

Echoes of Eden

Rabbi Ari Kahn

The Vagabond

On a lonely dark road, swift movements, footsteps, a thud... silence: a corpse.

Who was he? Presumably, the kind of person who is alone in the dark of night, the type of person who wanders from town to town, the type of person who does not really have a place he calls home; a vagabond.

His death may not necessarily be mourned. His friends and family have lost track of him, and he has been swallowed by anonymity. When people do see him, they avert their eyes. He reminds them of something they would rather not see: the human condition in a particularly compromised form. He reminds them of their own vulnerability. Most prefer not to look; some throw him a few coins and turn away feeling better about themselves. They move on, to their warm homes, to their loved ones. He, too, moves on - to harm's way and the dangers of the street and the night.

It is easy to move on; we have almost no choice. We try to forget, until we hear about a victim. We are forced to face the knowledge that this corpse was once a human being, like ourselves, with the breath of God pulsating in his lungs. This man was a son of Adam, and like Abel, he was also lured by his brother out of the city to a field – and to his death. “The sound of your brother’s blood cries out to Me from the ground,” God admonished Cain – and all of us. The nameless corpse cannot be disregarded; this crime cannot be ignored. The question is, do we hear this blood crying out? And if we do, isn’t it really ‘too little, too late’? Did we do everything we could to avoid this tragedy? Did we care for this stranger as

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we should have? Did we invite him to our homes? Did we find him a job? Did we try to help him heal his tattered life, or did his tattered clothes scare us? Did we simply turn away?

The Torah addresses the question of accountability in such cases through a rather elaborate ritual, a demonstrative process that is meant to be both educational and, it is hoped, transformative: The distance from the scene of the crime is carefully measured by rope, and the nearest town is accused of indifference, of criminal negligence that borders on complicity. Indifference contributed to this tragedy, and the town's elders must wash their hands and declare their innocence - if their conscience allows it. Maybe this will prevent the next murder.

In a section of the Torah that discusses the large, important institutions of public life, the individual may be easily forgotten. Parshat Shoftim establishes the framework of the Jewish polis: the judiciary system and police force, the powers and limitations of kings and prophets. The inclusion of the guidelines for cases such as that of our vagabond specifically in this context teaches us a powerful underlying principle: The singular purpose of all of the instruments of power is to protect the individual, especially the weakest, most anonymous members of society. If we do not protect the weak and vulnerable, what type of society have we created? The king and all of his horses and all of his men are not merely symbols of civic or national pride. Their purpose is to protect the people, to create "top-down" morality. This is their mandate, their *raison d'être*. This same parsha commands the kings of Israel to keep their true purpose in their sights at all times: the king must carry the Torah in his heart and his arms. The Torah puts clear limits on pomp and circumstance, protocol and ceremony. Responsibilities far outweigh the privileges of Jewish kings and leaders.

For many people, the essence of Judaism is its moral teachings; for others, ritual seems more important. I once heard my teacher, [Rabbi Joseph Soloveitchik](#), illustrate the Jewish concept of the balance between these two aspects: It is well-known that priests are commanded to avoid contact with the impurity of death. They do not attend funerals or visit cemeteries, except for their closest family members. The High Priest may not defile himself even for those closest to him. However, The Talmud teaches that when the High

Priest comes upon a corpse out in the fields, he is commanded to personally bring the body to burial. Even on the eve of Yom Kippur, when the hopes and spiritual aspirations of the entire nation are all focused on him and channeled through him, if he happens upon the corpse of a lowly, anonymous vagabond, the High Priest must defile himself, pick up the body and

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physically bring the person to a dignified burial. In what he admitted was an embellishment of the Talmudic passage, Rabbi Soloveitchik illuminated this basic principle of Judaism: the dignity of a man who may have been scorned, a man who no longer feels any pain, takes precedence over the most important participant in the most spiritually charged scene of the year,

the Yom Kippur service. Human dignity trumps ritual. The nameless hobo is more important than the High Priest.

Sometimes we forget the great humanism that lies at Judaism's core; sometimes we look away. Sometimes the vagabond is pushed just beyond the verge of our peripheral vision, and we never need think of him again, until.....swift movements, footsteps, a thud, silence. A corpse.

For a more in-depth analysis see:

<http://arikahn.blogspot.co.il/2013/08/parshat-shoftim-essays-and-audio.html>