

BronfmanTorah: commentary on the Torah that draws on the lives, skills, and insights of our community

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Holding the Tension with Both Hands

Rena Yehuda Newman ('15) | BronfmanTorah | Ki Tetze

We are pleased to bring you the next installment in our series of pieces written by some of this year's Alumni Venture Fund grantees. Rena Yehuda Newman's ('15) AVF-sponsored project is "House of Jacob/People Israel," a personal collection of poems, fragments, drawings, and reflections on the intersection of being both a young Jew and a non-binary, transgender person.

Rena Yehuda Newman (they/them) ('15) is a proud Jewish, transgender writer, artist, and hopeful community organizer in their junior year at University of Wisconsin, Madison. Rena Yehuda cares deeply about communal memory, the power of art and storytelling, and blurring the line between the personal and political. They study History and are working on an individual major in "Community Studies", with a certificate in Educational Policy.

Among a series of laws and commandments, Parshat Ki Tetzei includes a prohibition on cross-dressing. The verse appears with seemingly little context and is succinct: "A woman must not put on man's apparel, nor shall a man wear woman's clothing; for whoever does these things is abhorrent to the LORD your God."

I read this verse for the first time during my senior year, as I was first coming out. Sitting with my little black JPS Tanakh, I was not only bothered by the narrowness and clarity of the prohibition, but also by a newfound sense of a Jewish inheritance: it is Torah and I cannot discard it.

Since my Bronfman summer ('15), I've been public and out about my status as a non-binary, transmasculine person -- neither man nor woman. I use they/them pronouns and identify within the colorful, wide umbrella of the transgender community. Yet the second branch of self which took root that summer is entangled in the first: a love of Talmud, halakha, and Judaism in its vast forms, including -- and especially -- orthodox Jewish communities. As you can imagine, there are complications. This week's parsha has taught me how to hold these tensions, even when it feels they may nearly tear me apart.

"A woman must not put on man's apparel, nor shall a man wear woman's clothing; for whoever does these things is abhorrent to the LORD your God." I read it again and again. While I do not identify as either of these gendered categories and thus can't by definition "crossdress", it seemed a little anachronistic (and therefore personally dishonest) to use this as a reason that the prohibition no longer applies -- and exemption by omission isn't exactly identity-affirming. In fact, since I identify myself outside the binary, I couldn't even claim that "as a man I am wearing men's clothing" or vice versa. I stared at the page. In that moment, it felt that my existence as a non-binary transgender person was in direct contradiction to my own sacred text. I wondered, how can my own people ever hold me?

I searched for meaning in the commentaries. Rashi articulates that the purpose of the prohibition is to prevent promiscuity, assuming that the primary reason anyone would dress as another gender is for the purpose of unsanctioned sex. Ibn Ezra follows similarly, relating "קְלֵי-גְבוּרָה" as military armaments, and thus as a preventative measure against adultery and rape in wartime. Rambam however sees the verse as straightforward -- men and women should be distinct and separate, describing how men should not wear garments which are "customary" for women (interestingly, his take has a fascinating nuance as he acknowledges the

contextuality of gender, understanding that the gender of clothing is socially assigned and also that gender norms may vary depending on time and place).

None of these commentaries adequately reconciled my concerns. Yet I felt the oral torah provided a roadmap. We are a wandering people. Standing at the edge of an uncharted interpretive landscape, I know that I'm not alone as I prepare to go b'midbar, into the wilderness. Each sage offers a new insight, like directions for a new trail. The intersection of trans identities and Jewish law is a new territory for us halachically speaking. Though none of our chachamim have mapped and paved a clear path for this particular struggle of the modern age, it's comforting to know that we have the tools to get there -- honest tools which neither reject collective history nor erase personal truth.

As it turns out, I wasn't alone in my heavy discomfort with the parsha. Scholars of all generations have struggled with Ki Tetzei, albeit different sections. There's nothing ethically easy about the beginning of the parsha, which declares a man's right to take a beautiful captive woman as a war-spoil wife (21:10) or instructions to stone a "false" virgin to death (22:13). There doesn't even seem to be much of a clear reason for prohibiting linen-and-wool poly-blended shirts, which like the prohibition on cross dressing, seems sudden and reasonless.

Yet the sages did not attempt to erase or revise the text. They didn't look down at it, shake their heads in frustration, and decide to just give up on the whole project. The Torah is by nature constant revelation -- it is not a static scripture but the living, breathing result of a dynamic relationship between am yisrael and hashem. So like any people in a long-term relationship empowered by love, embattled and disturbed, sages and rabbis and Jews of all stripes have wrestled with these texts, writing lengthily, passionately, uncomfortably, refusing to give up on anyone -- on hashem, am yisrael, or themselves. This is the essence of oral torah.

I try to follow their example and live inside the tension. Jews have long been familiar with the concept of contradiction. We're a people of cognitive dissonance -- the

balancing acts of diaspora require a constant dance between tradition and innovation, community and otherness. The Alter Rebbe teaches in his book, the Tanya, about the concept of the benoni, or “the inbetweener”, caught between the impulses of a godly soul and an animal one. As communities of benonim, Jews are outstandingly qualified to speculate on issues of bothness and the radical discomfort that grows from holding a truth in either hand, especially when the truths feel irrational, contradictory, or impossible to articulate.

Ki Tetzei tests my relationship to chokim, laws which defy clear human reasons. A story related in Menakhot 29b demonstrates how to be troubled by what we do not understand. In the midrash, a time-traveling Moshe Rabbeinu visits Rabbi Akiva’s beit midrash. Moshe grows uneasy when he cannot follow the lesson, but is reassured when Hashem tells him that all of Akiva’s teachings were revealed at Sinai. Amazed, Moshe asks to see what Akiva’s reward will be for such brilliant scholarship. Hashem directs Moshe back in time once again; this time, he is shocked to see the morbid image of Romans weighing Rabbi Akiva’s murdered flesh on a butcher shop’s scale. When a troubled Moshe asks how this could possibly be the reward, the response is simple, cryptic, and equally troubling: “Be silent. This intention rose before me.”

This story is not a defeatist retelling of “God works in mysterious ways,” but an example of how to cope with non-closure responsibly and honestly. There is no answer for Akiva’s slaughter, but Moshe’s response exemplifies his greatest trait: humility. He looks upon the terrible truths of injustice in the world of Hashem’s creation, and troubled to his core, his humility allows him to hold the immensity of the tension. Moshe is humble enough not to understand and to continue seeking - - even demanding -- a reason on behalf of Akiva and all of am yisrael.

If oral Torah is evidence of our collective relationship with God, it is also the medium we must use to love each other. Though my trouble with Ki Tetzei’s prohibition on crossdressing is a struggle in my personal relationship to Torah, it is not a basis for exclusion by fellow Jews. In a midrash regarding Job’s “friends” who

victim-blame him for his ruined house and dead family, these same "friends" are asked on judgment day why they didn't comfort Job. They reply that they had faith in hashem that Job got what he deserved. The angel rebukes them, saying, "God doesn't need your benefit of the doubt, human beings do."

I do not understand the very-gendered prohibition contained within Ki Tetzei and our oral torah does not yet reconcile it. This tension between the text and my identity causes me pain. But just as Job's friends had an obligation to support him in and believe in the truth of his pain (rather than pretending to understand divine reasoning), so too is the Jewish community obligated to make space for me in the midst of my own struggle. In my own experience I've found that most communities want to make space for me, for trans Jews -- they just haven't learned how. The good thing is that we're all benonim. We must work through it together.

We do not have to understand, but we are not free to desist from our troubled search for understanding -- for the sake of ourselves and for the sake of each other. Struggling with incompleteness is a task of humility, a binding force, an act of love. It's Jewish; oral torah is our shared medium of that struggle.

This is not a d'var torah which ends with a tidy and defanged explanation of a painful text. Rather, the lesson embedded in Ki Tetzei is about holding the tension itself, an obligation to live in the discomfort of before-the-explanation. That's why I continue holding both truths.

Ki Tetzei teaches us that we are obligated to be troubled. Holiness lies in the tension of knowing we may never have answer, but must dare to strive together regardless.

Shabbat shalom.