bei'ur Halakhah*<sup>105</sup> to question a widespread custom for lenders, even non-priests, to bless their borrowers with the words of *Birkat Kohanim* when the loan is agreed and completed. The Chafetz Chaim offers a number of suggestions to explain the practice and account for its seeming permissibility. One fruitful line of inquiry is whether the act that would be prohibited must have all the features of the obligatory blessing, i.e., including the raising of both of one's hands. Since the non-priest does not extend both his hands as the *Kohanim* do on the *dukhan*, the two acts are not identical and therefore the non-priest's blessing is permissible.<sup>106</sup>

There are other answers offered by the *Bei'ur Halakhah* and others as well. For now, we are more interested in the question than its resolution. Is the question merely a feature of a technical discussion in the *Gemara* or is there something very fundamental and essential to an understanding of the *Kehunah* and individual status in *Halakhah*?

In the fifth chapter of the first tractate of the Talmud, *Berakhot*, we are presented with a halakhic practice that continues until this day. Our Rabbis taught that there are only certain places in the *Amidah*, the silent prayer that

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<sup>100</sup>. *Ketubot* 24a.

<sup>101</sup>. *Ibid.*, s.v. *d'issur aseh*.

<sup>102</sup>. *Bemidbar* 6:23.

<sup>103</sup>. *Lav ha-ba mi-kelal aseh aseh hu*.

<sup>104</sup>. Rabbi Yitzchak Meir Ha-Kohen Kagan (1839–1933).

<sup>105</sup>. *Bei'ur Halakhah* (O.C. 128:3).

<sup>106</sup>. This would suggest that parents blessing their children with the text of *Birkat Kohanim* place only one hand on their child's head.

forms the heart of every prayer service, where the worshipper bows. Everyone is to do it in the same way: at the beginning and the end of the first *berakhah*, we bend the knee at *Barukh* and bow the head at *Atah*, straightening up before we pronounce God's name, *Hashem*. Jewish tradition is cautious about turning in a particular direction when we pronounce the name of God. Another example is during *Birkat Kohanim* itself. The *Kohanim* turn to the left and turn to the right, but always stand still facing forward when God's name is pronounced. We avoid objectifying God, ascribing any physical characteristic including location, for that is the essence of idolatry.

### Uniformity of Practice Engenders Community

What is of most interest here, in the context of our discussion, is the notion of uniform practice in Jewish observance. We bow only at the beginning and end of the first *berakhah*, and then at the beginning and end of the *berakhah* of *Hoda'ah*, the *berakhah* that begins *Modim Anachnu Lakh*. Everyone today does this, from the greatest rabbinic scholar to the simplest untutored Jew, from the leader of the community to the most humble and most powerless individual: we bow at the beginning of the first unit of *berakhot* and at the beginning of the last unit of *berakhot*, no more and no less.

After stipulating which two *berakhot* are appropriate for bowing, the *baraita* that lays out the law adds an important qualification: if someone wanted to bow at the beginning and the end of every *berakhah*, we instruct him not to bow except at the two *berakhot* the *Gemara* stipulated.

The obvious question is why not? What difference should it make to us if someone wants to take it upon himself to bow at every opportunity? Is there not accessible spiritual content in humbling oneself before God? If we are instructed to do it twice, then why not more? Indeed, the French commentators, the *Tosafot*, ask this very question: "And if you'll say, let him bow? What difference does it make to us?"

Let's take apart *Tosafot's* answer, which flows directly from this and many other *sugyot*. The Talmud teaches us that the more august the status of the individual, the more important it is that he humble himself in the act of prayer. The *Kohen Gadol*, the High Priest in the Temple, is enjoined to bow at the beginning of every *berakhah* in the *Amidah*. The anointed king of Israel, who enjoyed an even higher status, was to bow at the beginning of the *Amidah* and remain with bent knee throughout its entirety until the end. The High Priest and the king did not do this because of their characters as individuals but because of the exalted offices that they held. Their national status, their role within the people, demanded it, not their persons.

Isn't humility a wonderful characteristic? Isn't it better that we practice it as much as possible? Why not every *berakhah* and not just two? *Tosafot's* answer fits not only here but in other places as well which we shall see: the Sages established a practice for the entire community of Israel. Deciding to do more, to extending the scope of the law, abrogates the authority of the law and is therefore a display of arrogance. The Sages say, bow in these *berakhot*. The stricter personality says, I will bow in every *berakhah*. This undercuts the authority of the law and defeats its purpose. The most humble practice is to do what others do, to bow only at those two places in the *Amidah*.

*Tosafot* remind me of the famous old Yiddish joke: In the *beit midrash*, just before *Kol Nidrei*, the *rav* hangs his head, crying out "*Ribono Shel Olam*, before You I am nothing." The town's *gevir*, the richest man in the town, hangs his head, crying out "*Ribono Shel Olam*, before You I am nothing." The town's beggar is so moved, that he, too, hangs his head, crying out "*Ribono Shel Olam*, before You, I am nothing." The *gevir* turns disgusted to the *rav*: "Look who thinks he's nothing!"

We actively discourage individuals from adopting stringent practices that project religious superiority over others. Such behavior engenders what the Sages call *yoharah*, hubris. *Frumkeit* as a means of self-aggrandizement is a frequent trope in the halakhic literature. This discussion of the *Amidah* is far from the only place we encounter our Sages recoiling from adding practices that are not required.

A bridegroom on his wedding night is exempt from the obligation to recite the evening *Shema* since he may not be able to concentrate properly out of concern for the performance of his marital duties, itself a *mitzvah*. What about the *chatan* who thinks that he is equal to the task of concentrating properly? May he say the *Shema*? While one opinion rules that he may, since everyone else is also reciting the *Shema*, another says that he shouldn't, since doing more than is required exhibits hubris: "Don't worry about me, *Chaza!* I can concentrate!"

The Rabbis relate it to another practice, the practice of not doing any work on *Tishah Be-Av*. There are different opinions in *Halakhah* since it isn't clear how intense the mourning for something that happened so long ago should be. Jewish law terms *Tishah Be-Av* "old *aveilut*,"<sup>107</sup> long-time mourning from an old wound. We can understand then why practice was divided across communities already in the time of the *Gemara*. In a place where it is customary to work, an individual who takes upon himself this stringency when others around him are working may be exhibiting

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<sup>107</sup>. *Aveilut yeshanah*.

*yoharah*, hubris, *frumkeit* that is actually a display of arrogance rather than spirituality. It is self-aggrandizement and false piety.

There is an important jurisprudential point in this discussion. The halakhic system promotes a notion of religiosity that may appear counterintuitive to the Western mind influenced as it is by Christian notions of spirituality. I think it will further illuminate the rabbis' misgivings about extending the scope of halakhic practice where it isn't required.

I recently joined in a celebration for a friend's retirement. Because it was very inconvenient for me to be there, he didn't send me an invitation but let me know he was thinking of me and would surely stay in touch. "I didn't include you on my list because I know it will be hard for you to get there. We'll find a time to get together," he wrote me. I thanked him for his consideration and sent him a small remembrance.

When the day of the party arrived and I managed to attend, my friend was floored. "This means so much to me. You didn't have to be polite and attend. I let you off the hook. You're here, though. That means a lot to me."

In our interactions with human beings, doing more than is required can be more highly valued than fulfilling our obligations. In our relationship with the Divine, however, the calculus is otherwise. The Talmud repeatedly emphasizes<sup>108</sup> that the performance of our mandated obligations is on a higher level than the things we volunteer to do.<sup>109</sup> Unrequired acts may show love, but *Halakhah* is about submitting to Divine will.

### The Postmodern Turn toward the Personal

R. Jacob J. Schacter<sup>110</sup> observes that Jewish tradition with its emphasis on *mitzvah* is at odds with the twenty-first century replacement of "religion" with "spirituality." Religion signals commitment; spirituality connotes "something wholly personal and unencumbered by obligations."<sup>111</sup>

This may be a difficult idea for Westerners conditioned by the Christian critiques of the so-called Old Testament God. There is much more to it than the simple dichotomy of the vengeful God and the God of love.

An unlikely source perhaps but an important one: In Shakespeare's magnificent tragedy, *King Lear*, the protagonist has demanded that his daughters proclaim how much they love him before he divides his kingdom among them. Her sisters flatter him. Cordelia, in contrast, offers a Pharisaic answer:

Unhappy that I am, I cannot heave  
My heart into my mouth. I love your majesty  
According to my bond; no more nor less.

Alone among his daughters, Cordelia acknowledges her duty toward father and king. It is a bond not dependent on ephemeral emotion that can come and go. It is a bond, an obligation, no more and no less. The king misjudges the permanence of law versus emotion and the tragedy is set in motion.

*Tosafot* anticipate this insight into the nature of law and obligation in their comments in *Kiddushin*. The one who acts out of obligation must control his impulses to ensure compliance with the law. The one who acts out of spiritual volunteerism is like one with a basket of bread to offer on the altar. If he is moved, he places it; if he isn't, he moves on.

Obligation indicates constancy, devotion, responsibility. It is never self-indulgent.

### Obligation as a Buttress against Extremism

The turn from *mitzvah* as the highest form of religious expression is, of course, the defining characteristic of progressive Jewish movements from Classical Reform to the Jewish Renewal Movement. Orthodoxy, however, has been subject to its own deviations from the religious values of *mitzvah*-focused tradition on both its left and right extremes.

In an iconic article,<sup>112</sup> the late Orthodox social scientist Charles Liebman identifies three dimensions of religious extremism he located in the public square. The first is the drive to expand the scope of *Halakhah*. Expanding the reach

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<sup>108</sup>. See for example *Kiddushin* 31a.

<sup>109</sup>. *Gadol ha-metzuveh ve-oseh mi-mi she-eino metzuveh ve-oseh*.

<sup>110</sup>. "Halakhic Authority in a World of Personal Autonomy," in *Radical Responsibility: Celebrating the Thought of Chief Rabbi Lord Jonathan Sacks*, ed. Michael J. Harris, Daniel Rynhold, and Tamra Wright (New Milford and Jerusalem, 2012).

<sup>111</sup>. *Ibid.*, 156.

<sup>112</sup>. "Extremism as a Religious Norm," in *Journal for the Scientific Study of Religion* 22:1 (March 1983): 75–86.

of Jewish law as a marker for extremism takes three paths. First, it attempts to insinuate Jewish law in questions in which it hasn't been heretofore involved. Professor Liebman offers the example of *Gush Emunim*, the antecedent of today's settler movement, which made the question of Israeli withdrawal from territory captured in the Six-Day War a halakhic one rather than a question of politics, security, and foreign relations.

The second component of the extremists' expansion of the reach of *Halakhah* is the elaboration of details of more general value concepts within the *Halakhah*. An example is the translation of a general requirement to dress modestly into a set of objective, detailed standards around skirt and sleeve length.

Finally, the third component is the systematic choice of strict versus lenient interpretations of the law. This does not mean greater fidelity to the law; the strict position is chosen even when it violates both the spirit and even the detail of the law. It is *chumrah* for the sake of *chumrah*.

To summarize, the first marker of Jewish religious extremism is to make Jewish law a factor in just about everything, delineate detailed standards where none had existed before, and promote strictness over fidelity to the spirit and even the details of halakhic discourse. Although I have reworded and even recast Professor Liebman's analysis, the points are really his. I think we can all recognize them in what the religious public generally identifies as religious extremism of the Orthodox Jewish variety.

Professor Liebman does identify other markers of Orthodox religious extremism. For the sake of completeness, Professor Liebman identifies two dimensions other than the halakhic one. The second is the erection of safeguards intended to isolate extremists from those who do not accept their norms. The third dimension is the rejection of cultural forms and values that do not explicitly originate within the religious tradition.

Herein lays the insidious nature of religious extremism, according to Professor Liebman. The propensity to religious extremism is wholly natural since it is entirely consistent with the basic religious tenets of Judaism. For this reason, it requires no involved explanation of its origins. It is embedded in the system. If we are honest with ourselves, we will acknowledge that every religious person is attracted in part to religious extremism since it is merely a stronger form of the religion that we all practice. Sadly, he concludes, we should rather marvel at pockets of religious moderation when we find them, since they must perforce be the exception in a tradition in which the attractions to extremism are pervasive. I would note that the same tendencies to extend religious observance past obligation may be found on the extreme left wing of Orthodoxy. Our best defense is the assertion of obligation as the arbiter of religious practice.

*Birkat Ha-Kohanim* is a case study in obligation. The *Kohanim* may not ascend the *dukhan* until a set point in the service. They must all turn toward the congregation at the same point in the *berakhah*. Jewish law requires that they chant together, neither running ahead nor lingering, in the single tone with the same pronunciation.

At the end of *Birkat Kohanim*, as the *sheli'ach tzibbur* chants *Birkat Ha-Shalom*, the *Kohanim* recite these words in an undertone:

Master of the world, we have done what You have decreed upon us; may You now do what You have promised us. Look down from Your sacred dwelling, from the heavens, and bless Your people Israel and the earth which You have given us, as You have sworn to our ancestors, a land flowing with milk and honey.

They time their recitation to end with the *sheli'ach tzibbur* as he chants the closing word of the *Amidah*, "*Shalom*." The congregation respond with *Amein*, to the leader's chanted prayer and to the *Kohanim's* quiet one. The people of Israel and the *Kohanim* have fulfilled their obligation, calling upon the Holy One Blessed be He to respond in kind.

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