



Regarding Mistaken Stringencies and Humanity that is Good in the Eyes of God

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The opening statement

Parashat Shemini contains the almost unbearable story of the death of Aharon's sons, Nadav and Avihu. The essence of the difficulty is not necessarily the actual death of the two sons, rather the vague circumstances of their death, circumstances shrouded in mystery. What little we do know about how and why they died is very difficult to understand.

In the chapter detailing with the death of the two sons and with the events in its aftermath, there are two moments where the Torah records words spoken by Moshe: one at the beginning of the chapter and the other toward its end. In the first, Moshe transmits the words of God as a seeming explanation for the deaths, "I will be sanctified by those close to Me", and in the other he commands Aharon and his remaining two sons, saying how they must now continue and complete the process of the dedication of the *mishkan* (tabernacle), notwithstanding the shadow of their brothers' deaths.

Due to the fact that the two messages by Moshe frame the same chapter, one might see his second remarks as an interpretation of the first. However, the second set of remarks by Moshe is actually part of a conversation, a conversation between Aharon and Moshe, during which Moshe's words are criticized and changed. Whereas initially (and incorrectly) divine

sanctity as manifest through ones who are in greatest intimacy with God, in His inner circle, if you will, is understood as a demand for stringencies, ultimately it is interpreted as a demand for increased heed and sensitivity to the basic components of human existence.

The first statement: “I will be sanctified by those close to Me”

Immediately after the death of Aharon’s sons, Moshe offers an explanation of what happened: “Moshe said to Aharon: Thus God spoke, saying: I will be sanctified by those close to Me” (Leviticus 10:1-3). Aharon’s response is described in one word: “And Aharon was silent” (v. 3). Aharon’s silence is deafening, almost inscrutable. Perhaps it reflects his “heaviness of heart” burdened with the incomprehensibility of Moshe’s proffered explanation. It may also, for many of us readers of the story, reflect and reinforce our own sense of the inadequacy of Moshe’s words.

From within the heavy shadow of this silence, Moshe calls to his cousins Mishael and Elzaphan, turning to them to approach and tend to the corpses: “Moshe summoned Mishael and Elzaphan the sons of Uziel the uncle of Aharon and he said to them: ‘Come and take your brethren from in front of the Holy and to the outskirts of the camp’” (v. 4).¹

Moshe is not only concerned with the bodies of the dead, and the attendant dignity owed to them. He also guides the mourners—Aharon and his remaining sons, Elazar and Itamar—in the ways in which they should mourn, as well as highlighting those mourning rites which are forbidden to them given their status as *kohanim* (priests): “Moshe said to Aharon and to Elazar and Itamar his sons: ‘Do not let your hair grown and do not rend your clothing’” (v. 6).

¹ The names of the cousins translate as “the one who asks or longs for God” and “the one who stands before God’s mysteries”, and can be interpreted as expanding and emphasizing the silence that faces the deaths itself.

These guidelines are very similar to what is found as general guidelines to *kohanim* regarding mourning:

Leviticus 21:1-12

¹God said to Moshe: Speak to the priests, the sons of Aaron, and say to them: None shall defile himself for any [dead] person among his kin, ²except for the relatives that are closest to him: his mother, his father, his son, his daughter, and his brother... ⁵They shall not shave smooth any part of their heads, or cut the side-growth of their beards... ⁶They shall be holy to their God... ⁸since they offer the food of your God; they shall be holy to you... ¹⁰The priest who is exalted above his fellows... shall not bare his head or rend his vestments. ¹¹He shall not go in where there is any dead body... ¹²He shall not go outside the sanctuary and profane the sanctuary of his God, for upon him is the distinction of the anointing oil of his God, Mine YHVH's.

Through these guidelines, Moshe transforms the private mourning of Aharon for his sons, and Elazar and Itamar for their brothers, into a public mourning: “And your brethren, the entire house of Israel, will cry” (10:6).

One can conceivably understand these guidelines proposed by Moshe as stemming from the way he himself interpreted the divine message that he was commanded to deliver: “I will be sanctified by those close to Me.” Moshe’s interpretation is a demand for devotion and stringencies, a requirement for behavior which is neither intuitive or emotional, rather calculated, careful and strict. Seemingly, Moshe understands the “sanctification through those who are of close proximity” as a demand on those who are indeed “closer” to God, to distance themselves in a certain way from their humanity, in this case from their mourning, and to focus their entire being on *holy work*.

The second statement: “Would it be good in God’s eyes?”

Aharon's silence, however, does not last forever. By chapter's end, he, in response to Moshe, responds vociferously. Succinctly, and almost curtly, he challenges Moshe, posing a rhetorical question that in turn leaves Moshe (in poignant parallel) silent.

Subsequently, Moshe commands Aaron to resume his priestly duties, which include partaking (in part or whole) in some of the sacrifices that are brought on the altar. "Moshe spoke to Aharon and to Elazar and to Itamar: 'Take the remaining parts of the flour offering which was left over from the fires of God and eat it... and you must eat it in a holy place... and the rib-cage that is waved and the thigh which is contributed you must eat in a pure place. You and your sons and your daughters with you'" (vv. 12-15).

At some point, however, Moshe discovers that some of the sacrificial meat (the goat that was brought as a sin-offering) had been burnt and not consumed: "And regarding the goat sin-offering Moshe delved into the matter and behold it was burnt" (v. 16). Greatly angered, he chastises Aharon's sons: "And Moshe was furious with Elazar and Itamar, the remaining sons of Aharon saying, 'Why didn't you eat the sin-offering in the holy place? For it is holiest of holies and it was given to you to bear the sin of the people and to atone for them before God'" (vv. 16-17).

It is at this moment that Aharon finally breaks his silence, and retorts to Moshe, "...Indeed, they have brought their sin-offering and burnt-offering before God today, but these things have befallen me. Should I eat the sin-offering today? Would it be good in God's eyes?" (v. 19). The *midrash* emphasizes that this speaking was "with strength", in an adamant way and with a tone fierce, almost harsh. But what exactly did Aharon mean by his question? On what was he casting doubt? What was he challenging?

Moshe had admonished the behavior of Aharon, Elazar, and Itamar, claiming that they have not fulfilled their obligation to eat the sacrificial remains. Countering Moshe's righteous

anger, Aharon answered that he had been involved in many sacrifices all that day, the sacrifices of the people and the sacrifice of his sons, and all this was done despite the events of the day, “these things have befallen me”—the loss of his two children. In light of this reality, Aharon turns to Moshe and asks, as it were, “Seriously? Really? Eating at a top restaurant today of all days? Would that be good in God’s eyes?! Does God really want or expect me to be eating sacrificial meat right now? Would he have approved of such behavior?!” This jarring, powerful retort to Moshe is a critique of Moshe’s intuition, and a challenge to the righteousness of his anger. And indeed, Moshe accepts Aharon’s rebuke, as written: “Moshe heard and it was good in his eyes” (v. 20).

The forgotten statement: “I heard and forgot”

Moshe’s response is understood in Talmudic literature to reflect his recognition that his request of Aharon was ill-conceived, and inappropriate. Their whole exchange ultimately teaches us about a relationship between stringencies and mistakes. Moshe’s mistake is revealed in the *midrash* through a compliment given to Moshe for admitting his mistake:

Talmud Bavli Zevachim 101a

“Moshe heard and it was good in his eyes” (v. 20). Moshe admitted [his mistake] and was not ashamed saying “I did not hear [this law]”, but rather “I heard and forgot”.

But what is the actual mistake made by Moshe that is being referred to here? One possible answer arises from the second part of an earlier version of this *midrash* as it appears in the Sifra:

Sifra, Shemini 1:2, 12

R. Yehudah said: Hananiah ben Yehudah would teach throughout his life that insistence on stringency is something to be wary about; indeed it caused Moshe to err.

Hananiah ben Yehudah's claim is that Moshe's strictness with Aharon caused him (Moshe) to err. In other words Moshe's insistence that the *kohanim* should have eaten from the sacrifice despite their status as mourners was a stringent mistake.

From the Talmud and the Sifra it seems that mistakes and stringencies are almost intertwined. It seems that Moshe erred in being strict and stringent with Aharon. His mistake was in assuming that Aharon must add to the prohibitions placed upon him as a *kohen*, forbidding him from various acts of mourning, among them requiring him to eat from the sacrifice despite the state of mourning. Moshe's mistake was in imposing stringency in the laws of a mourning *kohen*.

It is possible that Moshe is offering a particular understanding of “sanctification through those who are close” according to which one should push aside human needs, such as mourning, in favor of intentional and deliberate adherence to routine behavior in the context of “sanctification through those who are close”. Aharon responded that this is inappropriate. He offers a different interpretation, according to which whatever the value of adherence and insistence on routine, when done in a way that pushes aside basic dimensions of human existence, one must ask: “Would it be good in God's eyes?” Aharon claimed that “sanctification through those who are close” is expressed at moments when people serve in integrity, fully attuned to the holiness called for, and step forward in their fullness as human beings, creatures who are sad, happy and at times in mourning. According to Aharon dismissing these human dimensions is not good in the eyes of God.

The final statement

The chapter that opens with the description of the death of Aharon's sons and the declaration “I will be sanctified by those closest to Me”, ends with the Sages' statement that stringency and strictness at the expense of the full human experience is not the way to

confront the challenge of “sanctification through those who are close”, despite the potential fire that might erupt. Stringencies are not infrequently mistakes, and often gateways to them. People must confront and be present with what happens to them, even when they are engaged in “sanctifying through closeness”, and despite an intuition that the way of the stoic is the pathway to intimacy with God. Aharon’s voice teaches that one must give room to the human experience, especially regarding holiness. Only then will things seem good and right in the eyes of God and people. “And Moshe heard and he saw it fit”.