



The Tenet of Prophecy

Maimonides' 13 Principles

Principle VI: "And this is that it is known to man, that this is a type of man - who are created beings of high of great stature and perfection of the character traits - who have tremendous knowledge, until a different intelligence attaches to them - when the intelligence of the person clings to the intelligence of G-d and it rests upon him. And these are the prophets, and this is prophecy and the idea of it..."

ESTD 1997

Dedicated to Scriptural and Rabbinic Verification of Authentic Jewish Beliefs and Practices

JewishTimes

Volume III, No. 42...Aug. 27, 2004

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Weekly Parsha

Ki Tetze

RABBI BERNARD FOX

"When a man will have two wives, one who is beloved and one who is disliked, and the beloved and disliked wife give birth to children for him; and the son of the disliked wife is the first-born" (Devarim 21:15)

This pasuk introduces the laws

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Female Captive

RABBI ISRAEL CHAIT

Transcribed by student



The Torah teaches us many interesting halachos with respect to wartime situations. One of the most intriguing areas is that of the Yifas Toar, the female captive. These Halachos are applicable when God grants the Israelites a victory over their enemies and they capture female captives. The Torah tells us that when an Israelite soldier sees a beautiful woman captive who he desires, he is permitted to marry her. However there are many requirements prescribed in Deuteronomy chapter 21 verses 10 through 15 that must be undertaken prior to marriage. He must shave her head, pare her nails, and wait a period of nine months time. After adhering to all these requirements he can consummate the marriage. Rashi tells us that these prerequisites are required in order that she should

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PROPHETS

RABBI MOSHE BEN-CHAIM

"When you come into the land which G-d your G-d gives you, do not learn to do as the abominations of those nations." (Deut. 18:9) The list of abominations includes fortunetellers, warlocks, those who pass their children through fire, inquirers of the dead, and Onnamim and Kosmim, who give signs based on times and events respectively. G-d says, "For it is an abomination to G-d, all who do these things, and because of these abominations, G-d has banished them from before you. Perfect shall you be with G-d, your G-d." (ibid, 18:12,13)

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no longer be appealing to him. In fact Rashi tells us that eventually he will hate her.

This entire incident in the Torah raises many puzzling questions. The most bothersome problem is how does the Torah permit a marriage to a gentile. Rashi on verse 11 attempts to eradicate these difficulties. Rashi tells us that the Torah is only speaking with respect to man's evil inclination. If God would not permit him to marry this captive, he would ultimately disregard the halacha and marry her anyway. Rashi continues and states that if he does marry her, it will invariably eventuate in his hating her and ultimately they will have a child who will be a stubborn and rebellious son. Rashi is obviously bothered by the notion that the Torah grants a reprieve to the warrior and allows him to enter a relationship, which is strictly forbidden under normal circumstances. However there are many nagging questions which remain. Why does the Torah grant a reprieve and allow the person to indulge his evil inclination. A Torah Jew must raise his level of conduct to function on a higher spiritual level of sanctity whereby he uses his intellect to live a life of wisdom. Simply because a person may fail is not sufficient justification to allow a person to surrender to his desires. What does Rashi mean when he states the Torah is only talking against man's evil inclination. Many of the laws of the Torah address the evil inclination. A person cannot always indulge his appetitive desires. Before a person eats meat he must perform ritual slaughter. The Torah recognizes man's instinctual desires, his evil inclinations, but teaches us to control them. Why is Yifas Toar so unique that the Torah allows us to surrender? Furthermore how does Rashi know that he will ultimately hate her? Perhaps he will have a happy marriage? Rashi continues his prognostications and states that they will eventually have a son who is a Rebellious Son. Maybe their son will be a prince in Israel. This Rashi seems incongruous to Rashi's typical method of interpretation as Rashi seems to be more concerned with future events. However upon closer scrutiny we can appreciate the beauty of Rashi's psychological insights into human behavior.

There is a Gemara in Tractate Nedarim 9B which can give us insight into Yifas Toar. The Gemara quotes a statement by Rabbi Shimon the Tzaddik wherein he exclaims that he never ate from the trespass offering of a Nazir who was defiled except for one time. There was a Nazir who came from the South Country and I saw that he had beautiful eyes, a handsome appearance, and had thick locks of hair. I asked this Nazir why did you destroy your beautiful hair. He replied that he was a shepherd for his father. One day when he drew water from the well he gazed upon his reflection whereby he recognized that his evil desires were driving him out of this world. The Nazirite exclaimed to himself, "wicked one" why are you so haughty in a

world that is not yours. Your ultimate destiny is to become worms and dust. The Nazirite swore at that moment that he would shave his beautiful locks of hair for the sake of heaven. Rabbi Shimon thereby states that he arose and kissed this Nazirite's head and exalted, may there be many Nazirites like you in Israel.

Rabbi Shimon is teaching us an interesting insight into human behavior. His reluctance to eat from the sacrifice of a defiled Nazirite was because he recognized the impetus behind a Nazirite's vow. Most people are guided by their emotions. Therefore a Nazirite usually feels compelled to enter Nazirite because he feels guilty. He is sensitive to the temptations of the physical world and feels that he cannot control himself under his own free will. He therefore undertakes a vow to become a Nazir to repress his urges. Rabbi Shimon is teaching us that this is not the proper way for an individual to become a Nazir. The Mesilas Yesharim teaches us that a person cannot jump into righteousness. Righteousness is not an overnight transformation resulting from an emotional frenzy. Rather it requires hard work and the inner discipline to change oneself based upon one's intellectual conviction. The Jerusalem Talmud teaches us this concept by telling us that a person who does not enjoy certain fruits of this world is punished. A person cannot deny his instinctual nature and aspire to attain perfection by simply repressing his urges. Change is a gradual process which demands greater knowledge. A person must appreciate that he has physical desires and must satisfy them in accordance with halacha but only as a means to help him to live life based on his true essence. Therefore Rabbi Shimon as a general principle refrained from eating the sacrifice of a Nazirite. Change cannot occur through the denial of one's emotional makeup. It requires recognition of one's nature and a harnessing of his energies to better himself.

However Rabbi Shimon did eat from the sacrifice of this one particular Nazir. He recognized that this individual was unique. He undertook the Nazirite vow because he possessed the intellectual conviction to realize that the world was not his. He recognized the lure of the physical was transitory and that God, the creator of the world, is truly the source of reality.

It is interesting to note the question that this Nazirite asked of himself. He questioned his haughtiness. This question seems to be misplaced. It would appear that his question should have been phrased in terms of his instinctual desires. Why did the Nazirite question his arrogance?

The question was an astute one and is a reflection of the Nazir's appreciation of the forces that were overwhelming him and causing him to lead a life pursuing the instinctual pleasures. Most people do not commit sins simply because of their physical

desires, albeit extremely powerful. A person is blessed with the intellectual capacity to recognize the good and live his life accordingly. However there is another major component of sin. This stems from man's ego. Every individual has an image of himself or an image of what he professes to be. This image or ego/ideal is a powerful ally of the evil instincts and many times entices the person to adopt a particular lifestyle. A person is constantly aware, although perhaps unconsciously, of his transitory existence and he takes refuge and security in this ego/ideal. Therefore this Nazir questions his arrogance. He was extremely good looking and found security in his image as a playboy. The compelling force in his life was this false image as a handsome and suave gentleman. It is only after he contemplated regarding this image was he capable of appreciating that it was a false perception stemming from his ego. He therefore questioned his arrogance, recognizing that the world is not his. The world is a reflection of wisdom of the Creator, and man is ultimately destined to be nothing more than dust and worms. Rabbi Shimon concluded that this Nazir had undertaken his commitment in the ideal framework.

We can now appreciate Rashi's insights into the Yifas Toar. The Torah is speaking with respect to man's evil inclination. However the Torah is not just addressing itself to man's innate physical lust. That part of the Evil inclination man must attempt to control, as in all cases, guided by the precepts of the halachic system. The Torah is dealing with the lure of man's ego. The soldier at the height of his conquests on the battlefield is enraptured with his own image as a great warrior. Thus his desire for the beautiful captive is not merely an expression of his physical lust but rather the result of the ego/ideal as the all-powerful conquering warrior. Normally man can partake of the physical in the proper halachic framework. He recognizes it merely as a means enabling him to continue his struggle in achieving perfection as a Torah Jew. Our forefather Isaac enjoyed the pottage that his son Esau brought him. However, this enjoyment did not detract from his perfection, but on the contrary, it comforted him and allowed him to continue his essential existence as a Talmid Chocham, a wise man. In contrast the warrior cannot justify ravishing the Yifas Toar as a means for his perfection. This is an absurdity. Obviously, he was drawn to her as a captive, as an expression of his image as the omnipotent conqueror. Therefore the Torah was speaking only with respect to the evil inclination. The Torah recognized the compelling force of this image and realized that if it were to forbid the Yifas Toar, he would still sin. Thus the Torah allows him to take the Yifas Toar as his wife. However, the Torah was cognizant that the image that a warrior possesses is

Weekly Parsha

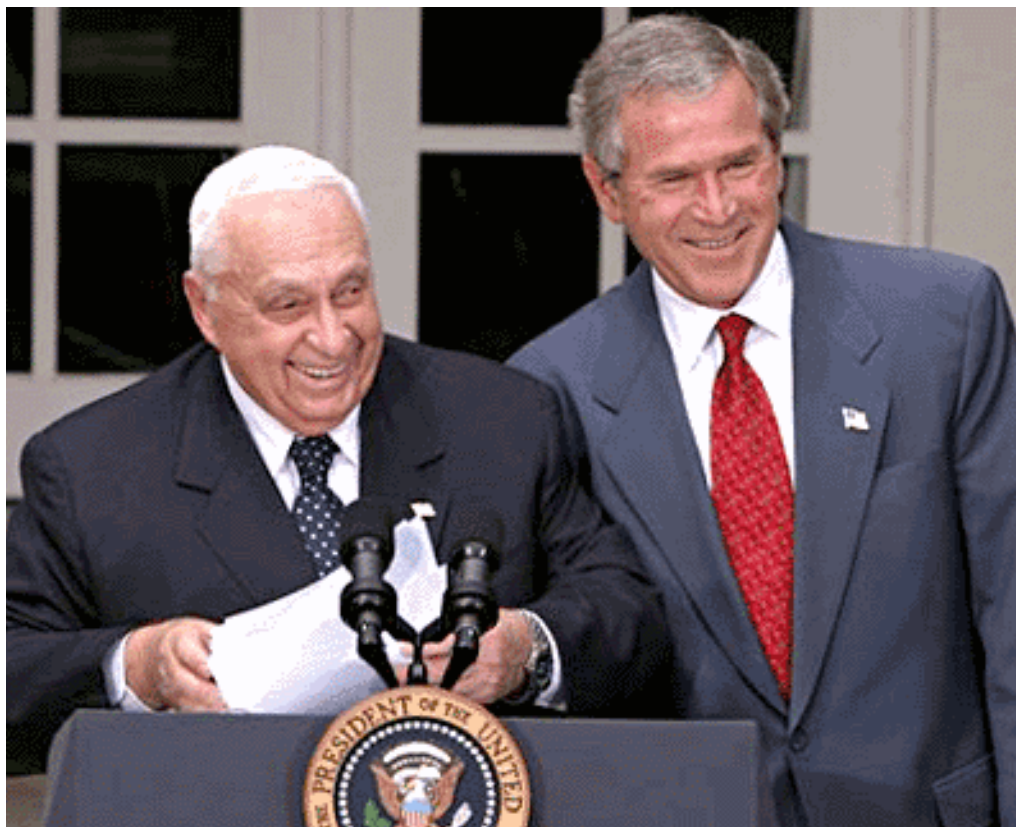
Politics

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amplified on the battlefield amidst the ravages of battle. After the war is over and the sweet smell of victory has dissipated, this ego/ideal will not be such a coercive force. Thus the Torah commands that you should shave her head and pare her nails. These requirements are necessary prior to your taking her as your wife. They are required in order to make her disgusting to him. The Torah appreciated that by the time you are allowed to marry her you will no longer be overwhelmed by the image of the ego/ideal. Hence, Rashi teaches us that ultimately you will hate her. The warrior, after he returns home to his wife, will feel guilty returning with the Yefas Toar. She will resent him and mourn her family that he killed on the battlefield. He will likewise resent her sudden intrusion into his family life. His guilt will not be expressed consciously as a wrongful action on his part, but rather will serve as a basis for his projection of hatred and resentment upon her as a wrongful intruder. Therefore Rashi is not attempting to prophesy by predicting his eventual enmity toward the Yifas Toar. Rather, Rashi is teaching us a valuable insight into human psychology and the workings of the instincts.

Rashi further comments that the child of such a union will be a Ben Sorer U'Moreh. The Torah teaches us to respect one's father and mother. The respect of one's father is mentioned first because it is more difficult for the son to respect the father. The father represents the authority figure; he teaches his son Torah. However the son will naturally respect the mother, as she is the one who comforts him. In contrast, the father's relationship with the son is often characterized by rebellion of the son. This rebelliousness is usually quashed by the mother, whom he naturally respects, since she stands together with her husband in a united front. She will likewise demand that he respect the father. In the situation of a Yifas Toar the son will rebel against the father as the authority figure and as his teacher of Torah. The mother will not bolster the father's authority, since their relationship as husband and wife is one of resentment and hatred. Besides, she will not respect the father as a teacher of Torah because she does not appreciate the Torah life. Their hatred will serve to foster the rebelliousness of the son as he attempts to play off one parent against the other. Their unstable family life will facilitate the son's rebelliousness and it will eventually become his standard mode of behavior. Therefore Rashi teaches us that the offspring of this marriage will be a Rebellious Son.

We can now appreciate the Torah's remarkable insight into human behavior as elucidated by Rashi's insightful remarks. The Torah's logic is compelling by demonstrating that if one succumbs to the temptations of a Yifas Toar it will ultimately cause him much travail. ■



Where's the Thanks?

TIM HOROWITZ

Friends, I have just read that only 22% of American Jews are voting for Bush, up only 3 points from the 19% in 2000.

I voted against Bush in 2000, but am voting for him this time.

As an American Jew, I am greatly concerned about security issues in the USA and Israel. Since changes in policy after September 11th, there have been no major terrorist attacks in the USA. Where are the thanks?

Since Bush's policy speech on Israel on June 24th, 2002, the number of suicide bombings has dramatically dropped in Israel...the fence is working...the strategy of hitting the terrorists first has worked...since Hamas leaders Sheik Yassin and Rantisi were killed starting in March, there have been no successful suicide bombings within Israel. Where's the thanks?

Although it can be spun by people not fond of Jews and Israel, the fact is that Saddam Hussein was paying \$ 25,000 (a fortune there) to the families of Palestinian suicide bombers...his removal has been a blessing to Americans, Israelis, and all peace seeking, freedom loving people in the world, including those in Iraq.

As you watch the Olympics, notice how the Iraqi athletes aren't scared beyond belief...Uday Hussein is no longer alive to torture and/or kill them for not winning a gold medal...where's the thanks?

As many of you, I don't agree with many of Bush's domestic views. But as far as the economy goes, the USA lost 500 billion dollars due to September 11th...Bush's policy changes have protected our lives and our wallets...

As for John Kerry...he voted against the 1991 Gulf War DESPITE UNITED NATIONS APPROVAL...where would all of us be if Saddam were allowed to run rampant then?

Kerry has told Palestinian groups that Israel's fence is provocative...

Somebody please explain why I am one of the few converted American Jews to Bush.

I know I am thankful to him. ■

Taken from "Getting It Straight" Practical Ideas for a Life of Clarity

Drugs

DOUG TAYLOR & RABBI MORTON MOSKOWITZ

"Ah, that reech ah-rom-ah! That full bawdied flay-vorrrrr!"

I was doing my best to imitate Mrs. Olsen, the Folger's lady. But one look across the small table convinced me I should give it up. The King of Rational Thought's face registered one of those kind, tolerant expressions usually reserved for three-year-olds who are trying to show off. I attempted to save face.

"Well, at least the coffee's good," I said.

"You're right about that," he replied with a smile.

We had just started talking about my business when the background radio, which normally envelops this hole-in-the-wall espresso bar with light rock, interrupted our discussion with a news report of a big drug bust in Seattle. Two youth gangs had been implicated, said the announcer, and 50 pounds of cocaine had been seized.

"Interesting," said the King of Rational Thought.

"What is?" I asked.

"I'll show you," he replied. "Tell me what I'm thinking of. It's a white powder. A small diluted amount of it will make you high. A larger amount will kill you."

"Sounds like cocaine to me," I offered.

"Actually, I was thinking of something else," he said. "You're drinking it."

I spluttered my espresso. "What do you mean, I'm drinking it?"

"I'm talking about caffeine. It's a white crystalline substance. In small diluted amounts - as we find in coffee - it can give you a boost, a lift, a high. If you actually had the powder here and ate a bunch of it, it would probably kill you. I understand that in its raw form, it's highly toxic."

"I don't see your point."

"Tell me what the difference is between

what we're sipping here and cocaine," he said quietly. "Both are drugs. Both are a white powder. Both make you high in small doses. Both can kill you in large doses. Yet there is one giant difference.

We have domesticated one and made it a part of everyday life. The other we've outlawed."

I wasn't sure what to say. I couldn't imagine he was in favor of cocaine use.

"We have a very irrational societal policy about drugs," he continued. "We pick and choose, deciding this one's OK, but that one's bad. Look at gourmet coffee. We have practically elevated caffeine ingestion to an art form. Don't you find it just a bit ironic that the DEA agents who are spending your tax money tracking down drug smugglers may be stoking up on a double espresso to start their day?"

"But cocaine can really wreck people's lives," I protested. "Doesn't it make sense to outlaw such dangerous substances?"

He took a sip of his black brew. "Don't misunderstand me. I'm not advocating snorting cocaine or anything like it. But caffeine could also wreck people's lives if it were made available in a concentrated form. Diluted as we get it in coffee, it just gives people mild symptoms."

He smiled. "You know. The shakes, nervous sweats, heart palpitations. And you can get great headaches on withdrawal. Incidentally, did you know that cocaine used to be a key ingredient in Coca-Cola?"



My head was spinning. And not from the coffee. "Aw, come on-"

He held up his hand. "Scout's honor. Where do you think the name 'Coca-Cola' came from?"

Coca-Cola? I couldn't believe it. But the King of Rational Thought was not one to make such stuff up. I suddenly wondered if my whole outlook on drugs was another area of my life I'd never considered rationally.

"The key," he went on, "is quantity. We live with many substances that are safe in small quantities, yet may be deadly in larger doses. Sugar, salt, alcohol, and sleeping pills are all examples. I understand that small, supervised amounts of cocaine have important medical uses. So why should we throw the baby out with the bathwater? Often the issue is not the substance per se, but the quantity of the substance. Perhaps our society would be better off if we focused on that, instead of trying to make cocaine itself the villain."

The waiter came by. "Can I get you another?" he asked, referring to my empty cup.

I looked up, thought about our conversation for a moment, then replied.

"Uh, no thanks. One's enough." ■

(Ki Tetze continued from page 1)

concerning inheritance. The Torah explains that a father's firstborn son inherits a double portion of the property of the father. This law applies even in the special case in our pasuk. In this instance, the father has two wives. One is beloved. The other is shunned. The father's firstborn is the child of the shunned wife. The father cannot disregard the inheritance rights of this son. He receives a double portion. The father cannot transfer this right to a younger son from the beloved wife.

Rashi explains that this law is related to the previous discussion in the parasha. In that section the law of yefat toar is presented. The yefat toar is a non-Jewish woman captured in battle. The Torah allows the soldier to have sexual relations with this non-Jewish woman. However, if the man wishes to marry the woman she must accept Judaism.[1]

Why does the Torah allow the soldier to have relations with this non-Jewish woman? Our Sages explain that the Torah recognizes the force of the desires awakened in the violence of war. The Torah assumes that these powerful instincts will overpower many soldiers. These warriors will not be able to overcome the desire to enter into sexual relations with captive women. This creates a dilemma. Enforcement of the normal prohibition against relations with non-Jewish women would be impossible. Therefore, a strict legal framework was created for the relations.[2] It is deemed preferable for the relations to take place in this framework rather than outside of the laws of the Torah.

What is the connection between the laws in inheritance and the mitzvah of yefat toar? Rashi explains that the shunned wife discussed in the laws of inheritance is a yefat toar.[3] In other words, the yefat toar will eventually be despised by the soldier who has taken her as his wife.

Why will the husband come to hate this yefat toar? The answer requires an understanding of human nature.

We have various instincts. At times these desires can overcome us. At these moments we may not be able to control our behavior. However, with time, this passion subsides. We return to our normal, more sane state of mind.

With the return of sanity we attempt to restore our self-image. We wish to see ourselves as good wholesome individuals. We do not wish to be reminded of the animalistic component of our personality. To accomplish the restoration of our self-image, we must purge all memory and reminders of our previous shameful behavior. If we are successful, we can again view ourselves as sane, rational human-beings.

Imagine a person who could not purge his conscious of a previous embarrassing lapse. This



individual would be unable to completely restore a positive self-image. Surely, the individual would resent the constant reminder of downfall. The yefat toar is such a reminder. The presence of this wife does not allow the husband to restore his cherished positive self-image. Inevitably, he will come to resent this wife. She is a constant indication of the animalistic desires lurking just under the surface. She will become the shunned wife.

“You should not hang his corpse from a tree. Rather you should bury it on that day. For the hanging is a curse to the L-rd. And you should not defile your land, which Hashem your G-d, gives to you as a portion.” (Devarim 21:23)

The Torah requires that the departed receive immediate burial. Our pasuk explains that this law applies even to a criminal executed by the courts. The criminal must receive proper burial within the day.

This command is a response to the argument that the body of the executed criminal should be prominently displayed. What more vivid discouragement can the courts provide to an individual considering a violation of the Torah? We are commanded that despite this consideration the criminal must receive prompt burial. There

are various explanations offered by the commentaries for the application of this law to criminals. These authorities also dispute the proper translation of the pasuk.

Maimonides explains that the law is an expression of respect for humanity. Even a criminal is a member of the human race. As such, the body of the criminal must be treated with dignity. Maimonides translates the pasuk somewhat differently in order to accommodate his explanation.[4]

Rashi offers a fascinating explanation of the law. He comments that even a criminal is created in the image of the Almighty. The display of the criminal's body might reflect poorly on Hashem. This “negative publicity” is minimized through legislating a prompt burial.

Rashi is making an important point. At times we seem to be surrounded by evil. The news is dominated by demonstrations of humanity's depravity. It may seem that the human race is inherently evil. This is not the case. We must always realize that every human being is created in Hashem's image. This design provides us with the potential to do tremendous good. We have the ability and the free will to choose a productive and meaningful life. The criminal becomes engrossed in evil as a result of his or her own choices. There is no innate disposition which condemns humanity to evil.

Rashi maintains that for this reason we cannot allow the body of the criminal to remain hanging. We do not want to unduly emphasize the human's potential for evil. Instead, we want to stress the opportunity available to every person to do good.[5]

Rashbam takes a completely different approach to explaining the law and translating the pasuk. Rashbam seems to premise his comments on the assumption that a successful legal system requires the support and respect of those governed. Without cooperation the law becomes a source of tyranny.

He explains that sometimes the law will seem very harsh. It will be difficult to accept the punishments indicated by the Torah. This is especially true for the family of a person sentenced to death. Imagine the feelings of the family of an individual executed for a violation of the Shabbat. It may be very difficult for these people to appreciate the ultimate wisdom and justice of the punishment. The harsher and the more protracted the punishment the greater the potential for deep resentment. Placing the body on display, for an unduly long period, unnecessarily torments the family. Such a policy will often result in bitterness. In order to avoid this reaction the Torah commands us to behave with sensitivity and bury the criminal promptly.[6]

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(Ki Tetze continued from previous page)



“When you build a new house, you should make a fence for your roof. Do not allow a dangerous situation to exist in your house, since someone can fall.” (Devarim 22:18)

The Torah instructs us to remove any hazard from our home. The Torah expresses this law in reference to a flat roof. These flat roofs were used for various functions. Dwellers and others had occasion to walk on these roofs. This created a danger. A careless person could fall from the roof. In order to prevent such an accident, a fence or railing must be placed around the roof.

This mitzvah is preceded by the commandment to send away the mother bird. The next pasuk discusses the prohibition against planting mixed species in a vineyard. Is there any connection between these commandments? Rashi suggests that there is an association between these mitzvot. He explains that these mitzvot are discussed together in order to communicate a message. This message is that the performance of one mitzvah leads to the performance of another mitzvah. How is this message communicated through these passages? First, the Torah discusses the mitzvah of sending

away the mother bird. Then, the mitzvah of erecting a fence around a roof is discussed. The message is that the fulfilling the mitzvah of sending away the mother bird will result in the opportunity to perform another mitzvah. This is the mitzvah of erecting a fence. The mitzvah of erecting a fence is followed by the commandment prohibiting planting mixed species in a vineyard. Again, the message is that the performance of one mitzvah leads to the performance of another. The erecting of the fence leads to the observance of the prohibition against planting mixed species.[7]

The simple explanation of Rashi's comments is that the performance of one mitzvah is rewarded by the opportunity to perform another. Rashi is not suggesting that a person who sends away the mother bird will suddenly occupy a new home. No material reward is received for the performance of commandments. Rashi is merely suggesting that the opportunity to perform some mitzvah will arise. This opportunity is the reward.

However, this simple interpretation of Rashi is difficult to accept. First, it seems impossible to derive this lesson from these specific passages.

The lesson can be derived from countless combinations of passages. Any three passages that enumerate three commandments can teach the same lesson. The performance of one commandment is rewarded with the opportunity to perform the other commandment.

Second, these three mitzvot do involve material possessions. According to Rashi, the Torah is telling that the reward for performing a mitzvah is the opportunity to perform another mitzvah. In order to communicate this message, the Torah should have picked a different set of mitzvot. The Torah should have grouped a set of commandments that are not associated with the accumulation of wealth. Why did the Torah pick these specific commandments to act as the vehicle for its message? Why did the Torah choose mitzvot that are associated with wealth?

These two questions suggest a deeper understanding of Rashi's comments. Many of the Torah's mitzvot regulate our involvement in the material world. These commandments establish a healthy relationship between the human being and material possessions. A person should enjoy material blessings. A person should not become absorbed in these blessings. The mitzvot mediate our relationship with our possessions.

Wealth can be a blessing. It can also corrupt an individual. A person who observes the mitzvot establishes an appropriate relationship with the material world. Such a person can be rewarded with greater material wealth. Wealth will not corrupt this person. This person will scrupulously observe the mitzvot that apply to these new possessions. These mitzvot will regulate the person's relationship with these new material possessions.

In contrast, a person that is corrupted by wealth cannot be rewarded with additional wealth. Such a reward would really be a curse. The additional wealth will only encourage the further corruption of the individual. The person will become more absorbed in the material world. ■

[1] Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Melachim 8:2.

[2] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 21:11.

[3] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 21:11.

[4] (not available)

[5] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 21:23.

[6] Rabbaynu Shemuel ben Meir (Rashbam) Commentary on Sefer Devarim 21:23.

[7] Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 22:8.

UNJUST WEIGH S

RABBI MOSHE BEN-CHAIM



In Leviticus 19:35-37 we read:

“Do not perform falsehood in justice, in length, in weight, and in volume. Righteous (accurate) scales, righteous stones, righteous dry measures and righteous liquid measures there shall be to you, I am Ha-shem your G-d Who took you out of the land of Egypt. And you shall guard all My statutes and all My judgments, and you shall do them, I am Ha-shem.”

Later, in In Deuteronomy, 25:13-16 the Torah commands us again regarding these weights:

“You shall not have to yourself in your pocket, stone (weight) and (another) stone, a larger and smaller. You shall not have to yourself in your house, dry measure weight, and (another) dry measure weight, a larger and smaller. A complete and righteous stone weight you shall have to yourself, a complete and righteous dry measure weight you shall have to yourself, in order that your days be lengthened on the land that Ha-shem your G-d gives to you. For it is an abomination of Ha-shem your G-d all who make these, all who perform falsehood.”

We must understand what is the crime of dishonest weights. Crooked individuals care but for their own wealth, and cheat to obtain it. Let us take an example from produce, which is weighed when bought and sold. Let's make the buyer our swindler: The buyer tells a storeowner he wishes to purchase one pound of rice. This buyer then proceeds to take out his own “pound” weight to weigh what the storeowner placed on the scale. However, the buyer is crooked and uses what only ‘seems’ to be a pound weight. In fact, that weight is larger. In essence, the buyer obtains more than a pound's worth of rice, but pays only the price of a single pound. He has cheated the storeowner for the cost of the excess. This same swindler may also sell his own produce: here, he is approached by a buyer seeking two pounds of apples. The swindler now uses a different weight - one which is less than a pound, as he hollowed out the bottom, so the buyers are unaware. The swindler proceeds to weigh two pounds of apples. In truth, the buyer, unknowingly, receives less than two pounds, although the swindler charged him for two pounds. Again, the swindler cheated

someone. We now understand why the Torah formulates the prohibition against both types of weights, a lesser and a larger. (Kli Yakar)

The reason the Torah records the same law multiple times, with differences in each case, is to enable our detection of additional facets, parameters, and implications of that law. What are some differences between the laws of dishonest weights recorded in Leviticus, and in Deuteronomy? I will list each question by number, and at the very end, offer possible answers correlating to these numbers:

1) Leviticus grouped weights together with the command no to oppress the convert. What is the equation between dishonest weights and oppressing converts, and why is it mentioned only in Leviticus?

2) In Deuteronomy, why are we not commanded against ‘using’ these weights? Isn't this the true corruption, when we use them to cheat another? Deuteronomy does not seem to forbid ‘use’ - but addresses only their possession and creation. Why?

3) In general, why isn't “dishonest weights” subsumed under “stealing”? How are dishonest weights different than stealing or robbery, that the Torah has a separate command against them? Is the crime equal, worse, or less grave a sin? It would appear that dishonest weights are far worse, as the Torah does not call stealing an abomination.

4) Why is the term “abomination” referred to only in Deuteronomy?

5) Deuteronomy commands that one may not have these weights in his pocket or in his house. What is significant about these two domains?

6) What is Maimonides' principle that one who uses dishonest weights is “likened to one who denies the Egyptian Exodus”?

7) Why the division of the laws regarding weights into two locations, Leviticus and Deuteronomy?

Do the verses give us any indications? Certainly. By categorizing our two Torah instances of dishonest weights, we will create a framework within which we may approach some possible answers.

Leviticus - Prohibiting Action

It appears from Leviticus that this section addresses the prohibition of ‘action’, “Do not perform falsehood in justice...” Here alone do we find the prohibition not to swindle, in action. However, these words are not found in Deuteronomy. Abusing another person's ignorance for the purpose by stealing is prohibited only in Leviticus. Here, we are warned against only the “act” of swindling per se.

Perhaps this also explains why Leviticus grouped dishonest weights with the laws of abusing the convert. In both cases, a person is forbidden to capitalize on another individual's vulnerability; a convert may be abused for his faulty past, and a neighbor's ignorance through dishonest weights. Rashi explains why the words “I am Ha-shem your G-d Who took you out of the land of Egypt” follow these laws of dishonest weights in Leviticus: to indicate that just as in Egypt, G-d discerned between a drop of semen which was a firstborn and which was not, so too G-d will discern and punish one who cheats with dishonest weights. What does Rashi teach on another level? The one who uses dishonest weights is denying that G-d. Rashi says a response is necessary for the swindler to hear. He must be reminded of G-d's “Seeing Eye”. However, we may ask, in Ethics of the Fathers, 2:1, we are told that by “pondering three matters, man refrains from sin; a Seeing Eye, a Hearing Ear, and that all our actions are recorded in a book.” One who swindles does not pay heed to the Seeing Eye. He cares about man's eye, but not G-d's. But can we not say this denial of the Seeing Eye (G-d) exists in ALL Torah violations? So wherein does this sin differ? Also, why is the use of dishonest weights an “abomination”? Unkelos was praised for his precise translations. He translates “abomination” as “distanced from G-d”. How is this applicable here, more than in other cases?

I believe the answer is derived from the difference between robbers and thieves. A robber is not considered as corrupt as a thief. The robber steals in daylight, even confronting the victim. His fear of G-d is equal, or rather, as minimal, as his fear of man. He has no gumption about stealing from right in front of you. His fear of man is absent, as is his fear of G-d's commands. However, a thief steals by night, or covertly. Why? His fear of man is greater than his fear of G-d. He wishes not to confront man, but G-d's laws are of no concern to him. Man is raised higher than G-d. For this reason, Rashi states what he did: that a swindler needs to hear the rebuke of denying G-d's “Seeing Eye”. It is the swindler who disregards G-d's knowledge of his sin, so it is the swindler who requires this specific rebuke.

One may ask, if a thief also raises his fear of man above G-d, why is he not considered an “abomination”? For this question, we now make recourse to our section in Deuteronomy.

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Deuteronomy - Prohibiting a Philosophy

We asked why in Deuteronomy there is no prohibition on the swindling act per se. I believe it is because in Deuteronomy, the violation described is not the "act". What then is the additional prohibition? The prohibition in Deuteronomy is to possess or create these dishonest weights, "You shall not have to yourself in your pocket, stone (weight) and (another) stone, a larger and smaller", and "For it is an abomination of Ha-shem your G-d all who make these..."

But if we don't use these weights, what infraction is there? The answer is that Torah laws do not guide actions alone, but also our philosophies. We are commanded in Deuteronomy not to subscribe to a life of cheating and swindling. Here, it is the "philosophy" that we are commanded against - not the action. The Torah's words bear this out, as we find no prohibition on any 'act' of swindling in Deuteronomy. Leviticus is where we find the prohibition on the action - not so in Deuteronomy. Here, G-d is teaching us that there is a separate corruption in man of simply subscribing to a life where he wishes to cheat. No actual cheating need be committed to violate this second aspect of dishonest weights. The mere possession of these weights in your pocket, in your house, or their creation, is in fact the violation.

A Corruption of Mind

Why is the possession or creation of dishonest weights worse than theft, that "abomination" is applied to the former? There is a difference: a thief may steal once or twice. But this in no way displays his philosophy of life. He may steal out of desperation. But one who manufactures or possesses these weights, displays that this is an acceptable mode of operation, i.e., an "acceptable" way of life. Subscribing to a life-long philosophy of corruption is an "abomination", a distancing from G-d, where a one-time act is not. Man sins until he dies, there is no escape. His emotions flare up at times. This is our nature, "For man is not righteous in the land who does good and does not sin". (Ecclesiastes, 7:20) But premeditated corruption is something far worse - one's mind has now been compromised. Thus, one who possesses, or creates dishonest weights, thereby confirms his value in swindling a fellow man, despite G-d's commands. "G-d wrath is of no concern, but man's wrath must be avoided." Here, man has committed himself to an unjust philosophy - he has corrupted his thinking, his very essence as a Tzelem Elokim - an intelligent being - has been forfeited. Here, man sacrifices his soul.

Thief and swindler alike share one common

corruption: they don't simply deny G-d's laws - they deny G-d. This denial is not one out of an excited emotion, like eating non-Kosher on an occasion, or one illicit, sexual relation. Their corruption is a direct distortion of G-d: they replace G-d with man as the ultimately, feared being. Gratifying a temporal, emotional urge does not distort G-d's position in our minds. Thievery and swindling do. Although they share common ground, "abomination" is reserved for the one whose distortion enters the realm of one's mind, i.e., the swindler. Unkelos translates abomination as "distancing" oneself from G-d. Here, man distorts the very Kingship of G-d.

Maimonides on Dishonest Weights

Maimonides makes an astounding comment in his Hilchos G'neva (Laws of Stealing), 7:12:

"More harsh is the punishment for dishonest weights, than the punishment for illicit sexual relations. For this one (weights) is between him and G-d, where as this one (illicit sexual relations) is between him and man. And anyone who denies the laws of dishonest weights, is likened to one who denies the Egyptian Exodus, as it is the commencement of this command. And anyone who accepts the laws of dishonest weights, this one admits to the Exodus, as it is the cause of all commands."

I understand Maimonides' first statement - corruption in matters pertaining to G-d as more severe. Man denies G-d more in the area of dishonest weights, than in sexual prohibitions. But what is he saying, that not abiding by these laws regarding weights is likened to a denial of the Exodus? Why a denial of the Exodus, any more than a denial of Sinai, or anything else? And what aspect of the Exodus is being denied? Its historical truth? This makes no sense, that someone would deny accepted history. Maimonides must refer to a denial of another facet of the Exodus. What facet? Another question is, how is the Exodus the "commencement of this command", as Maimonides states? Sinai is where we received the Torah! Sinai is the "commencement of the command".

We are forced to ask: how does the Exodus differ from Sinai? The Exodus granted us freedom. Sinai is where we received the Torah laws. But the goal of the Egyptian Exodus was not for 'freedom' per se. Freedom was granted only for our adherence to the Torah, soon to be received.

The first laws, which G-d gave us at Sinai, were the laws addressing slavery. Why? We were just released from slavery. These laws addressed the very state in man that is despicable in G-d's eyes, i.e., human servitude. The end of human servitude

is primary for the fulfillment of G-d's laws. Human servitude eclipses servitude to G-d. Removal from slavery is not the good in itself. What's wrong with working for another man, and earning your livelihood? No. Our release from bondage was in order that we be free to follow the Torah, but more essentially, to serve G-d and not man. Human servitude directly obscures man's direct relationship with G-d. The very institution of slavery is the antithesis of Torah. Slavery epitomizes man's psychological dependency on another - the state of a child. One who yearns for a human master displays his retardation - he has not advanced from the infantile state of dependency. Such a Jew has his ear awled. For the ear is what heard at Sinai, "My servants are you, and not servants to servants." Man was designed to travel through infantile dependency, not make it his destination. Ultimately, man must see others as equals; only G-d should maintain the position as "Master". When G-d freed us, this was the "commencement of the commands." We understand Maimonides latter statement.

But why does Maimonides explain the use of dishonest weights to be a "denial of the Exodus"? We said, Maimonides must have not been referring to the denial of the historical truth of the Exodus. To what does he refer? I believe he refers to the feature of "emancipation". The Exodus alone - and no other event - granted man freedom from human manipulation. It rendered man capable of exercising his free will unconditionally.

Now, besides slavery, there is one other institution that obscures our freedom - "dishonest weights". However, it is not like one might initially think. "Unjust weights" obscures freedom, not for the victim, but for the swindler. How? Let me explain: In slavery, one is psychologically bound to another - this is from the vantage point of the slave. The slave prefers to have a human directing his life. He is insecure and requires constant direction. In dishonest weights, here too one is psychologically bound. But here, the one bound is the swindler. The swindler desires to manipulate man. He "tricks man's mind". This manipulation gives man the feeling of dominance, when in fact, he should be subservient to G-d. The swindler prefers the life where man is his focus, even though the swindler is dominant, unlike the slave who is subservient. But it makes no difference. Whether a slave, or a swindler, both wish to abandon the freedom granted by the Exodus intended for focusing on G-d, and instead, opt for a life relating primarily to man and not G-d. The slave's situation removes G-d as his Master, but from an emotion of insecurity. The swindler too has removed G-d from his focus, not from insecurity, but from the

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(Unjust Weights continued from previous page)

exact opposite emotion; the need to manipulate man. A slave is subservient - the swindler is dominant. Both individuals deviate from relating to G-d, selecting man for their primary relationship in life.

Maimonides teaches a solid principle: slaves and swindlers opt for a relationship with man over a relationship with G-d. They deny the "goal" (not the historical truth) of the Exodus: that man be free to relate to G-d through His Torah system.

In another location, Maimonides states a philosophical point, much in line with our command against dishonest weights: In his Commentary on the Mishna, Maimonides states that in business dealings, one should seek transactions where one's client or customer obtains equal profit to himself. We must not be self-centered, resembling vultures seeking to devour our clients wealth. Our clients' possessions are no less important before G-d's eyes, than our own. The very fact that man is a species (i.e., G-d wills many members of mankind) teaches the concept of "equality". One should observe and take to heart, "G-d doesn't wish my existence alone, but all members of mankind - G-d's will extends to all humans, equally." But if this truth is not apparent enough, Leviticus teaches that we should not oppress the convert, nor use dishonest weights. Equality is G-d's will.

The truth is, greed is counter-productive to its imagined goal: it creates a society where those wishing to accumulate unjustly, will have their own amassed wealth robbed by other greedy individuals, who follow their lead. How ironically just.

Summary

Many salient principles are discovered through studying the laws regarding dishonest weights:

1) Leviticus teaches we may not use these weights, as they are acts of oppression, just like oppressing converts.

2) Deuteronomy teaches that dishonest weights are distinct from other commands, in that mere possession is a violation. The inactivity of "possession" (or active creation) is the violation. Making or possessing such weights expresses subscribing to a corrupt philosophy.

3) Possession of these weights displays a severe distortion in man; he values G-d's word less than man. Rashi taught us that as G-d discerns a drop of semen, so too, He discerns our acts, which we tragically feel are hidden from G-d's "eyes". The violator who uses these weights replaces G-d with man, as one to be feared most.

4) We also understand why "abomination" is used only in Deuteronomy: it is here alone where the Torah outlines one who has subscribed to a corrupt philosophy by mere possession of these weights. In Leviticus, only the 'use' of dishonest weights is prohibited. But 'use' is a one-time event, not deserving of the term "abomination". It is only he who creates or possesses these weights, who has corrupted his mind and morality in a permanent way.

5) What is the reasoning for the prohibition against

possessing these weights in one's pocket or house? In one's pocket means he is ready to use them at any point - it is his current philosophy. But not only in actual business is he corrupt. Perhaps keeping these weights at home displays that his entire philosophy of life - his home - is permeated with the greed that propels one into such selfish behavior.

6) Maimonides' Laws of Stealing teaches that whether one is a slave or a swindler, he errs, opting for a relationship with man over a relationship with G-d. The slave serves man, while the swindler manipulates man. Both are two ends of one spectrum. In both cases, man denies the goal of the Exodus: that man be detached from personal relationships, free to relate to G-d through His Torah system.

7) Why the division of the laws regarding weights into two locations, Leviticus and Deuteronomy? Is this to teach that "dishonest weights" is not the essential institution; otherwise, all aspects would be located in one location? Perhaps the division of these laws, as is done with other laws, indicates that other features are more essential to Torah, than are the specific parameters of a given command. What I mean is, had we seen all laws of dishonest weights centrally located in one Torah portion, our attention would not be directed away from this institution. But as we see the "action" (Leviticus) separated from the "philosophical subscription to corruption" (Deuteronomy), we are thereby led to focus on THESE categories, which otherwise would possibly go undetected. Do we learn from this that these categories dominate the institution? Meaning, the smaller institution of dishonest weights is not as central, as is the 'greater' lesson of not corrupting our philosophy. Unjust weights are merely an example of the greater, categorical corruption of a distorting one's philosophy in thought alone. Possession of these weights is a sampling of how one can philosophically err. But by the Torah separating out this aspect of these weights, we are driven to identify this category: that we must be philosophically sound, even if we don't "act" corruptly.

This last comment is only speculation. In no way can we suggest conclusive reasons for commands. We may only suggest possibilities. We cannot know G-d's intent or thoughts. I feel this is even more applicable regarding this last question. I wish only to suggest a possibility, and I invite your feedback.

Having come this far, discussing "scales of justice", let us be cognizant of our upcoming holiday of Rosh Hashanna, wherein G-d weighs our merits and sins, judging us with ultimate truth. We must comprehend that all is known before Him. "All is written in a book". But now, it is our lives which are in the balance. Take this to heart. Study what is the right path. Understand the perfections granted to us by G-d through His Torah system. We must examine our ways, abandoning sinful acts and character traits, and aligning ourselves with the correct path leading to a life of truth, and a true life. ■



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The next few verses are interesting. Moses says to the Jews:

“For these nations that you inherit, to the Onnanim and to the Kosmim do they listen, and you, not so has G-d given you. A prophet from your midst, from your brothers like me will G-d your G-d raise up for you, to him shall you listen. As all that you requested from G-d your G-d at Horeb (Sinai) on the day of the Assembly saying, ‘I cannot continue to hear the voice of my G-d, and this great fire, I cannot continue to gaze at, so I shall not die’. And G-d said to me, ‘They have spoken well. A prophet I will raise for the from among their brothers like you, and I will place My word in his mouth and he will speak to them all that I command. And it will be the man who does not heed to My word that he speaks in My name, I will exact punishment from him. However, the prophet who wickedly speaks a matter in My name that I did not command him to speak, and that he speaks in the name of other gods, and you shall kill that prophet’. And when your say in your heart, ‘How shall I know the matter that G-d has not said?’ That which a prophet says in G-d’s name, and the matter does not come about, it does not eventuate...that is the matter which G-d did not speak of, with evil did that prophet speak, do not fear him.” (ibid, 18:14-22)

We are struck with a few questions. Are we to understand the prophet’s purpose is to simply take the place of fortunetellers? I ask this, as the verses state:

“For these nations that you inherit, to the Onnanim and to the Kosmim do they listen, and you, not so has G-d given you. A prophet from your midst, from your brothers, like me, will G-d your G-d raise up for you, to him shall you listen.”

If it is an abomination to inquire from Onnanim and Kosmim, what then is the difference if we inquire of the future from a prophet? It also seems from these two verses, that the prophet comes to address future events. However, we know that prophets existed long before this era. Adam, Noah, Abraham, Isaac, Jacob, etc. were all prophets. They did not function to forecast events. So we wonder about the apparent inconsistency in the roles of previous and subsequent prophets.

My second question is based on these verses:

“As all that you requested from G-d your G-d at Horeb (Sinai) on the day of the Assembly saying, ‘I cannot continue to hear the voice of my G-d, and this great fire, I cannot continue to gaze at, so I shall not die’. And G-d said to me, ‘They have spoken well. A prophet I will raise for the from among their brothers like you, and I will place My word in his mouth and he will speak to them all that I command.”

From here, it appears that had the Jews not requested Moses to intervene at the Revelation at Sinai, protecting them from the intolerable, mighty sounds and sights, “prophets” would not become an institution. G-d’s response to their request is:

“They have spoken well. A prophet I will raise for the from among their brothers like you, and I will place My word in his mouth and he will speak to them all that I command.”

As prophets predated Sinai, how do we understand G-d’s words that prophets appear to be a response? Additionally, we learn that prophecy

is a natural result of one’s perfection, as Maimonides states:

“...a person must satisfy the following conditions before he can become a prophet: The substance of the brain must from the very beginning be in the most perfect condition as regards purity of matter, composition of its different parts, size and position: no part of his body must suffer from ill-health; he must in addition have studied and acquired wisdom, so that his rational faculty passes from a state of potentiality to that of actuality; his intellect must be as developed and perfect as human intellect can be; his passions pure and equally balanced; all his desires must aim at obtaining a knowledge of the hidden laws and causes that are in force in the Universe; his thoughts must be engaged in lofty matters: his attention directed to the knowledge of God, the consideration of His works, and of that which he must believe in this respect. There must be an absence of the lower desires and appetites, of the seeking after pleasure in eating, drinking, and cohabitation: and, in short, every pleasure connected with the sense of touch.” “A man who satisfies these conditions, whilst his fully developed imagination is inaction, influenced by the Active Intellect according to his mental training - such a person will undoubtedly perceive nothing but things very extraordinary and divine, and see nothing but God and His angels. His knowledge will only include that which is real knowledge, and his thought will only be directed to such general principles as would tend to improve the social relations between man and man.” (Guide for the Perplexed, Book II, Chap. XXXVI)

Prophecy is described here as a natural result of one’s perfection – not as it appears from Deuteronomy – a response to the Jews’ request that Moses intervene.

We therefore have three questions: 1) What is the difference if we consult Onnanim or Kosmim instead of prophets? 2) Why is ‘forecasting’ the mark of a prophet, as opposed to miracles or some other distinction? And 3) Would we have prophets today, had the Jews not asked Moses to intervene at Sinai?

Prophets vs Idolaters

Ibn Ezra addresses the first question, which should be obvious to us all. He says that Moses told the people that G-d would raise a prophet “like me”. Meaning, “That he is a prophet of G-d, and not an enchanter.” (Ibn Ezra, Deut.18:15)

Our prophets differ from enchanters, soothsayers and diviners, in that our prophets receive true knowledge “from G-d.” They speak of reality, not fantasy, as do all others. “The Lord God hath spoken, who shall not prophesy?” (Amos 3:8) All others are false. The command “...do not learn to do as the abominations of those nations” must be understood as, “do not inquire of falsehoods.” We are informed that G-d’s prophets alone obtain the knowledge of the future. This brings us to our next answer.

Forecasting: Proof of Prophecy

G-d defines the prerequisites of prophecy: completely accurate forecasts, not miracles. Why should forecasts prove one as a prophet, and not miracles?

One area that man possesses no knowledge, ideas of which must emanate from G-d, is knowledge of the future. Such knowledge reaches man only through a prophetic vision. There is no other means. Man can perform elaborate sleight-of-hand, illusions, and mind-reading ploys. However, even these will not fool an astute observer – he will see

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through the smoke and mirrors. However, no one can predict the future.

Our minds work by observation via sense perception. Perception, by definition, is the act of sensing “that which already exists”. Sight, hearing, taste, touch, and smell can only function when the perceived object is already in existence. Hence, that which does not yet exist (i.e., the future) is impossible for man to perceive. So when someone forecasts the future with exact precision – when the most minute detail of his forecast comes true – we know he is trustworthy to be a prophet. “Trustworthy?” you ask. “Should not this confirm 100% prophecy upon him?” you say. Yes, in accordance with Maimonides: “And if his words come about completely, he is ‘believed’ in our eyes. And we test him many times. If we find all his words to be true, then he is a true prophet.” (Laws of Torah Fundamentals. 10:1-2) The Torah says that prophecy is that which G-d gives to man: “...and I will place My word in his mouth...” (Deut. 18:18) The requirement, Maimonides states, to test the prophet many times, indicates that even on one occasion, someone may successfully guess correctly at the future. But this cannot happen consistently. But when someone does consistently predict the future with minute details, then he is confirmed to be a prophet.

Additionally, and in accordance with Maimonides above, and as

Nachmonides states (Deut. 18:21) we accept one as a prophet, as he has already displayed an unwavering adherence to G-d's word, and a high level of intelligence. G-d relates to someone on a high level, not a simpleton. Hence, a perfected and intelligent person would be accepted as a prophet, if all other requirements were met. Maimonides too states, “We must examine the merits of the person, obtain an accurate account of his actions, and consider his character. The best test is the rejection, abstention, and contempt of bodily pleasures: for this is the first condition of men, and a fortiori [certainly] of prophets.” (Guide for the Perplexed, Book II, Chap. XL)

However, we would dismiss a self-proclaimed prophet who displayed none of the prerequisite perfections. Even if one were to perform a feat we could not explain, but simultaneously deviated from G-d's word, he would not be accepted as a prophet. Miracles do not qualify one as a prophet, he must be perfected, intelligent, and adhere exactly to G-d's Torah Laws and philosophy. Certainly, when a prophet would deviate from Torah, we will uncover his miracles as clever manipulations, and nothing more. G-d will not enable impostors to effectuate miracles, as this would deceive man, not educate him. True prophets did not veer at all from G-d's Torah. Had they done so, we are commanded by G-d's words to kill them.

Prophecy Before and After Moses

Maimonides writes:

“There were prophets before Moses, as the patriarchs Shem, Eber, Noah, Methushelah, and Enoch, but of these none said to any portion of mankind that God sent him to them and commanded him to convey to them a certain message or to prohibit or to command a certain thing. Such a thing is not related in Scripture, or in authentic tradition. Divine prophecy reached them as we have explained. Men like Abraham, who received a large measure of prophetic inspiration, called their fellow men together and led them by training and instruction to the truth which they had perceived. Thus Abraham taught, and showed by philosophical arguments that there is one God, that He has created everything that exists beside Him, and that neither the constellations nor anything in the air ought to be worshipped; he trained his fellow-men in this belief, and won their attention by pleasant words as well as by acts of kindness. Abraham did not tell the people that God had sent him to them with the command concerning certain things, which should or should not be done. Even when it was commanded that he, his sons, and his servants should be circumcised, he fulfilled that commandment, but he did not address his fellow men prophetically on this subject. That Abraham induced his fellow men to do what is right, telling them only his own will [and not that of God], may be learnt from the following passage of Scripture: “For I know him, because he commands his sons and his house after him, to practice righteousness and judgment” (Gen. xix. 19). Also Isaac, Jacob, Levi, Kohath, and Amram influenced their fellow men in the same way. Our Sages, when speaking of prophets before Moses, used expressions like the following: The bet-din (court of justice) of Eber, the bet-din of Methushelah, and in the college of Methushelah; although all these were prophets, yet they taught their fellow-men in the manner of preachers, teachers, and pedagogues, but did not use such phrases as the following:” And God said to me, Speak to certain people so and so.” This was the state of prophecy before Moses. But as regards Moses, you know what [God] said to him, what he said [to the people], and the words addressed to him by the whole nation:” This day we have seen that God doth talk with man, and that he liveth.” (Deut.V.21)” (Guide, Book II, Chap. XXXIX)

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Of course, there were indeed prophets prior to Moses, and the Jews' request that Moses intervene at Sinai. However, Maimonides' primary lesson here is that which another Rabbi expounded upon: the patriarchs did not refer to their prophecies as a means of inducing others to follow G-d. The method used by the patriarchs to teach others was "reasoning". Their wish was to imbue other people of the truth of G-d's existence, and His desire for justice and morality: "For I know him, because he commands his sons and his house after him, to practice righteousness and judgment." Abraham taught by means of rational arguments, not by means of coercion, or citing G-d's word is the reason to act.

The patriarchs taught a "method" of living: following reason. They desired that man recognize his intelligence, and its precise design for unlocking knowledge. This is man's primary mission, enabling his utmost happiness, and the path man must follow in all of his daily activities...for this is how the world runs; on reason. Reasoning allows man to arrive at truths, and gain knowledge of reality, which fills man's life with purpose and the highest level of fulfillment.

But Maimonides says, "This was the state of prophecy before Moses." We therefore ask, "What is the state of prophecy subsequent to Moses?" Again, the Torah says:

"A prophet from your midst, from your brothers like me will G-d raise up for you, to him shall you listen. As all that you requested from G-d your G-d at Horeb (Sinai) on the day of the Assembly saying, 'I cannot continue to hear the voice of my G-d, and this great fire, I cannot continue to gaze at, so I shall not die'. And G-d said to me, 'They have spoken well. A prophet I will raise for the from among their brothers like you, and I will place My word in his mouth and he will speak to them all that I command.'"

What bearing does the Jews' isolated request at Sinai have on the state of prophecy from that point, and forever? Ramban addresses this question. (Deut. 18:16) He says that just as the Jews requested Moses to hear G-d's word and convey it to them, so too, the Jews thereby accepted the institution of prophecy, eternally. This makes sense. The Jews were not saying Moses alone was fit to convey G-d's word, but that any prophet should obtain G-d's word on their behalf, and teach them what His will is.

What is the state of prophecy subsequent to Moses? Maimonides writes:

"The history of all our prophets that lived after Moses is well known to you; they performed, as it were, the function of warning the people and exhorting them to keep the Law of Moses, threatening evil to those who would neglect it, and announcing blessings to those who would submit to its guidance. This we believe will always be the case." (Guide for the Perplexed, Book II, Chap. XXXIX)

"But the well-being of society demands that there should be a leader able to regulate the actions of man; he must complete every shortcoming, remove every excess, and prescribe for the conduct of all, so that the natural variety should be counterbalanced by the uniformity of legislation, and the order of society be well established. I therefore maintain that the Law, though not a product of Nature, is nevertheless not entirely foreign to Nature. It being the will of God that our race should exist and be permanently

established, He in His wisdom gave it such properties that men can acquire the capacity of ruling others. Some persons are therefore inspired with theories of legislation, such as prophets and lawgivers: others possess the power of enforcing the dictates of the former, and of compelling people to obey them, and to act accordingly." (Guide for the Perplexed, Book II, Chap. XL)

Maimonides teaches that the goal of prophets subsequent to Moses, was to enforce the Torah. Torah did not exist prior to Moses; so previous prophets did not have the role of enforcing the G-d-given Torah system. The perfection of the patriarchal prophets was their desire to help others realize G-d and reality through the exclusive use of intelligence. For this reason, G-d selected them as forefathers of a nation, that they should be the example of the pinnacle of human perfection, i.e., men who realize G-d and truth with the intelligence alone. However, G-d's will demanded that at a precise moment in history, a system be forged and promulgated. Once this Torah system was given, prophets now played a different role, as Maimonides clearly states.

"They Have Spoken Well"

We may ask one more question: Why did G-d say, "They have spoken well" in connection with this request of the Jews that Moses intervenes? To answer this question, let us read G-d's plan of Revelation at Sinai, as He told to Moses:

"Behold, I will come to you in the thickness of cloud, so the people will hear when I speak to you, and also in you will they believe forever..." (Exod. 19:9)

G-d tells Moses that one purpose of Revelation at Sinai was to validate Moses as a prophet, "...also in you will they believe forever..." Since Sinai was to serve this purpose, when the people said to Moses that he should intervene on their behalf, they were in effect proving G-d's words that Moses will be believed. As such, G-d responds in parshas Shoftim, "They have spoken well." Meaning, the Jews' suggestion was precisely in line with G-d's plan.

We also learn from Maimonides' inclusion of prophecy as one of the 13 principles, that this institution is essential to our concept of G-d. For without our conviction in prophecy, we falsely conclude that G-d does not direct man, neither does He desire our best life. Without knowledge of prophecy, man concludes, as did Aristotle, that G-d is not concerned with mankind. However, as a Rabbi once taught, our mark of distinction – the Tzelem Elokim (intelligence) is named after G-d Himself – indicating this faculty's central role in our lives, and G-d's exclusive cause not only of our creation, but of His plan for us.

Summary

Prophets, subsequent to Sinai, were not given prophecy as a "response" to the Jews' words. Prophets as teachers of Torah would have risen regardless, as G-d said to Moses in Exodus above. And prophets as perfected individuals always existed, and would continue, as Maimonides taught: it all depends on one's perfection. We learn that Onnanim or Kosmim lie to mankind, while prophets speak only that which emanates from G-d's wisdom. Therefore, "forecasting" is the singular mark of a true prophet, as this is one area in which man has undeniably received G-d's words, and cannot be mimicked by charlatans. ■

Archaeology & Torah II



Reader: Almost daily, archaeological evidence comes out that casts doubt on the veracity of Biblical accounts, including the Exodus from Egypt and the conquering of Israel in the days of Joshua. How are we to deal with this information? Denying or ignoring it would be irrational, but accepting it at face value undermines our belief in the accuracy of Tanach.

Mesora: How would you respond to findings, casting doubt on George Washington's existence? You would most certainly deny the findings; in favor of what we know is an established, historical truth.

Similarly, once you realize that Jewish history, having been previously and currently accepted by millions of people passed down as truth, you will treat findings opposing Jewish history the same way. I do not mean to avoid analyzing the findings, just the opposite: study the findings and their claims. (But I would look for self-aggrandizing symptoms as well. Scientists are

not immune to self-glorification, exaggerating claims to breakthroughs, with stardom as their destination.)

Understand, that findings are not unaccompanied by interpretations of the archaeologist. Is his theory sound, and is it irrefutable? On this note, ask yourself this:

Does a finding have any more weight than history? If for example, we locate a pottery shard appearing to be of

Roman design, but located where Romans never roamed, does this uproot a history echoed by an entire nation? The answer is that no finding can alter what we know is historical fact: there may also be a lack of records, which would explain why such a shard was found in a remote region, and it surprised us. This is quite plausible, and removes the assumed contradiction. But you may ask, let's say we find ancient, historical records – not simple broken earthenware – that contradict our current records of Washington's presidency. Based on the words of so many, which form American history, we would not dismiss our history of the majority; rather, we would dismiss the minority report, as evidenced in the findings.

This teaches us an important lesson: verbally transmitted history is the greatest evidence. Such transmission all the way back to any event, attests to eyewitnesses: what we call irrefutable proof. Hence, artifacts carry far less weight for this reason: artifacts possess no inherent "history", but require interpretation, not inherent to the artifact. Whereas eyewitnesses

form the inception of verbally, transmitted history. Thus, history is inherently "intelligible". So when you compare an artifact with history, what must win out? The verbal history wins, as it is inherently explanatory, unlike static shards.

See "Torah from Sinai" on our website by Rabbi Israel Chait. Understand his argument, which is also that of Judah Halevi, Maimonides, and all other Torah giants. We should pay much attention to what geniuses unanimously consent to be irrefutable evidence...at least as much attention we pay to common men. □

Predestination

Reader: Hello, my name is Christopher. I was wondering if Jews believe in predestination. The Presbyterians, some Baptists, and other Christian divisions believe that G-d chooses some to be saved and others to be damned regardless of faith, repentance, etc. Do Jews believe this also? Where in the Old Testament are specific places that teach free will. Also, I was wondering what the Jewish interpretation of Proverbs 16:4 is.

Mesora: The Torah (Old Testament) states, (Deut. 30:19) "...and choose life". Again in Deuteronomy, 24:16 we read, "Fathers are not killed on their sons, nor sons on their fathers, a man in his own sin shall be killed". Accordingly, a person is the sole cause of his actions, and is therefore culpable for his actions. Moses would not offer the people to "choose life" if we had no choice. Our lives are not predestined, and this concept you mention as belonging to other religions, paints a picture of an unjust god, not the true, just G-d. But simple intelligence offers us the answer. We know that we can choose our actions, and that there

is nothing except us – i.e., our free will - that makes our choices. G-d is not guiding my hand; I can do whatever it is I wish.

How many times are we warned by the Torah to do what is right? If we are not the cause of our actions, why does G-d instruct and command us? It must be that we alone are responsible for our actions. The entire justice system was built on the fact that man guides his own actions. "Reward and Punishment" is one of Judaism's fundamentals; teaching that man reaps what he sows.

Proverbs 16:4 reads, "G-d has made everything for His own purpose, and also the wicked, for the day of evil." Malbim explains that the recompense of the wicked also serves to glorify G-d. This makes sense, as their punishment validates G-d's system of Reward and Punishment. This does not mean G-d forces man to sin, far be it. It means that the wicked – those who seem to have no place in G-d's system – also serve a purpose designed by G-d. This 'extra' word, "also" (as in "even" the wicked...) amplifies man's false assumption: the wicked are a category that do not have a place in G-d's purpose. It sounds correct: how could those who oppose G-d, simultaneously serve G-d in any way? Good question. But it is this assumption that King Solomon addresses. He is underlining a false opinion, that there exists something, which contributes nothing to knowledge of G-d. However, when King Solomon wrote that "G-d has made everything for His own purpose" he means to say that all of G-d's creations, including His various systems of government, have as their goal the educating of mankind in G-d's truths, or "G-d's purposes." G-d created all we see, so we may come to knowledge of G-d, and a life of searching further. This is the understanding of "G-d has made everything for His own purpose." "G-d's purpose" means man's life of approaching Him. □